**Minutes of the Regular**

**Meeting of the 2017 Council of the**

**City of Linden, held Tuesday**

**July 18, 2017**

The regular meeting of the 2017 Council of the City of Linden, was held in the Council Chambers in the City Hall on Tuesday, July 18, 2017 at 7:00 pm. The meeting was called to order by Council President Jorge Alvarez and she announced that the notice of this meeting stating the date, place and time, has been disseminated as required under the Open Public Meeting Act, Chapter 231, P.L. 1975.

The Clerk rendered the opening prayer, after which the members of the Governing Body and the persons in attendance saluted the flag.

Council President Jorge Alvarez informed those present of the proper procedures for exiting the room in the event of an emergency.

Council President Jorge Alvarez asked all members of the public, wishing to speak during the public comment session to please sign in on the sign-in white sheets provided in the front of the room.

Council President Jorge Alvarez asked all to place their cell phones on vibrate, and if they must take a call to please leave the room to do so.

A roll call showed the following members were present:

**ROLL CALL**

Councilwoman Lisa Ormon

Councilman Barry Javick

Peter Brown

“ Monty Brooks

Councilwoman Cosby-Hurling

Councilman Robert Sadowski

Councilman Ralph Strano

Councilwoman Michele Yamakaitis

Councilman Armando Medina

Councilwoman Gretchen Hickey

Council President Jorge Alvarez

Mayor Derek Armstead

**APPROVAL OF MINUTES**

Mr. Brooks moved for approval of the minutes of the June 20, 2017 Regular Council Meeting. The motion was seconded by Mr. Brown and was ordered approved by a roll call vote by all voting yes with the exception of Mrs. Cosby-Hurling who abstained.

**2017 CITY OF LINDEN BUDGET HEARING**

Chief Finance Officer Alexis Zack, and the staff of her office did a presentation explaining the 2017 budget to those in attendance. At the conclusion of the presentation, Council President Jorge Alvarez open the floor to discussion.

President Alvarez announced that the public hearing on the 2017 budget was now open, and asked for public comment.

Diane Wilverding, 150 E. Morris Ave, Ms. Wilverding asked questions regarding the purchase of a stumper for the Public Works Department, to which Mr. Micuccia responded.

President Alvarez commented on the budget, and the job done by Mrs. Zack, and her staff, in putting it together.

Mr. Strano moved to amend the 2017 City of Linden Budget.

The motion was seconded by Mrs. Ormon and was unanimously ordered approved by a roll call vote.

Mr. Strano then made the following statement:

The introduced budget represents a total of $109,156.33 in expenditures for the year 2017. A yearly increase of $84.32 on an average assessed home of $132,659.00 or an increase of $7.03 a month.

The City of Linden is focused on providing our residents with a variety of city services and quality of life improvements. The City Council worked very hard in the budget process to keep the municipal portion of your property taxes from suffering drastic tax increases.

I would like to thank all the members of the governing body for their assistance and recommendations on the 2017 budget. I would like to especially thank every Department Head for their dedication and diligence in preparing their 2017 municipal budgets.

Mr. Strano moved for approval of the 2017 Budget as amended. The motion was seconded by Mr. Brown and was unanimously ordered approved by a roll call vote.

**ORDINANCE ON HEARING**

President of Council Jorge Alvarez announced that this is the date designated for the hearing and

further consideration respecting an ordinance entitled:

**#61-43 Bond ordinance providing an appropriation of $100,000 for citywide curb and sidewalk reconstruction for and by the City of Linden and authorizing the issuance of $95,000. Bonds or notes of the City for financing part of the appropriation.**

President of Council Jorge Alvarez announced that the hearing was now open, that all persons interested would be given an opportunity to be heard concerning the Ordinance and the Clerk will read the Ordinance. Thereupon President of Council Jorge Alvarez inquired if there were any written objections.

None were presented and the Clerk stated that therefore none had been received. President of Council Jorge Alvarez inquired if there was anyone who desired to be heard concerning the Ordinance read by the Clerk.

There being no persons to be heard, Mr. Strano moved that the hearing be closed and the ordinance be adopted. The motion was seconded by Mr. Javick and on a roll call vote the foregoing ordinance was unanimously ordered approved.

President of Council Jorge Alvarez announced that this is the date designated for the hearing and

further consideration respecting an ordinance entitled:

**#61-44 Bond ordinance authorizing the resurfacing of city owned parking lot at train station, appropriating $100,000.00 therefore and authorizing the issuance of $95,000.00 Bonds or notes to finance part of the cost thereof.**

President of Council Jorge Alvarez announced that the hearing was now open, that all persons interested would be given an opportunity to be heard concerning the Ordinance and the Clerk will read the Ordinance. Thereupon President of Council Jorge Alvarez inquired if there were any written objections.

None were presented and the Clerk stated that therefore none had been received. President of Council Jorge Alvarez inquired if there was anyone who desired to be heard concerning the Ordinance read by the Clerk.

There being no persons to be heard, Mr. Strano moved that the hearing be closed and the ordinance be adopted. The motion was seconded by Mr. Javick and on a roll call vote the foregoing ordinance was unanimously ordered approved.

President of Council Jorge Alvarez announced that this is the date designated for the hearing and

further consideration respecting an ordinance entitled:

**#61-45 An ordinance to create a new chapter entitled “City of Linden Municipal Port Authority” by the City Council of the City of Linden.**

President of Council Jorge Alvarez announced that the hearing was now open, that all persons interested would be given an opportunity to be heard concerning the Ordinance and the Clerk will read the Ordinance. Thereupon President of Council Jorge Alvarez inquired if there were any written objections.

None were presented and the Clerk stated that therefore none had been received. President of Council Jorge Alvarez inquired if there was anyone who desired to be heard concerning the Ordinance read by the Clerk.

Craig Halloran, 120 Donaldson Place. Mr. Halloran asked what we need a municipal port authority for. Mr. Antonelli responded, as did President Alvarez, noting that it opens the door for future commerce activity. Mayor Armstead explained that it would allow the business community to bond for improvements to the infrastructure, as we are trying to develop the area. He then called up Mr. Frank Hetem to provide a further explanation, which he did.

Virginia Malik, 1633 Lenape Road. Ms. Malik asked who would be overseeing the port authority. Mr. Antonelli responded explaining the creation of a five member board, detailing its membership, and that it was not a paid board. Mayor Armstead noted that property owners, in the area, would be a good fit to be on the board.

Diane Wilverding, 150 E. Morris Ave. Ms. Wilverding thought that it sounds like a great idea, and asked if it would help move along the building of the Turnpike extension. Mayor Armstead responded that it could only help, and spoke about the holdups in the development of the Tremely Point area. He urged Ms. Wilverding to call Senator Scutari regarding moving the extender road along.

John Roman, 15 W. Linden Ave., #2 Mr. Roman noted that funding for the extender road was included in the State budget, this year, due to the increase in the gasoline tax. Mayor Armstead noted that the money, included in the State budget, this year, was for studies. He added that he would be happy if they state did more than study. Mr. Brown noted that he spoke with Senator Vitale, and no funding for the roadway has been allocated, only for a study.

There being no more persons to be heard, Mrs. Ormon moved that the hearing be closed and the ordinance be adopted. The motion was seconded by Mr. Brown and on a roll call vote the foregoing ordinance was unanimously ordered approved.

**CONSENT AGENDA**

**(\*\*\*) Tax Collector:**

1. The amount of money collected during the month of June 2017 and turned over to the Treasurer’s office as follows:

2017 Taxes $1,381,113.53

2016 Taxes $536,510.36

Garbage Fee Payments $135,280.80

Garbage Fee Penalty $8,735.00

Municipal Lien Redemption $1,690.10

Duplicate Tax Sale Certificate $0.00

Tax Search $0.00

Lien Redemption Request Fee $0.00

Year End Penalty $8,706.23

Returned Check Fee Paid $0.00

Returned Check Fee Garbage Paid $0.00

Returned Check 2017 ($10,977.16)

Returned Check Interest ($168.25)

Returned Online Payment 2017 Taxes ($0.00)

Returned Online Interest (0.00)

Returned Check Garbage Fee ($720.00)

Returned Check Garbage Fee Penalty ($20.00)

Adv. Before Tax Sale $54,755.26

Premium $1,468,800.00

Sewer Clean out charge $2,600.00

DPW Reso payments $710.00

Interest $95,796.49

Total $3,682,812.36

**Tax Sale** Requesting the refund of the premium paid at the 2017 tax sale on the following blocks

& lots.

**Block Lot Redemption Date CTF# Amount**

4 9 6/13/17 16-00002 $1,700.00

103 12 6/21/17 16-00075 $1,100.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $2,800.00 payable to: Actlien Holding, US Bank Cust, Actlien Holding, Tower DBW VI 50 South 16th Street, Suite 2050, Philadelphia, PA 19102, charging same to account #-7-01-55-276-999-956.

**Tax Sale** Requesting the refund of the premium paid at the 2017 tax sale on the following block &

lot.

**Block Lot Redemption Date CTF# Amount**

7 11 6/19/17 16-00004 $400.00

7 17 6/19/17 16-00005 $800.00

34 3 6/15/17 16-00024 $800.00

53 2 6/12/17 16-00038 $1,200.00

142 8 6/13/17 16-00110 $800.00

152 13 6/12/17 16-00124 $800.00

174 3 6/30/17 16-00138 $800.00

191 10 6/27/17 16-00149 $1,100.00

215 49 6/19/17 15-00151 $200.00

277 7 6/19/17 16-00196 $1,100.00

303 13 6/30/17 16-00213 $800.00

533 8.02 6/15/17 16-00332 $100.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $8,900.00 payable to Trystone Capital Assets, LLC., 575 Route #-7, 2nd Floor, P.O. Box 103, Brick, NJ 08723, charging same to account #-7-01-55-276-999-956.

**Tax Sale** Requesting the refund of the premium paid at the 2016 & 2017 tax sale on the following

block & lot.

**Block Lot Redemption Date CTF# Amount**

10 15 6/28/17 15-00006 $900.00

24 8 6/19/17 16-00016 $21,200.00

63 4 6/26/17 16-00050 $700.00

118 6 6/13/17 16-00088 $100.00

125 8 6/19/17 16-00095 $1,000.00

507 2 6/19/17 15-00292 $7,400.00

537 19 6/28/17 16-00336 $100.00

557 5 6/13/17 16-00351 $100.00

567 10 6/19/17 16-00362 $100.00

582 25 6/29/17 16-00367 $100.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $31,700.00 payable to: US Bank Cust for PC6, LLC Sterling National, 50 South 16th Street, Suite #2050, Philadelphia, PA 19102, charging same to account #-7-01-55-276-999-956.

**Tax Sale** Requesting the refund of the premium paid at the 2017 tax sale on the following block &

lot.

**Block Lot Redemption Date CTF# Amount**

24 2 6/30/17 16-00015 $15,200.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $15,200.00 payable to: TWR as CST for Ebury Fund 2 NJ, LLC, P.O. Box 54908, New Orleans, LA 70154, charging same to account #-7-01-55-276-999-956.

**Tax Sale** Requesting the refund of the premium paid at the 2016 tax sale on the following blocks

& lots.

**Block Lot Redemption Date Cert# Premium**

43 5 6/27/17 15-00024 $1,000.00

402 23 6/15/17 15-00236 $1,300.00

474 8 6/13/17 15-00271 $1,000.00

582 27 6/19/17 15-00346 $1,500.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $4,800.00 payable to: MTAG Cust Fig Cap Invest NJ, 13, P.O. Box 54472, New Orleans, LA 70154, charging same to account #7-01-55-276-999-956.

**Tax Sale** Requesting the refund of the premium paid at the 2017 tax sale on the following blocks

& lots.

**Block Lot Redemption Date CTF# Amount**

69 20 6/26/17 16-00055 $32,200.00

501 8 6/13/17 16-00321 $10,300.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $42,500.00 payable to: Tower DBW VII Trust 2017-1, 500 South 16th Street, Suite 2050, Philadelphia, PA 19102, charging same to account #-7-01-55-276-999-956.

**Tax Sale** Requesting the refund of the premium paid at the 2017 tax sale on the following block & lot.

**Block Lot Redemption Date CTF# Amount**

76 4 6/12/17 16-00062 $1,400.00

253 6 6/29/17 16-00189 $1,400.00

292 10 6/19/17 16-00206 $1,400.00

293 5 6/12/17 16-00207 $1,400.00

479 18 7/5/17 16-00309 $1,400.00

528 7 6/19/17 16-00328 $1,100.00

537 3 6/30/17 16-00333 $1,400.00

554 11 6/13/17 16-00349 $1,100.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $10,600.00 payable to: FWDSL & Associates, LP, Attention: Jared Cucci, 17 W. Cliff Street, Somerville, NJ 08876 charging same to account #-7-01-55-276-999-956.

**Tax Sale** Requesting the refund of the premium paid at the 2017 tax sale on the following block &

lot.

**Block Lot Redemption Date CTF# Amount**

128 13 6/28/17 16-00098 $16,400.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $16,400.00 payable to: KCC Promised Lands, LLC, 2560 Route 22 East, # 175, Scotch Plains, NJ 07076 charging same to account #-7-01-55-276-999-956.

**Tax Sale** Requesting the refund of the premium paid at the 2017 tax sale on the following block &

lot.

**Block Lot Redemption Date CTF# Amount**

143 12 6/30/17 16-00112 $11,400.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $11,400.00 payable to: MTAG Cust for Empire VIII NJ Portfolio, P.O. Box 2208, Hicksville, NY 11802, charging same to account #7-01-55-276-999-956.

**Tax Sale** Requesting the refund of the premium paid at the 2015 tax sale on the following block &

lot.

**Block Lot Redemption Date CTF# Amount**

175 5 6/21/17 14-00144 $1,200.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,200.00 payable to: US Bank Cust for PC5 Sterling National, 50 South 16th Street, Suite #2050, Philadelphia, PA 19102, charging same to account #-7-01-55-276-999-956.

**Tax Sale** Requesting the refund of the premium paid at the 2016 tax sale on the following block & lot.

**Block Lot Redemption Date CTF# Amount**

182 5 6/30/17 15-00122 $13,300.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $13,300.00 payable to: **CFT Services, LLC, Cust for Phoenix Funding, Inc**, 917 Mountain Avenue, Suite #-1A, Mountainside, NJ 07092 charging same to account #-7-01-55-276-999-956.

**Tax Sale** Requesting the refund of the premium paid at the 2015 tax sale on the following block &

lot.

**Block Lot Redemption Date CTF# Amount**

230 5 7/5/17 14-00189 $1,900.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,900.00, payable to: TTLBL, LLC, Attention: John Lemkey, 4747 Executive Drive, Suite 1, San Diego, CA 92121 charging same to account #-7-01-55-276-999-956.

**Tax Sale** Requesting the refund of the premium paid at the 2017 tax sale on the following block &

lot.

**Block Lot Redemption Date CTF# Amount**

482 3 6/28/17 16-00313 $8,300.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $8,300.00 payable to FNA DZ, LLC FBO WSFS, 2400 Ogden Avenue, Suite #-120, Lisle, IL 60532, charging same to account #-7-01-55-276-999-956.

**Credit Balance** Block 222 Lot 7

Old Owner: Mohammed Alhaj

New Owner: Marcian Debas- M. Leticia

57 Furber Avenue

There now exists a credit balance on the above referenced block & lot due to an overpayment by the old owners’ mortgage company and the Abstract Company on the 2017 1st quarter. The overpayment amount is $2,308.58.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $2,308.58 payable to: Heritage Abstract Company, 350 Mt. Kemble Avenue, Suite #-A1003, Morristown, NJ 07960, charging same to account #-7-01-55-288-999-904.

**Credit Balance** Block 381 Lot 18 1015 W. Curtis Street

After reviewing a lien account, it was found a lien was sold void abinitio on the above property at the 2017 tax sale, and just being notified. As advised by legal council, this certificate has to be cancelled and the monies must be refunded to the outside lien holder.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $130.00, charging same to account #7-01-08-607-011 and $91.10 charging account # 7-01-55-288-999-904 made payable to: G.Kavita and or Ghansham N. Chainani, 3 Mershon Lane, Plainsboro, NJ 08536.

**Credit Balance** Block 396 Lot 3

Old Owner: J-R-F Vitello- B. Vitello L/E

New Owner: Konstantin & Marina Kalugin

1403 Kent Place

There now exists a credit balance on the above referenced block & lot due to an overpayment by the title agency on the 2017 2nd quarter prior to the Homestead Benefit being applied by the State of New Jersey. The overpayment amount is $664.40.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $664.40 payable to: Suburban Title Examiners, Inc, 2253 South Avenue, Suite #-7, P. O. Box 07076, charging same to account #-7-01-55-288-999-904.

**Refund** Block 422 Lot 5

111 Lindegar Street

After reviewing a lien account, a Sewer clean out charge was billed in error, and the lien holder has paid the 2017 charge in error. I am requesting that the amount of $101.96 be refunded to the lien holder.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the total amount of $101.96 charging to account #- 7-01-08-641-011 for $100.00 principal and # 7-01-08-606-011 for interest of $1.96 payable to: US Bank Cust BV002 Trst & Crdtrs, 50 South 16th Street, Suite #2050, Philadelphia, PA.

**Credit Balance** Block 465 Lot 11

Alba N. Salcedo

209 W. Morris Avenue

There now exists a credit balance on the above referenced block & lots due to the owner’s mortgage company and the owner paying the 2017 2nd quarter property taxed creating the overpayment in the amount of $267.57.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $267.57 payable to: Alba N. Salcedo, 209 W. Morris Avenue, Linden NJ 07036, charging same to account #-7-01-55-288-999-904.

**Credit Balance** Block 469 Lot 14

Christina Wojton

202 S. Stile Street

There now exists a credit balance on the above referenced block & lots due to the owner’s mortgage company and the owner’s Title agency paying the 2014 2nd quarter property taxes creating the overpayment in the amount of $2,501.60.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $2,501.60 payable to: Christina Wojton, 22 Katheryn Street, Clark, NJ 07066, charging same to account #-7-01-55-288-999-904.

**Credit Balance** Block 556 Lot 11

Old Owner: Paul Santiago & Agata Pena

New Owner: Juan Alvarez

1602 Winans Avenue

There now exists a credit balance on the above referenced block & lot due to an overpayment by the old owners’ mortgage company and the title agency on the 2017 2nd quarter. The overpayment amount is $1,572.76.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,572.76 payable to: First Integrity Title Agency, LCC, 27 Mechanic Street, Red Bank, NJ 07701 , charging same to account #-7-01-55-288-999-904.

**Credit Balance** Block 575 Lot 11

Carmen Pueyo

215 Buchanan Street

There now exists a credit balance on the above referenced block & lots due to the owner’s mortgage company and the owner paying the 2014 3rd quarter property taxes creating the overpayment in the amount of $1,332.38.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,332.38 payable to: Carmen Pueyo, 215 Buchanan Street, Linden NJ 07036, charging same to account #-7-01-55-288-999-904.

**(\*\*\*) Municipal Treasurer:**

1. Advising that the following City Employees have filed for retirement:

**Department Employee Title Date**

Construction Code Louis Milonas Electrical Sub-Code Official August 1, 2017

Fire Department Matthew O’Halloran Firefighter August 1, 2017

**(\*\*\*) LINDEN BOARD OF EDUCATION:**

1. Requesting approval of the following tax payments to the Board of Education:

July 2017 $7,697,378.75 January 2018 $7,697,378.75

August 2017 $7,697,378.75 February 2018 $7,697,378.75

September 2017 $7,697,378.75 March 2018 $7,697,378.75

October 2017 $7,697,378.75 April 2018 $7,697,378.75

November 2017 $7,697,378.75 May 2018 $7,697,378.75

December 2017 $7,697,378.75 June 2018 $7,697,378.75

**Total from July 2017 to June 2018 $92,368,545.00**

**(\*\*\*) CITY CLERK**

1. Requesting approval of the following bingo/raffle applications which have been submitted to the City Clerk’s Office

**Application # Organization Raffle Fees**

RA-1611 Mongil Corporation 50/50 $20.00

RA-1612 Mongil Corporation Casino Night $100.00

**(\*\*\*) MUNICIPAL TREASURER:**

1. Requesting approval of the following refunds:
   1. Esneda Moren is entitled to a refund in the amount of $690.00 for service that was provided on 6/23/2016. Therefore, it would be in order for the council to authorize the treasurer to issue a check payable to: Esneda Moreno, 312 Ashton Avenue, Linden, NJ 07036 charging same to account 7-01-08-629-011.
   2. UHC Atlanta is entitled to a refund in the amount of $325.55 for service that was provided on 1/21/2017. Therefore, it would be in order for the council to authorize the treasurer to issue a check payable to: UHC Atlanta, PO Box 740800, Atlanta, GA 30374 charging same to 7-01-08-629-011.

**Mr. Strano moved for approval of Consent items #1 through #5. The motion was seconded by Mr. Sadowski and was unanimously ordered approved on a roll call vote.**

**COMMITTEE REPORTS AND COMMENTS FROM THE MEMBERS**

**OF THE GOVERNING BODY**

**First Ward**

Mrs. Ormon began by offering her condolences to President Alvarez on the passing of his mother. Next she reported on a public safety meeting, held at the JTG Center. She noted the topics covered and spoke on the tips give. She informed residents that Ainsworth Street was under construction. She added that the Engineering Department had provided her a map of the First Ward that showed when each of the streets were last paved. This will allow her to set a priority list for paving, in the future. Mrs. Ormon noted that a tree planting will be taking place, in the near future, and the deadline to request a tree was July 28th. She spoke about the requirements for planting. Next spoke about the need for residents to curb their dogs, and to not allow their pets to use people’s front lawns.

Mrs. Ormon brought up the issues of excessive speeding, in the First Ward, and throughout the City, and efforts to help curb it. She also spoke about parking concerns in the First Ward, and they would be addressed at the next traffic committee meeting. Mrs. Ormon reminded residents that the DPW was on summer hours, and that collections begin earlier in the morning, so garbage and recyclables need to be at the curb by 6:00 am, and spoke on a collection issue in the ward. She then provided her contact information, thanked the Board of Health for addressing a feral cat issue in the First Ward, and wished all a wonderful summer.

**Second Ward**

Mr. Javick thanked the Police and Fire Departments for their quick response to a tree that fell on Dewitt Terrace and the DPW for the removal of the tree. He also spoke about the issue of dogs being kept secure in yards, so that they cannot escape and asked that individual be mindful of picking up after their animals. He asked Second Ward residents wanting a tree to please contact him, and noted the deadline. Mr. Javick invited Second Ward residents interested in wanting to serve on a committee to start a community garden, in the ward, to contact him, and provided his contact information. He also informed Second Ward residents that they would be receiving their new garbage cans, for the automated collection, at the end of August.

**Third Ward**

Mr. Brown offered his condolences to the Council President on the passing of his mother, and to Mrs. Ormon for the passing of her mother-in-law. Mr. Brown then spoke about speeding issues on Clark and Walnut Streets, and has requested a traffic study for those roads. He next talked about the need for the installation of a street light, on Maple Ave. that had been previously requested, but never installed. Mr. Brown noted the streets, in the Third Ward, that would be paved this year. He also thanked the residents that have been calling regarding the issue of parks, and he is working to address those issues.

Mr. Brown spoke about the need to coordinate the delivery of services between the various government entities function in Linden, with the hopes of impacting on the taxes. He informed all that he, the Mayor, and Treasurer had a meeting with the Board of Education, Linden Roselle Sewerage Authority, and the Linden Library to that end. He noted that prior to that meeting there was no communication between the entities. Mr. Brown noted that one of the areas of concern was the garbage surcharge. He then turned the floor over to the Mayor to speak on the issue of the garbage surcharge. Mayor Armstead spoke about the reasons that the surcharge was established. The Mayor stated that it seems to him that every resident of the City paying has concerns about it. He stated that tonight, he was recommending to council to introduce a ordinance to eliminate this tax, noting that he had promised the residents of the town to eliminate this tax. Mayor Armstead stated that the Finance Department and the Governing Body will need to sharpen their pencils to make up the revenue.

Mr. Brown asked to introduce the following ordinance, which was read, in full by the Clerk.

**#61-50 AN ORDINANCE REPEALING ORDINANCE 57-25 ENTITLED “GARBAGE COLLECTION ANNUAL SURCHARGE”**

**BE IT ORDAINED BY THE COUNICL OF THE CITY OF LINDEN**

Section 1:

Ordinance 57-25, adopted on June 18, 2013 is hereby repealed in its entirety effective January 1, 2018.

Section 2.

That any ordinance provisions inconsistent with this Ordinance are hereby repealed.

Section 3.

This ordinance shall become effective after adoption and publication according to law.

Mr. Brown then moved to introduce the ordinance. The motion was seconded by Mrs. Ormon and was unanimously ordered approved by a roll call vote. Mrs. Cosby-Hurling stated that she did not support the tax when it was instituted in 2013, and was voting to eliminating it tonight. She further stated that when we start working on the 2018 budget, we need to get rid of some of the positions and perks, everyone needs to remember that there is a $1 million missing. The Mayor noted that we all need to sharpen our pencils now that we eliminated this unjust tax. Mrs. Yamakaitis stated that she also did not support this unjust tax when it was brought up. Mr. Medina stated that he also did not support this tax in 2013. Mrs. Hickey stated that she was not here when this was introduced, but she was voting to eliminate it. She further stated that she wished that there was a little team work, instead of all of these surprises all the, adding that she is not included on the committees so she does not have to sharpen any pencils. The Mayor responded. Mr. Brown clarified this is for the 2018 budget.

**Fourth Ward**

Mr. Brooks expressed his condolences to the Alvarez and Ormon families for their losses. He then gave the report of the City Clerk’s Office, Licensing Division. The Division collected a total of $6,464.00 in fees for the month of June. Next he gave the report of the City Clerk’s office, which collected a total of $5907.76 in fees for the month of June. Mr. Brooks gave the report of the Division of Transportation and Parking for the month of June 2017. A total of $90,956.06 was collected from all sources.

Mr. Brooks next gave a Fourth Ward report. He noted that work is continuing to be done in the Martin Luther King Park and described the areas that remain to be addressed. He then thanked the Police Chief and the Fire Chief for the presentation that they did at the alternate school. He next warned residents about individuals going around and knocking on doors to fix driveways and walkways. The work will not get done correctly. He advised residents to close the door and not fall victim to a scam.

**Fifth Ward**

Mrs. Cosby-Hurling reported that the Construction Code Department issued 217 permits, 106 certificates and collected a total of $105,687.00 for the month of June. Next she requested that a street light be installed on poll number 63670 OD. Mr. Sadowski seconded the motion and it was unanimously ordered approved by a roll call vote. Mrs. Cosby-Hurling reported that as liaison to the Sewerage Authority she received a copy of their 2016 audit.

Mrs. Cosby-Hurling noted that Dill Ave will not be paved, until the water company finishes their work, so it will wait until next year. She added that she had requested that an alternate street, in the Fifth Ward be done, but they do not do alternate streets. Mrs. Cosby-Hurling stated that there is work that is going to be done on the Hussa St. Bridge, by the County of Union, but they are not taking bids until September. She spoke about the work to be done, and the flooding issue at the bridge. Next she informed residents that request to trim trees are on hold, as the tree crew is short. She hoped that with the laborer’s being hired tonight the crew will be staffed.

Mrs. Cosby-Hurling spoke about the Hooked on Fishing, Not Drugs program and the need for volunteers. She noted some of the upcoming programs and provided her contact information for those willing to help. She announced that August 27th is the Fifth Ward Community Cookout. She provided details on the event, and asked for volunteers. She wished all a happy summer and noted that she will not be present at next month’s meeting. Mrs. Cosby-Hurling wished her two special boys happy birthdays, as their birthdays are in July.

**Sixth Ward**

Mr. Sadowski gave the report of the Fire Prevention Bureau. The bureau collected a total of $5,598.39 for fees, permits, and inspections for the month of June. The ambulance reimbursement system deposited a total of $54,577.59 for the month of June, bringing the year to date total to $411,594.26.

Mr. Sadowski gave a report on the activity of the Sewerage Authority, noting that they were looking for two people to run the Authority starting in September. He next asked Sixth Ward residents that have sidewalks that were broken by trees to given him a call so he could place them on the list for replacement, and provided his contact information.

Mr. Sadowski announced that the DPW will be providing the new garbage cans, to the Sixth Ward, by the end of August. He announced that the three houses that need to be demolished will be taken down soon. He noted that the cutting of the grass and other maintenance items will also be done on those areas. He concluded by wishing all a happy summer, urged all to be careful of the children playing, and to be careful of the scammers going door to door. If someone does come to the door, please call the police and report it.

**Seventh Ward**

Mr. Strano expressed his sincere condolences to President Alvarez on the loss of his mother and to Mrs. Ormon on the loss of her mother-in-law. Mr. Strano then gave the following report of the Budget Review and Finance Committee:

*Approval is requested for the following finance actions:*

The payment of bills totaling $1,654,907.99 in bills have been signed by the Mayor, Council President and Finance Chairman and a detailed check register and vouchers are on file in the Clerk’s Office.

We are in receipt of the investments made by the City Treasurer for the month of July at the rate of .50%

Mr. Strano moved for approval of the report. The motion was seconded by Mrs. Yamakaitis and was unanimously ordered approved by a roll call vote.

Mr. Strano noted that the request for a tree during the upcoming planting need to be in by the end of the month. If Seventh Ward residents want a tree to please contact him, and provided his contact information. Lastly he provided an update on the Quite Zone designation. He hoped this project would be completed in a timely fashion.

**Eighth Ward**

Mrs. Yamakaitis offered her condolences to President Alvarez and Mrs. Ormon on their losses. She next asked if anyone had any questions on the Personnel Report. Seeing none, she gave the following report of the Personnel Committee:

1. From the Personnel Division:
   * 1. FMLA/NJFLA requests:
2. Employee ID# 091144, FMLA, 4/10/17-7/10/17
   * + - 1. Employee ID# 000789, FMLA 6/21/17-8/2/17
         2. Employee ID# 000536, FMLA 6/12/17-8/18/17
         3. Employee ID# 909399, FMLA 5/12/17-8/12/17
         4. Employee ID# 107427, FMLA 7/11/17 – 7/20/17
3. In the Police Department the permanent appointment of Jonathon Parham to Police Chief effective July 6, 2017.
4. In the Department of Public Property, the hiring of Gregory Blaine as a full time laborer tier 2, effective July 24, 2017, at the starting hourly rate of $15 per hour, pending the successful completion of all pre-employment requirements of the City of Linden.
5. In the Department of Public Works, the hiring of four full time laborers tier 2, effective July 24, 2017 at the starting hourly rate of $15 per hour, pending the successful completion of all pre-employment requirements of the City of Linden. Hiring of Hafeez Brown, Khalil Gaines, Anthony Sestito, Adam Abuhamoud to fill existing vacancies due to retirements.
6. In the Construction Code Department, the hiring of Dennis Carbone as a part-time plumbing inspector at the hourly rate of $39.37 not to exceed 20 hours per week effective July 24, 2017.
7. Accepting the separation in employment for Police Recruit Delio Coutinho Jr effective July 16, 2017.
8. In the Department of Public Property, amending the start date for Paul DeAngelo to July 3, 2017.
9. Approval for the clean communities program and summer help program for the City of Linden, lists will be on file in the Treasurer’s Office.

Mrs. Yamakaitis moved for approval of the report. The motion was seconded by Mr. Strano, and was unanimously ordered approved by a roll call vote. Mr. Brown congratulated Chief Parham on his appointment as permanent Police Chief. Mrs. Cosby-Hurling reminded the laborers being hired that, as a condition of their employment they have to get a CDL license, and offered her congratulations to Chief Parham. Mr.Strano, Mr. Medina and Mrs. Hickey all congratulated the Chief.

Mrs. Yamakaitis recognized the Police Chief and the new hires.

Mrs. Yamakaitis spoke about her attendance, with Mayor Armstead, at the Port Authority regarding the Missing Link Project. She provided details on the project and why it was necessary. There should be a community meeting in the near future. Next she commented about the resolution purchasing additional garbage cans which will complete the whole city being on the automated collection system. She noted that the Reverend Pam was present in the audience, and on behalf of the Mayor’s Youth Commission was asking residents to save the day for the annual backpack giveaway. She provided a short history of the program, and why this coordinated effort is taking place.

Mrs. Yamakaitis noted that anyone in the Eighth Ward wanting a tree planting, to contact her, and she provided her contact information. Next she spoke a very bad accident on the corner of Chandler and Dill Ave. She described the accident, and noted that she had requested, two years ago, for a four-way stop that was denied. She noted that Chief Parham and Lt. Mack will be reconsidering the request.

**Ninth Ward**

Mr. Medina noted that he did not have a Library report, this month, but urged to visit the library as there is lots going on. Next he reported that he had good news regarding the traffic light on DeWitt and Raritan Rd. noting that the parts are in and the project should start in the next week or two. Next he explained that he has been getting a lot of calls regarding safety concerns. He has reached out to the Police Chief, and his team has been amazing. Patrol and enforcement has been happening. He also commented about the lengthy process for getting things, like four-way stop signs approved, and his concerns. Mr. Medina provided his contact information. He concluded by wishing all a safe summer.

**Tenth Ward**

Mrs. Hickey spoke about the work, being done in the Tenth Ward, by the gas company, and that the second phase should start in August. She stated that, so far, they have been pretty responsive to any issues or complaints. She announced that the Kiwanis Club is having its pancake breakfast on September 16th and provided details on the event. Mrs. Hickey then spoke about the September to Remember on Saturday, September 23rd and gave information on the event.

Mrs. Hickey offered her condolences to the Alvarez and Ormon families on their losses. She asked Ninth Ward residents, who wanted trees planted, to contact her and provided her contact information. Mrs. Hickey spoke about the need to curb dogs, when walked. She then stated that taking away the garbage tax was wonderful, but expressed her concern that the decision may have been made without consulting with the City’s professionals. $1.6 million is a lot of money to take away. She noted her concern over taking away such a large amount of money away so drastically. It may hurt us, down the road, more then it benefits us.

**MAYOR’S REPORT**

Mayor Armstead stated that we was a little confused, and asked if Mrs. Hickey was for the tax or against it. Mrs. Hickey responded that she was against, but concerned about taking away so much money so quickly. The Mayor then spoke about the imposition of this fee, the reasons why, and that a lot of Linden residents cannot afford it. He then differed further comments to Mr. Brown. Mr. Brown stated that we can afford this, explained why and stated that the residents need tax relief.

Mayor Armstead congratulated Chief Parham on becoming permanent. He talked about the accomplishments of the chief, and what in a short time he has done with the Police Department. It is impressive, thanked the Chief for all that he is doing and stated that the governing body and residents are 100% behind him. Next the Mayor addressed the new hires, spoke about what a wonderful place City was to live and work in, and reminded them, that as a condition of their employment, they had to remain residents.

Mayor Armstead next spoke about the Mayor’s Youth Commission, and the backpack give-a-way that they are sponsoring. He thanked the Pastor Jones, and CIC, for brining good things to our Community, and noted some of them. He next provided details on the Concert nights, sponsored by the Recreation Department and also spoke about the comedy nights sponsored by the SID. He also announced the play that the Linden Mystic Vision Players would be putting on, provided details on the event and how to purchase tickets for it.

Mayor Armstead announced this Third Annual Unity Night, provided details on the event. He then talked about the 2017 budget and its finalization. He spoke about the other entities that make up resident taxes, and that the City collects taxes for those groups, but has no control over the their budgets. He urged residents to approach members of the Board of Education and the Freeholder Board and ask them to ask those groups to sharpen their pencils too. In order to reduce taxes, it has to be done on all fronts.

**RESOLUTIONS**

**PUBLIC COMMENTS WILL BE PERMITTED FOR THOSE SPECIFIC RESOLUTIONS TO BE REMOVED FROM THE CONSENT APPROVAL. PLEASE READ THE SYNOPSIS OF THE RESOLUTIONS, WHICH HAVE BEEN PREPARED BY THE CITY CLERK’S OFFICE. EACH IS INFORMATIVE AND SELF-EXPLANATORY. HOWEVER, IF YOU WISH TO ADDRESS A SPECIFIC RESOLUTION, THE COUNCIL, WILL ENTERTAIN QUESTIONS ON IT.**

**Mr. Medina moved that Resolutions #2017-255 and #2017-256 be removed from consideration.**

**The motion was seconded by Mrs. Hickey and was unanimously ordered approved.**

**Mr. Medina moved for approval of resolutions #2017-252 through #2014-280 with the exception of resolutions #2017-254, #2017-261, #2016-265, #2016-269, #2017-270 and #2017-278. The motion was seconded by Mrs. Hickey and was ordered approved on a roll call vote, with Mrs. Cosby-Hurling voting no on Resolution #2017-258 and Mrs. Hickey voting no on Resolution #2017-253.**

**Resolutions #2017-261, #2017-265, #2017-269, #2017-270 and #2017-278 were removed by Ms. Malik, Mr. Roman, Mrs. Cosby-Hurling, Mrs. Hickey and Mr. Mack.**

**Resolution #2017-254 was removed by Ms. Wilverding and Ms. Malik.**

**RESOLUTION: 2017-152**

**CITY OF LINDEN RESOLUTION TO**

**ESTABLISH THE CURRENT FUND**

**OPERATING BUDGET FOR THE PERIOD OF**

**JANUARY 1, 2017 THROUGH APRIL 30, 2017**

**WHEREAS,** N.J.S. 40A:4-19 provides that where any contract, commitment or payments are to be made prior to the final adoption of the 2017 Current Operating Budget, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided; and

**WHEREAS,** the total appropriations in the 2016 Current Operating Budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund, pension, and public assistance, is the sum of $93,479,660.34 and

**WHEREAS,** four months of the total appropriations in the 2016 Current Operating Budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund, pension, and public assistance in said Current Operating Budget is the sum of $28,442,596.78; and

**NOW, THEREFORE, BE IT RESOLVED** that the following appropriations be made for current fund and that a certified copy of this resolution be transmitted to the Chief Financial Officer for his records.

**RESOLUTION: 2017-253**

**RESOLUTION APPROVING THE INTRODUCTION OF THE CALENDAR YEAR 2017 SPECIAL IMPROVEMENT DISTRICT BUDGET**

**AND SETTING THE HEARING ON THE BUDGET**

**WHEREAS,** the City of Linden, pursuant to N.J.S.A. 40:56-65 et seq. has

established a Special Improvement District (“SID”) by Ordinance 31-63 adopted on October 19, 1993 which created Linden Code Section 27-1 et seq.; and,

**WHEREAS,** the City of Linden SID has the responsibility to prepare and submit to the City Council a yearly budget and a report which explains how the budget contributes to the goals and objectives of the Special Improvement District; and,

**WHEREAS,** Linden Code 27-5 establishes a maximum added assessment that shall not exceed a sum of $0.050 of the total assessment; and

**WHEREAS,** the Tax Assessor has determined that the total assessment for the Special Improvement District is $195,700.00 in 2017; and

**WHEREAS,** pursuant to Linden Code Section 27-6 the City Council is in receipt

of the 2017 yearly budget and the report which explains how the budget contributes to the goals and objectives of the Special Improvement District, both of which are attached hereto; and

**WHEREAS,** pursuant to N.J.S.A 40:56-84(f) (2) City Council shall introduce and approve the yearly budget by a Resolution passed by not less than a majority of the full membership of the City Council; and

**WHEREAS,** pursuant to N.J.S.A 40:56-84(c) the City Council shall upon approval of the budget, fix the time and place for the holding of a public hearing upon the budget with the notice of the hearing and copy of the budget to be published at least 10 days prior to the date fixed therefore in the official newspaper of the City and not less than 28 days after the approval of the budget.

**IT IS HEREBY RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN,** that:

1. The 2017 Special Improvement District budget and a report which explains how the budget contributes to goals and objectives for the Special Improvement District are attached hereto as Exhibit “A”, and made part hereof. The budget is hereby introduced being read by its title and declares that the conditions set forth in N.J.S.A 40:56-84(f)(1) are satisfied.

2. The hearing on the 2017 Special Improvement District budget shall be on

August 15, 2017 at City of Linden City Hall, Council Chambers, 301 North Wood

Avenue, Linden New Jersey, at 7:00 p.m.

3. The notice of the time and place for the holding of the public hearing upon the

budget and a copy of the budget shall be published in the Local Source on

July 27, 2017. Same was posted in City Hall and made available to any person requesting same.

**RESOLUTION: 2017-254**

**A RESOLUTION QUALIFYING SPECIAL COUNSEL FOR AVIATION MATTERS**

**WHEREAS,** in accordance with N.J.S.A. 40A:11-2(6) the City of Linden (the “City”), County of Union, a municipal corporation of the State of New Jersey, instituted a policy to negotiate agreements for Professional Services on the basis of demonstrated confidence and qualifications for types of Professional Services required by the City pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.4; and

**WHEREAS,** the Purchasing Agent of the City of Linden has received in accordance with a published notice, sealed qualifications for various positions; and

**WHEREAS,** pursuant to the fair and open process, and based upon review of the qualifications and recommendations therefore, certain professionals are qualified for certain positions for the calendar year 2017;

**SPECIAL COUNSEL AVIATION MATTERS**

**Law Office of Sander D. Friedman LLC**

**125 N. Route 73**

**West Berlin, NJ 08091-9225**

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** thatin accordance with N.J.S.A. 40A:11-2(6) on such basis as necessary, and for each of the approved and qualified vendors, a resolution approving each individual specific contract shall be considered by the Mayor and Council;

**BE IT FURTHER RESOLVED** that this Resolution shall take effect immediately.

Diane Wilverding, 150 E. Morris Ave. Ms. Wilverding asked if this was for Linden Airport, or was it for Newark Airport too. Mr. Antonelli responded and explained the purpose of the resolution. Ms. Wilverding then complained about the jet noise from Newark airport.

Virginia Malik, 1633 Lenape Rd. In response to Ms. Malik, Mr. Antonelli explained what the purpose of the resolution was for and what the aviation matters were.

**Mr. Medina moved for approval of Resolution #2017-254. The motion was seconded by Mrs. Hickey and was unanimously ordered approved on a roll call vote.**

**RESOLUTION: 2017-257**

**RESOLUTION APPROVING THE AWARD OF A CONTRACT TO**

**SANITATION TRUCK CORP. FOR THE PURCHASE OF CONTAINERS FOR THE COLLECTION OF SOLID WASTE MATERIAL FOR THE CITY OF LINDEN PUBLIC WORKS DEPARTMENT**

**WHEREAS**, sealed bids were received by the Purchasing Agent on June 21, 2017

for the purchase of containers for the collection of solid waste material for the City of Linden Public Works Department; and

**WHEREAS,** a notice to bidders for said purpose was properly and legally advertised in the official publication(s); and

**WHEREAS,** the Chief Financial Officer or her designee has certified as to the availability of funds for this purpose, as attached hereto, which will be charged to account/line item No. C-05-55-907-645-919; and

**WHEREAS**, Sanitation Equipment Corp. was the only responsible bidder at their bid of $289,250.00; and

**WHEREAS,** the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that Council pass a Resolution authorizing the award of contracts;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** as follows:

1. A contract is awarded to Sanitation Equipment Corp., 80 Furler Street, Totowa NJ 07512 at their bid of $289,250.00.

2. This Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents between Sanitation Equipment Corp., and the City of Linden.

3. The Mayor and City Clerk are hereby authorized to execute all documents to effectuate the purposes herein above expressed.

**RESOLUTION: 2017-258**

**CITY OF LINDEN RESOLUTION**

**WHEREAS,** there were certain payments made by the Municipal Treasurer during the month of June, 2017 which do not appear on the Claims list,

**WHEREAS,** said payment must be ratified by the Governing Body of the City of Linden,

**NOW, THEREFORE, BE IT RESOLVED** that the following payments be and hereby are approved:

**CURRENT**

**CK# DATE PAYABLE TO: PURPOSE AMOUNT**

6/6/17 Medco claims 96,869.78

6/6/17 Worker’s Comp. claims 5,650.70

166045 6/9/17 NJDMV garbage truck 120.00

166046 6/12/17 State of NJ amb fire 125.00

166047 6/14/17 NJMV Rahway LFD boat reg. 52.00

6/14/17 SHBP Retirees June health premium 622,381.51

6/14/17 SHBP Active April health premium 654,851.33

6/15/17 Worker’s Comp. claims 10,136.29

6/16/17 Payroll payroll 1,775,715.01

6/19/17 City of Linden Dental claims 40,114.15

6/19/17 Sewerage Dental claims 2,888.64

6/19/17 Housing Dental claims 1,610.67

6/19/17 Library Dental claims 900.31

6/19/17 Cobra Dental claims 172.42

6/19/17 City of Linden Dental claims 39,107.61

6/19/17 Sewerage Dental claims 3,373.23

6/19/17 Housing Dental claims 1,646.11

6/19/17 Library Dental claims 900.31

6/19/17 Cobra Dental claims 172.42

6/20/17 Payroll payroll 1,743,141.35

6/22/17 Worker’s Comp. claims 24,518.91

6/22/17 Medco claims 80,245.70

6/28/17 Worker’s Comp. claims 8,658.79

**TRUST**

6/16/17 Payroll payroll 41,240.04

6/30/17 Payroll payroll 24,372.34

**GRANT**

6/16/17 Payroll payroll 2,250.39

6/30/17 Payroll payroll 1,973.65

**SANITARY LANDFILL**

6/16/17 Payroll payroll 2,560.00

6/30/17 Payroll payroll 2,579.88

**CAPITAL**

6/16/17 Payroll payroll 612.85

6/30/17 Payroll payroll 173.04

**UNEMPLOYMENT**

6/16/17 Payroll payroll 440.74

6/30/17 Payroll payroll 373.87

**RESOLUTION: 2017-259**

**RESOLUTION OF THE CITY OF LINDEN URGING THE STATE LEGISLATURE TO EXTEND THE 2% CAP ON POLICE AND FIRE ARBITRATION CONTRACT AWARDS**

**WHEREAS** local municipalities require specific tools to address the rising cost of municipal government; and

**WHEREAS** in July 2010the Governor and New Jersey State Legislature enacted a permanent 2% cap on municipal and school board tax levies with limited exceptions that did not include police and fire arbitration contract awards; and

**WHEREAS** salary costs, to a great extent, drive property tax increases; and

**WHEREAS** in December 2010 the Legislature unanimously approved and the Governor enacted a temporary 2% cap on police and fire arbitration contract awards in an effort to control increasing salary costs and provide a solution to assist local governments in keeping property taxes down and cost under control; and

**WHEREAS** the December 2010 legislation included an April 1, 2014 sunset on the 2% arbitration cap while the 2% property tax levy remained permanent for municipalities and school boards; and

**WHEREAS** in June 2014 the Legislature unanimously approved and the Governor enacted an extension to December 31, 2017 for the 2% arbitration cap, however, the 2% property tax levy cap continues to remain permanent, without an exemption for police and fire arbitration contract awards; and

**WHEREAS** municipalities continue efforts to contain costs and provide vital services to residents within the 2% property tax levy while the New Jersey economy remains sluggish and taxpayers struggle to keep their homes and pay their taxes; and

**WHEREAS** we recognize that this change in arbitration reform needs a longer time to mature in order to see the benefits of the legislation and its actual impact on the cost of local government budgets and the impact on taxpayers; and

**WHEREAS** the final report and recommendations of the Police and Fire Public Interest Arbitration Impact Task Force, which was established in the December 2010 legislation, is not due until the same day as the expiration of the cap on interest arbitration awards, December 31, 2017; and

**WHEREAS** we recognize it is now time for our taxpayers to benefit directly from these cost saving measures as many police and fire contracts will come due for negotiation after the sunset date; and

**WHEREAS** if the cap on interest arbitration expires while the 2% levy cap remains in effect, municipalities may be forced to reduce or eliminate municipal services in order to fund interest arbitration awards that exceed a 2% Cap.

**NOW, THEREFORE, BE IT RESOLVED,** that the governing body of the City of Linden urges the State Legislature to extend the 2% cap on Police and Fire Arbitration Contract Awards for 5 more years at which time the Legislature will have hard data to examine and then make a final decision as to whether this law should be made permanent; and

**BE IT FURTHER RESOLVED that** a copy of this Resolution is forwarded to Assemblymen Jerry Green and James Kennedy, Senator Nicholas Scutari, the Commissioner of the Department of Labor, the Lieutenant Governor and the Governor of State of New Jersey and the League of Municipalities.

**RESOLUTION: 2017-260**

**A RESOLUTION AUTHORIZING THE MAYOR AND MUNICIPAL CLERK OF THE MUNICIPALITY OF LINDEN TO EXECUTE AN AGREEMENT WITH THE COUNTY OF UNION TO MODIFY THE COOPERATIVE AGREEMENT DATED JUNE 18, 2014**

**WHEREAS,** certain Federal funds are potentially available to the County of Union under Title I of the Housing and Community Development Block Grant Act of 1974, as amended, commonly known as the Community Development Block Grant program; and

**WHEREAS,** certain Federal funds are potentially available to the County of Union under Title II of the National Affordable Housing Act of 1990, commonly known as the HOME Investment Partnerships program; and

**WHEREAS**, substantial Federal funds provided through subtitle B of Title IV of the McKinney-Vento Homeless Assistance Act commonly known as the Emergency Solutions Grants program (ESG) are allocated to prevent homelessness and to enable homeless individuals and families to move toward independent living; and

**WHEREAS,** it is necessary to amend an existing Cooperative Agreement for the County of Union and its people to benefit from this program; and

**WHEREAS,** it is in the best interest of the Municipality of Linden and the County of Union in cooperation with each other to enter into a modification of the existing Cooperative Agreement pursuant to N.J.S.A. 40A:65-1 et seq;

**NOW THEREFORE, BE IT RESOLVED** by the Mayor and Governing Body of the Municipality of Linden that the agreement entitled **“COOPERATIVE AGREEMENT BETWEEN THE COUNTY OF UNION AND CERTAIN MUNICIPALITIES FOR CONDUCTING CERTAIN COMMUNITY DEVELOPMENT ACTIVITIES,”** dated June 18, 2014, for the Purpose of Inserting a Description of Activities for Fiscal Year 2017-2018 of the Union County Community Development Block Grant program, the HOME Investment Partnerships program, and the Emergency Solutions Grants program (ESG), a copy of which is attached hereto; be executed by the Mayor and Municipal Clerk in accordance with the provisions of law;

**BE IT FURTHER RESOLVED** that this resolution shall take effect immediately upon its adoption.

**RESOLUTION: 2017-261**

**RESOLUTION APPROVING A CONTRACT WITH THE LINDEN ECONOMIC**

**DEVELOPMENT CORPORATION (LEDC) AND THE CITY OF LINDEN**

**WHEREAS,** the City is desirous of entering into a contract with the Linden

Economic Development Corporation (“LEDC”)a non-profit organization whose purpose is to promote, encourage and assist the industrial, commercial, and economic development of the City of Linden; and

**WHEREAS,** in accordance with the provisions of N.J.S.A. 40A:11-5(2), as LEDC is a non-profit organization and agency of the City of Linden, deemed to be providing essential governmental functions on behalf of the City, the Contract is exempt from bidding under the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.); and

**WHEREAS,** the Local Public Contracts Law requires that Council pass a resolution authorizing the award of contracts; and

**WHEREAS,** the Chief Financial Officer or her designee has certified as to the availability of funds for this purpose, as attached hereto, which will be charged to account/line item No. 7-01-40-700-104-208; and

**WHEREAS,** the term of the contract will be for a period of one (1) year commencing January 1, 2017 and terminating December 31, 2017, at a fee not to exceed $55,000.00.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** as follows:

1. The City will enter into a contract with the LEDC, commencing January 1, 2017 and terminating December 31, 2017, not to exceed $55,000.00.

2. The Mayor and City Clerk are hereby directed and empowered to execute any and all documents required as approved by the Law Department.

3. This Resolution shall take effect immediately.

Virginia Malik, 1633 Lenape Rd. In response to Ms. Malik, Mrs. Zack explained the purpose and use of the money given by the City of Linden, to the LEDC. Mr. Brown provided the amount of the salary of the Executive Director.

**FOR ROLL CALL PLEASE REFER TO RESOLUTION #2017-278**

**RESOLUTION: 2017-262**

**RESOLUTION APPROVING THE AWARD OF A CONTRACT TO MARK PAVING CO., INC. FOR RESURFACING OF BIRCHWOOD ROAD, HILLSIDE ROAD, MORRISTOWN ROAD, PALLANT AVENUE, ROSEWOOD TERRACE, SWARTHMORE ROAD, CRESCENT PARKWAY AND THE E. ELIZABETH AVENUE PARKING LOT IN THE CITY OF LINDEN**

**WHEREAS**, sealed bids were received by the Purchasing Agent on July 6, 2017 for the resurfacing of Birchwood Road, Hillside Road, Morristown Road, Pallant Avenue, Rosewood terrace, Swarthmore Road, Crescent Parkway and the E. Elizabeth Avenue Parking Lot in the City of Linden: and

**WHEREAS,** a notice to bidders for said purpose was properly and legally advertised in the official publication(s); and

**WHEREAS**, the Chief Financial Officer or her designee has certified as to the availability of funds for this purpose, as attached hereto, which will be charged to Account Nos. C-04-55-901-664-919 ($256,962.93) and C-04-55-901-670-919 ($60,000.00); and

**WHEREAS,** Mark Paving Co., Inc. was the lowest responsible bidder at their bid of $316,962.93; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that Council pass a Resolution authorizing the award of contracts;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** that a contract for resurfacing of Birchwood Road, Hillside Road, Morristown Road, Pallant Avenue, Rosewood Terrace, Swarthmore Road, Crescent Parkway and the E. Elizabeth Avenue Parking Lot, be and hereby, is awarded to Mark Paving Co., Inc., 77 Cutters Dock Road, Woodbridge, New Jersey 07095, at a fee not to exceed $316,962.93 in accordance with their bid dated July 6, 2017; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary contract agreements between Mark Paving Co., Inc. and the City of Linden; and

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk be and hereby are empowered and directed to execute a contract with Mark Paving Co., Inc. to effectuate the foregoing; and

**BE IT FURTHER RESOLVED** that a copy of this Resolution be published according to law.

**RESOLUTION:2017-263**

**RESOLUTION AMENDING THE CONTRACT WITH**

**APPRAISAL CONSULTANTS CORP. FOR REAL ESTATE APPRAISAL**

**SERVICES FOR TAX APPEALS FOR 2017**

**WHEREAS**, the City of Linden passed a prior resolution retaining the services of a real estate appraiser who is a member of the Appraisal Institute (MA.I.) in order to defend the City on all industrial and commercial tax appeals filed before the Union County Board of Taxation and new and pending cases before the Tax Court of New Jersey for 2017; and

**WHEREAS,** in accordance with the provisions of N.J.S.A. 19:44A-20.4, qualifications have been received through a fair and open process; and

**WHEREAS**, Appraisal Consultants Corp. submitted a qualification to the City and has qualified for the aforesaid services for 2017; and

**WHEREAS**, due to the ongoing nature of the various tax appeals, it is necessary to provide for additional funds for said purpose in an amount not to exceed $25,000.00; and

**WHEREAS,** inclusive of these additional funds the total expenditures paid to date to Appraisal Consultants Corp. for services rendered under the said contract is $45,000.00; and

**WHEREAS**, the Chief Financial Officer or his designee has certified to the availability of funds for this purpose, to be charged to Account No. 7-01-20-156-117-272;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that the agreement for Professional Services awarded to Appraisal Consultants Corp., Presidential Center, 293 Eisenhower Parkway, Livingston, New Jersey 07039 is hereby amended to increase the contract by the additional sum of $25,000.00, for a total contract of $45,000.00; and

**BE IT FURTHER RESOLVED** that this Resolution serves as an amendment to the contract documents between Appraisal Consultants Corp. and the City of Linden previously executed; and

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk be and hereby are empowered and directed to execute said amendatory agreement with Appraisal Consultants, Corp. to effectuate the foregoing; and

**BE IT FURTHER RESOLVED** that a notice of this action shall be published in accordance with applicable law.

**RESOLUTION: 2017-264**

**RESOLUTION AUTHORIZING AN AMENDMENT TO THE CONTRACT WITH Z BROTHERS CONCRETE CONTRACTORS, INC. FOR RESURFACING OF DR. KING PARK IN THE CITY OF LINDEN**

**WHEREAS**, the City Council of the City of Linden passed a Resolution No. 2016-320 on September 20, 2016 approving an award of a contract to Z Brothers Concrete Contractors, Inc. for the resurfacing of Dr. King Park in the City of Linden in the amount of $53,347.50; and

**WHEREAS**, a change order in the amount of $4,672.50 is required to extend the project; and

**WHEREAS**, inclusive of these additional funds the total expenditures for said contract is $58,020.00; and

**WHEREAS**, the Chief Financial Officer or her designee has certified to the availability of funds for this purpose, to be charged to Account No. C-04-55-904-653-919;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** that the agreement awarded to Z Brothers Concrete Contractors, Inc., 304 Jernee Mill Road, Sayreville, New Jersey 08872 is hereby amended to increase the contract by the additional sum of $4,672.50, for a total contract of $58,020.00; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary amended contract documents between Z Brothers Concrete Contractors, Inc. and the City of Linden; and

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk be and hereby are empowered and directed to execute an amendatory agreement with Z Brothers Concrete Contractors, Inc.; and

**BE IT FURTHER RESOLVED** that a notice of this action shall be published in accordance with applicable law.

**RESOLUTION: 2017-265**

**RESOLUTION APPROVING AN INSTALLATION AGREEMENT FOR**

**GENERATOR ADAPTOR CONTROLLER CABINETS**

**AT VAIROUS INTERSECTIONS IN THE CITY OF LINDEN WITH THE STATE OF**

**NEW JERSEY**

**WHEREAS,** a traffic condition exists at Route 27 & Park Ave., Route 27 & DeWitt St., Route 1 & Morses Mill, Route 1 & Woodlawn Ave, Route 1 and Clinton Street, and Route 1 and Avenue C, in the City of Linden, in the County of Union, which requires the installation of a Generator Adapted Controller Cabinet; and

**WHEREAS,** it is necessary to expedite the safe movement of vehicular traffic; and

**WHEREAS,** the State of New Jersey has indicated its willingness to install a Generator Adapted Controller Cabinet at the aforementioned locations; and

**WHEREAS,** the total estimated cost for the installation of six Generator Adapted Controller Cabinets is $62,100.00, with the State of New Jersey paying 75% of the cost and the City of Linden contributing $25% of the cost with a total contribution of $15,525.00;

**WHEREAS,** the Chief Financial Officer or her designee has certified as the availability of funds for this purpose, as attached hereto, which will be charged to account/line item No.C-04-55-902-583-919, in the amount of $1495.00 and account/line item No. C-04-55-902-609-919, in the amount of $14,030.00; and

**WHEREAS,** the City of Linden is desirous of entering into a cost sharing agreement with the State of New Jersey for the installation of Generator Adaptor Controller Cabinets.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN,** as follows:

1. The City of Linden is hereby authorized to enter into an agreement with the State of New Jersey, acting through its Commissioner of Transportation, for the purpose aforesaid, a copy of said agreement being attached hereto and made part of; and
2. The Mayor and City Clerk are hereby authorized to execute all documents to effectuate the purposes herein above expressed.

Virginia Malik, 1633 Lenape Rd. In response to Ms. Malik, Chief Parham explained what a generator control cabinet was, why it was needed, and that funding provided for cabinets at several different locations.

**FOR ROLL CALL PLEASE REFER TO RESOLUTION #2017-278.**

**RESOLUTION: 2017-266**

**RESOLUTION APPOINTING MONIQUE TORRE**

**A MEMBER OF THE BOARD OF HEALTH**

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN:**

That **MONIQUE TORRE** residing at 610 Birchwood Rd., in the City of Linden, County of Union and State of New Jersey, be and he hereby is appointed a member of the Board of Health of the City of Linden according to an ordinance entitled, "AN ORDINANCE REGULATING THE BOARD OF HEALTH OF THE CITY OF LINDEN", as amended, to fill the unexpired term of Charles Florio, effective immediately and expiring December 31, 2019, and until her successor is appointed and qualifies.

**RESOLUTION: 2017-267**

**RESOLUTION APPOINTING CYNTHIA WEAVER AS A MEMBER OF THE LINDEN DISTRICT MANAGEMENT CORPORATION (SID)**

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN:**

That **CYNTHIA WEAVER,** 360 N. Wood Avenue, Linden, County of Union and State of New Jersey, of Motion Credit Union, be and he hereby is appointed a real estate owner member of the Board of Trustees of the City of Linden District Management Corporation according to an ordinance entitled, "AN ORDINANCE TO CREATE A SPECIAL IMPROVEMENT DISTRICT WITHIN THE CITY OF LINDEN AND TO ESTABLISH THE CITY OF LINDEN DISTRICT MANAGEMENT CORPORATION PURSUANT TO N.J.S.A. 40:56-65, ET SEQ.", Ordinance No. 31-63, adopted on October 19, 1994, to serve a three (3) year term, commencing immediately and expiring December 31, 2019, and until his successor is appointed and qualifies.

**RESOLUTION: 2017-268**

**RESOLUTION URGING STATE AND FEDERAL LEGISLATORS TO AGGRESSIVELY PURSUE FUNDING FOR THE GATEWAY PROGRAM**

**WHEREAS,** the City of Linden relationship to industrial and commuter rail has been an engine for economic growth and a contributor to Cranford’s identity as a traditional commuter railroad community; and

**WHEREAS,** the City of Linden is a Transit Village identified by the State Department of Transportation; and

**WHEREAS,** maintaining and highlighting Linden’s accessibility and relationship to rail transportation is a major vision for the City of Linden; and

**WHEREAS,** the City’s and region’s continued cultural and economic success is highly dependent on infrastructure investments in the Northeast corridor rail line and its connections to major urban centers, including Newark, New Jersey and New York, New York; and

**WHEREAS,** since 2010, and the cancellation of the ARC Tunnel Project, rail infrastructure support for the Hudson Rivers tunnels and the connecting rail service has predictably deteriorated, threatening Linden and the region’s continued economic growth; and

**WHEREAS,** constant delays due to congestion and deterioration of the region’s rail infrastructure costs Linden and the region’s businesses hundreds of millions of dollars annually in lost productivity; and

**WHEREAS,** the Gateway Program is a major capital project designed to increase the region’s rail capacity, reliability and resilience, with expanded commuter services to boost economic growth; and

**WHEREAS,** this month the President of the United States has announced a $1 trillion Transportation Infrastructure Plan.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the City of Linden that it hereby urges our State and Federal legislators to aggressively pursue funding for the Gateway Program – including new Hudson River tunnels, the Portal Bridge, and reconstruction of New York City’s Pennsylvania Station – so essential to Linden and the region’s economic success; and

**BE IT FURTHER RESOLVED** that a copy of this resolution be sent to United States Secretary of Transportation, Elaine Chao, to Senators Menendez and Booker, Representative Donald Payne, Jr., Governor Christopher Christie, State Senator Nicholas Scutari, Assembly Member Jerry Green and Assembly Member James Kennedy.

**RESOLTUION: 2017-269**

**RESOLUTION AUTHORIZING PRE-LITIGATION SETTLEMENT IN THE MATTER ENTITLED THE CITY OF LINDEN, 1901 LOWER ROAD**

**WHEREAS**, the New Jersey Department of Environmental Protection (“NJ DEP”), under various environmental laws may take pre-litigation enforcement action as it relates to onsite “underground storage tanks”; and,

**WHEREAS**, NJ DEP has alleged that the City of Linden failed to apply for certain permits ; and

**WHEREAS**, the City of Linden has since corrected any alleged violations; and

**WHEREAS**, NJ DEP can impose and enforce a civil penalty; and

**WHEREAS**, the proposed settlement agreement requires the City of Linden to pay the sum of $7,250.00, a copy of which is annexed hereto as Exhibit “A”; and

**WHEREAS,** the Chief Financial Officer or her designee has certified to the availability of funds for this purpose, to be charged to Account No. 7-01-20-155-123-255; and

**WHEREAS**, the Linden City Council desires to approve the proposed settlement as reflected in Exhibit “A”.

**NOW, THEREFORE, LET IT BE RESOLVED** by the Linden City Council as follows:

1. All of the foregoing “Whereas” clauses are incorporated by reference as if set forth at length herein.
2. The City of Linden hereby authorizes the settlement with NJ DEP in the amount of $7,250.00 and hereby authorizes the Mayor and Clerk to execute same.
3. This Resolution shall take effect immediately and/or as required by law.

**FOR ROLL CALL AND COMMENTS REFER TO RESOLUTION #2017-278.**

**RESOLUTION: 2017-270**

**A RESOLUTION RESCINDING RESOLUTION#-2017-136 THE CANCELATION OF TAX SALE CERTIFICATE PREMIUM MONIES**

**WHEREAS**, a tax sale certificate #12-00105 on block 137 lot 1 was sold on June 14, 2013;

**WHEREAS**, a premium of $ 10,300.00 was paid on this certificate; and

**WHEREAS**, Stacey L. Carron, Tax Collector has verified that no redemption has taken place, and the lien holder of tax sale certificate #12-00105, DBW TL HOLDCO 2013 LLC, US BANK has vacated the foreclosure on May 2, 2017, and assigned to Queen Equities, LLC and has just notified my office of this and said premium, totaling $10,300.00, recommends be returned to the Premium Account.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the City of Linden that it does hereby authorize the cancellation.

**BE IT FURTHER RESOLVED** that the Clerk forward a certified true copy of this resolution to the Tax Collector and the City Treasurer.

**FOR ROLL CALL AND COMMENTS REFER TO RESOLUTION #2017-278.**

**RESOLUTION: 2017-271**

**RESOLUTION AUTHORIZING AN AWARD OF CONTRACT FOR SOFTWARE REQUIRED FOR THE RENEWAL AND MAINTENANCE OF TIME CLOCKS AND ATTENDANCE EQUIPMENT WITH VISUAL COMPUTER SOLUTIONS, INC.**

**WHEREAS**, the City of Linden has a need to renew required software necessary to renew and maintain the time clocks and attendance equipment with Visual Computer Solutions, Inc.; and

**WHEREAS**, N.J.S.A. 40A:11-5.1(dd) provides for the support software maintenance, consultation services and training services of propriety computer hardware and software; and

**WHEREAS,** pursuant to the provisions of N.J.S.A. 19:44A20.4 or 20.5, said contract is renewed as a non-fair and open contract; and

**WHEREAS,** the anticipated term of this contract is one (1) year, commencing on July 1, 2017 through June 30, 2018 for software at the rate of $54,250.00; and

**WHEREAS**, Visual Computer Solutions, Inc. submitted a proposal dated November 3, 2016 indicating they will provide the software required for the aforesaid price; and

**WHEREAS**, the Chief Financial Officer or his designee has certified to the availability of funds for this purpose be charged to account/line item 7-01-25-250-314-271; and

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** that the Mayor, Council President, City Clerk and/or such other City Officials as is necessary and proper be authorized to execute such documents as necessary to implement this Resolution; and

**BE IT FURTHER RESOLVED** that this Resolution shall take effect pursuant to law.

**RESOLUTION: 2017-272**

**RESOLUTION DECLARING SURPLUS SCRAP FOR**

**SALE OR DISPOSITION**

**WHEREAS,**  N.J.S.A. 40A:11-36 provides for the sale/disposal of surplus property not needed for government use; and

**WHEREAS,** the City of Linden desires to sell or dispose of certain surplus property not needed for government use; and

**WHEREAS,** the item listed below are hereby declared surplus and not needed for municipal purpose;

Device Manufacturer Model No. Serial Number

Printer HP LaserJet1200 CNBSJ81551

Printer HP DeskJet672C CN7CG111SW

Printer HP OfficeJet9120 CN59992004

Laptop IBM ThinkPad 78-KWTF407/01

Laptop IBM ThinkPad 78-WF28404/01

Laptop Gateway Solo5150 11530519

Satellite Phone Qualcomm GSP-1600 NW1077W1DRESN11600025328

Keyboard Dell L100 CN-0DJ331-71616-9BF-0HNG

Radio Battery Motorola NTN7143CR 37 BATTERIES-VARIOUS NUMBERS

Fax Machine Lexmark X125 0127D100999

Mouse Dell P10 LZ94BHC3K1K

Laptop Dell PP04X CN-0GF470-48643-694-0154

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** that pursuant to N.J.S.A. 40A:11-36 that the Purchasing Agent is hereby authorized to sell at public auction or dispose of, as appropriate, the attached items; and

**BE IT FURTHER RESOLVED** that the Purchasing Agent is hereby authorized to confirm the sale/disposal of said item as scrap.

**RESOLUTION: 2017-273**

**RESOLUTION AWARDING A CONTRACT FOR SECURITY SYSTEM THROUGH THE UNION CONTY CO-OP FOR POLICE HEADQUARTERS**

**WHEREAS**, the City of Linden wishes to obtain services from an authorized vendor under the Union County Co-op pricing system awarded to Maffey’s Lock and Safe, Inc., 1172 East Grand Street, Elizabeth, NJ 07201, an authorized vendor and,

**WHEREAS**, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-12; and,

**WHEREAS**, Maffey’s Lock and Safe, Inc. has been awarded for the provision of security systems; and,

**WHEREAS**, the Purchasing Agent recommends the utilization of this contract on the grounds that it represents the best means available to obtain services for; and,

**WHEREAS**, the amount of the service is not to exceed $35,000.00 and,

**WHEREAS**, the Chief Finance Officer has certified the availability of funds for this contract, which will be charged to account numbers:

G-02-40-240-017-258 $10,299.56

G-02-40-240-017-259 $11,520.00

G-02-40-240-017-260 $10,556.10

G-02-40-240-017-270 $ 2,624.34

**NOW THEREFORE BE IT RESOLVED** by the City of Linden that Maffey’s Lock and Safe, Inc. be awarded a contract for a term of one year or until new awards are made; and,

**BE IT FURTHER RESOLVED,** that the Mayor, Council President, City Clerk and/or such other city officials as is necessary and proper be authorized to execute such documents as necessary to implement this resolution.

**RESOLUTION:217-274**

**RESOLUTION APPROVING THE AWARD OF A CONTRACT TO EASTERN DATACOMM FOR AN AUDIT TO INITIATE A LOCKDOWN EMERGENCY NOTIFICATION SOLUTION FOR THE CITY OF LINDEN**

**WHEREAS,** the City of Linden (the “City”) is desirous of planning a comprehensive Lockdown Emergency Notification Solution;

**WHEREAS,** the City has the need to gather technical information regarding its IT and data capabilities for that solution securing, safety and efficiency reasons; and

**WHEREAS,** an audit is required to gather information including building layout, data cable runs, switch capacities, and wall space; and

**WHEREAS,** the City of Linden Police Department has recommend the use of Eastern DataComm to perform said audit at no cost to the City.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LINDEN** as follows:

1. The foregoing recitals are incorporated herein as if set forth in full.
2. The City of Linden is hereby authorized to enter into a contract with Eastern DataComm to perform the audit described above at no cost to the City.
3. This Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents between Eastern DataComm and the City of Linden.
4. The Mayor and City Clerk are hereby authorized to execute all documents to effectuate the purposes herein above expressed.

**RESOLUTION:** **2017-275**

**RESOLUTION ENGAGING PETER SOCKLER OF SOCKER REALTY GROUP TO CONDUCT AN APPRAISAL AND AUTHORIZE THE MAYOR TO COMMENCE NEGOTIATIONS WITH THE PROPERTY OWNER FOR BLOCK 238, LOT 34 MORE COMMONLY KNOWN AS 1300 ORCHARD TERRACE IN THE CITY OF LINDEN**

**WHEREAS**, there exists within the City of Linden the need for a consultant in order to conduct an appraisal on block 238, lot 34, more commonly known as 1300 Orchard Terrace; and

**WHEREAS,** the Mayor is authorized pursuant to N.J.S.A. 20-3-1, *et seq.,* also known as the Eminent Domain Act, to commence negotiations with the property owner; and

**WHEREAS,** in accordance with the provisions of N.J.S.A. 19:44A-20.4, qualifications have been received through a fair and open process; and

**WHEREAS**, Sockler Realty Group submitted a qualification to the City and has qualified for the aforesaid services for 2017; and

**WHEREAS**, pursuant to the Local Public Contracts Law (N.J.S.A. 40A:11‑1 et seq.), such services are considered "Professional Services" as within the scope of a licensed and regulated profession, and same may be awarded without competitive bidding; and

**WHEREAS**, Sockler Realty Group, having offices at 299 Ward St., Suite C, Highstown, NJ 08520 possesses the requisite professional certification and experience necessary to serve in said position; and

**WHEREAS**, funds will be made available for this purpose to be charged to Account No: 7-01-20-155-123-255;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that a contract for Professional Services be and hereby is awarded to Sockler Realty Group. at a fee not to exceed $2,100.00 and that the Mayor is authorized to commence negotiations with the property owner; and

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk be and hereby are empowered and directed to execute a contract with Sockler Realty Group. to effectuate the foregoing and to prepare any documentation by the Mayor or his representative to allow negotiations with the property owner; and

**BE IT FURTHER RESOLVED** that a copy of this Resolution be published according to law.

**RESOLUTION: 2017-276**

**RESOLUTION AUTHORIZING A MEMORANDUM OF UNDERSTANDING**

**BETWEEN THE NEW JERSEY OFFICE OF HOMELAND SECURITY, DIVISION OF FIRE SAFETY WITHIN THE DEPARTMENT OF COMMUNITY AFFAIRS, NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION, URBAN AREA SECURITY INITIATIVE AND THE CITY OF LINDEN FIRE DEPARTMENT TO PARTICIPATE IN THE UASI DECONTAMINATION TASK FORCE**

**WHEREAS,** the United States Department of Homeland Security (“DHS”) has been funding the Urban Areas Security Initiative (“UASI”) Grant Program in New Jersey since 2003; and

**WHEREAS,** the UASI Executive Committee over the last thirteen years has allocated funds for the purchase of decontamination trucks/equipment and training; and

**WHEREAS,** the City of Linden is one of the primary recipients of said equipment and training and with receipt of same, the City of Linden is committed through prior MOU’s to respond to any UASI region decontamination incident; and

**WHEREAS,** in order to ensure the Decontamination Task Force provides standardization throughout the UASI region, a Decontamination Advisory Board, under the auspices of the UASI Fire/CBRNE Subcommittee, will be established to ensure coordination with regard to equipment purchases/maintenance, training and exercises; and

**WHEREAS,** the City of Linden Fire Department is desirous of entering into the aforementioned Memorandum of Understanding (MOU) to participate in said program;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** as follows:

1. The City of Linden agrees to enter into a Memorandum of

Understanding with the New Jersey Office of Homeland Security, Division of Fire Safety within the Division of Community Affairs, New Jersey Department of Environmental Protection, and the Urban Area Security Initiative to participate in the UASI Decontamination Task Force.

2. The Mayor and City Clerk are hereby authorized and directed to execute

said Memorandum of Understanding, upon review and approval of the Law Department.

3. This Resolution shall take effect pursuant to law.

**RESOLUTION: 2017-277**

**A RESOLUTION APPOINTING THOMAS CALLAHAN A MEMBER**

**OF THE LINDEN BOARD OF ALCOHOLIC BEVERAGE CONTROL**

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN,** that Thomas Callahan, residing at 20 Melrose Terrace, in the City of Linden, be and he is hereby appointed a member of the Linden Board of Alcoholic Beverage Control, to serve a term of three (3) years commencing as of June 5, 2017 and terminating June 4, 2020 and until his successor is appointed and qualifies.

**BE IT FURTHER RESOLVED that** said member shall perform all of the duties of said office in pursuance to an act entitled, “AN ACT CONCERNING ALCOHOLIC BEVERAGES” and of a resolution of this Council establishing a Municipal Board of Alcoholic Beverage Control, adopted June 6, 1934, and the respective amendments thereof and supplements thereto.

**RESOLUTION: 2017-278**

**RESOLUTION** **AWARDING A CONTRACT WITH P.R. STRATEGIES FOR PUBLIC RELATIONS SERVICES WITH THE CITY OF LINDEN**

**WHEREAS,** in accordance with the provisions of N.J.S.A. 19:44A-20.4, qualifications have been received through a fair and open process; and

**WHEREAS P. R. Strategies, 3611 Park Avenue, Union City, NJ 07087** submitted a qualification to the City and has qualified for the aforesaid services for 2017; and

**WHEREAS,** it is necessary to award a contract for said purpose in an amount not to exceed $15,000.00; and

**WHEREAS**, the Chief Financial Officer or his designee has certified to the availability of funds for this purpose, to be charged to Account No. 7-01-20-110-105-255

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** hereby awards a contract for Professional Services to P.R. Strategies in an amount not to exceed $15,000.00;

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk be and hereby are empowered and directed to execute said agreement with P.R. Strategies to effectuate the foregoing; and

**BE IT FURTHER RESOLVED** that a notice of this action shall be published in accordance with applicable law.

Ms. Malik, 1633 Lenape Rd. Ms. Malik, noted that there had been previous resolutions dealing with this type of service, and asked what kind of public relations service this firm would be providing. She also questioned the need for an outside public relations person. Mayor Armstead responded, explained the work being done by the other firm, which was marketing, and why this service was needed, what they would be doing and for whom. He noted that other towns, just as Union had a person on staff, and what they paid in salary. Ms. Malik asked a number of questions that the Mayor responded to, regarding this matter.

Mrs. Cosby-Hurling. Mrs. Cosby-Hurling stated that she did not think the City needed a public relations firm. She spoke about how public relations could be handled, internally, at no additional cost. She stated that she was confused over who was doing what, the role of the marketing firm and what this firm was doing. Mrs. Cosby-Hurling spoke, at length, over the various city methods of distributing information, and how it was being handled. She noted that while the cost was not large, she did not feel it was necessary. She added that she wants to ensure political campaigning wasn’t being done on the City’s budget. The system in place is not broken.

John Roman, 15 W. Linden Ave. #2. Mr. Roman asked who PR Strategies was. Mayor Armstead responded, stated that he thought it necessary and spoke about what other towns were doing. He discussed, with Mr. Roman, how the County of Union handles PR. Mr. Roman, thought the way the City handled this was fine. He questioned the Mayor on the address of the firm, noting it was an apartment building. Mr. Roman asked questions regarding the selection process, and that one of the best firms in the State had submitted a proposal, and was not selected. Mr. Roman spoke about PR Strategies not being a registered LLC in the State. Mr. Brown responded to the comments, by Mr. Roman, and provided further details on the qualifications of the firm selected and need for this type of service.

Mrs. Hickey. Mrs. Hickey stated that she wanted to speak because she had concerns. She first spoke about the monies, allocated to the LEDC and SID and that both budgets contain funds for marketing. She also spoke about Mr. Koziol and the amazing job being done by him in marketing the City. Next Mrs. Hickey spoke about the results of her google search of the company, and what was found. She stated that the City is a business and we have to be careful on how we spend money, no matter what the amount. She offered suggestions on how to handle this matter.

Mrs. Yamakaitis. Mrs. Yamakaitis noted that this matter has been discussed for the last 15 minutes, and no one brought up that there are residents who are not computer literate, who cannot afford cable, and need hard copy. She also spoke about the need for the firm.

Mr. Mack. Mr. Mack noted that the peoples told him that they want this resolution taken off.

Motion by Mr. Medina for approval of Resolutions 2017-261, 2017-265, 2017-269, 2017-270, and 2017-278. The motion was seconded by Mrs. Hickey and ordered approved by a roll call vote, with all voting in favor except for Mr. Brooks abstaining on 2017-278 and Mrs. Cosby-Hurling, Mrs. Hickey and Mr. Alvarez voting no to 2017-278.

**RESOLUTION: 2017-279**

**RESOLUTION TO AMEND**

**THE 2017 CAPITAL BUDGET**

**WHEREAS,** the City of Linden, New Jersey desires to amend the 2017 Capital Budget of said municipality by inserting thereon or correcting and deleting the items therein as shown in such budget.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Linden of the County of Union as follows:

**Section 1.** The 2017 Capital Budget of the City of Linden is hereby amended by adding thereto a Schedule to read as follows:

**AMEND THE**

**CAPITAL BUDGET OF THE**

**CITY OF LINDEN, NEW JERSEY**

**Projects Schedules for 2017**

**Method of Financing**

**Est. Budget Capital Grants General**

**Project Cost Approp. Imp. Fund In Aid Bonds**

Train Station $1,000,000.00 $1,000,000.00 $41,396.00 $958,604.00

Improvements

North Bound & Sound Bound

**RESOLUTION: 2017-280**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDEN, COUNTY OF UNION, NEW JERSEY DESIGNATING THE PROPERTY COMMONLY KNOWN AS BLOCK 581, LOT 11.05 ON THE CITY TAX MAP AS AN ‘AREA IN NEED OF REDEVELOPMENT’ (WITHOUT CONDEMNATION) PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A*. 40A:12A-1 *et seq.***

**WHEREAS,** the Local Redevelopment and Housing Law, *N.J.S.A.* 40A:12A-1 *et seq*. (the “**Redevelopment Law**”), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment; and

**WHEREAS**, to determine whether certain parcels of land constitute areas in need of redevelopment under the Redevelopment Law, the city council (the “**City Council**”) of the City of Linden (the “**City**”) must authorize the planning board of the City (the “**Planning Board**”) to conduct a preliminary investigation of the area and make recommendations to the City Council; and

**WHEREAS,** on May 16, 2017, the City Council adopted a resolution authorizing and directing the Planning Board to conduct an investigation of the property commonly known as Block 581, Lot 11.05 on the tax map of the City (hereinafter the “**Study Area**”), to determine whether the Study Area meets the criteria set forth in the Redevelopment Law, specifically *N.J.S.A.* 40A:12A-5, and should be designated as an area in need of redevelopment providing that a redevelopment area determination would authorize the City and City Council to use all those powers permitted by the Redevelopment Law, the power of eminent domain; and

**WHEREAS**, on July 11, 2017, the Planning Board, after providing due notice, conducted a public hearing in accordance with the Redevelopment Law and determined that the Study Area qualified as an area in need of redevelopment and recommended that the City Council designate the Study Area as an area in need of redevelopment pursuant to the criteria and requirements of the Redevelopment Law; and

**WHEREAS,** the City Council has determined that, based upon the recommendations of the Planning Board, the Study Area should be designated an area in need of redevelopment under the Redevelopment Law, such designation authorizing the City and City Council to use all those powers provided by the Redevelopment Law for use in a redevelopment area, other than the power of eminent domain.

**NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF LINDEN, NEW JERSEY AS FOLLOWS:**

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. The recommendations and conclusions of the Planning Board are hereby accepted by the City Council.

  Section 3. Based upon the findings and recommendations of the Planning Board, the Study Area is hereby designated an area in need of redevelopment other than the power of eminent domain pursuant to the provisions of Sections 5 and 6 of the Redevelopment Law (the “**Non-Condemnation Redevelopment Area**”).

Section 4. The City Clerk is hereby directed to transmit a copy of this Resolution to the Commissioner of the New Jersey Department of Community Affairs for review pursuant to Section 6(b)(5) of the Redevelopment Law.

Section 5. The City Clerk is hereby directed to serve, within ten (10) days hereof, a copy of this Resolution upon (i) all record owners of property located within the Non-Condemnation Redevelopment Area, as reflected on the tax assessor’s records, and (ii) each person who filed a written objection prior to the hearing held by the Planning Board, service to be in the manner provided by Section 6 of the Redevelopment Law.

Section 6. This Resolution shall take effect immediately.

**ORDINANCES FOR INTRODUCTION**

**An Ordinance entitled:**

**#61-46 An Ordinance to amend and supplement Chapter VII, Traffic.**

**7-33 Handicapped Parking Regulations**

**7-33.1A Handicapped Parking on-street**

**Name of Street Spaces**

**ADD:**

**608 Roselle Street 1**

**1112 Winans Avenue 1**

President Alvarez asked if there were any comments from the public. There were none.

Ordinance #61-46 was introduced by Mr. Medina and was read on first reading by the Deputy Clerk.

On motion of Mr. Medina, seconded by Mrs. Ormon the foregoing Ordinance was on roll call vote

unanimously Ordered approved.

**An Ordinance entitled:**

**#61-47 An Ordinance to amend and Supplement Chapter XXXI, Zoning, of an Ordinance entitled, an ordinance adopting and enacting the Revised General Ordinances of the City of Linden, 1999, passed November 23, 1999 and approved November 24, 1999 and as amended and supplemented.**

President Alvarez asked if there were any comments from the public. There were none.

Ordinance #61-47 was introduced by Mrs. Cosby-Hurling and was read on first reading by the Deputy Clerk.

On motion of Mrs. Cosby-Hurling, seconded by Mr. Strano the foregoing Ordinance was on roll call vote

unanimously Ordered approved.

**An Ordinance entitled:**

**#61-48 A bond ordinance authorizing various capital improvements at the Linden Train Station, and appropriating $1,000,000.00 therefore and authorizing the issuance of $950,000. Bonds or notes to finance part of the cost thereof.**

President Alvarez asked if there were any comments from the public. There were none.

Ordinance #61-48 was introduced by Mr. Strano and was read on first reading by the Deputy Clerk.

On motion of Mr. Strano, seconded by Mr. Brooks the foregoing Ordinance was on roll call vote

unanimously Ordered approved.

**An Ordinance entitled:**

**#61-49 An ordinance amending Chapter 2-15 entitled “Division of Personnel Services.” (Moves the Division of Personnel Services supervision from the City Treasurer to the City Clerk).**

President Alvarez asked if there were any comments from the public.

Mrs. Cosby-Hurling noted that this was first discussed last night and that it was a surprise to the Treasurer. There was no consensus, and this should be tabled. She explained her desire to have more discussion on this matter. She explained her reasons and offered other courses of action.

Mrs. Cosby-Hurling moved that Ordinance #61-49 be tabled. The motion was seconded by Mrs. Hickey

and on a roll call vote was defeated with Mr. Brooks, Mrs. Cosby-Hurling, Mr. Medina, Mrs. Hickey and Mr. Alvarez motion voting yes.

Mrs. Cosby-Hurling stated to watch the actions of those who voted no to table. The issue is the person running the division day to day and not the person they report to.

Mrs. Hickey stated her support for the comments made by Mrs. Cosby-Hurling. She added that she does not see the need to take this course of action, especially when the Mayor has indicated that he would be nominating an individual to be the business administrator, who he thought all of council would be happy with. She commented on what she called the vindictive actions of council.

Mr. Brown stated the increase in taxes and the need to change the way that we in the city do business. He spoke about the need to separate personnel from finance. He noted that this two entities are not together in any other municipality in the State. He further explained his reasoning and spoke about the need to do things differently. He spoke about the need for change.

Mayor Armstead provided a history of the personnel division, it being in the Clerk’s office and that the move out was supposed to be temporary. He provided reasons for moving it back to the Clerk’s office.

Ordinance #61-49 was introduced by Mr. Strano and was read on first reading by the Deputy Clerk.

On motion of Mrs. Yamakaitis, seconded by Mr. Strano the foregoing Ordinance was on roll call vote

ordered approved by all voting yes with the exception of Mr. Brooks, who abstained and, Mrs. Cosby-Hurling, Mr. Medina and Mrs. Hickey who voted no. President Alvarez explained his reasons for voting yes.

**PUBLIC COMMENT**

Mr. Brown moved to close the Public Comment Session. The motion was seconded by Mrs. Ormon and was unanimously ordered approved.

Craig Halloran, 120 Donaldson Place. Mr. Halloran offered his condolences to President Alvarez and Mrs. Ormon on their recent losses. He then noted, that when he had asked about the municipal port authority, it was explained that the Mayor had a seat on the board. He then asked, because of the concern over taxes, why the Mayor did not have a seat on the Board of Education and the sewerage authority. Mr. Halloran then spoke about a number of issues of concern to him.

John Roman, 15 W. Linden Ave, #2. Mr. Roman gave a shout out to Mr. Strano for his help with residents on Emma Place, and explained what the problem was. He then noted spoke about the garbage tax, and the comments he made, in 2013, and his knowledge on the subject. He praised the Mayor for springing the ordinance on everyone tonight. He made suggestions for dealing with the $1.6 million deficit that the elimination of the garbage tax creates.

Reverend Pamela Jones. The Reverend Jones spoke about Mayor Armstead’s back pack for school give away and how it filled a need in the City of Linden. She provided details on the event, and the efforts to improve it, learning from last year’s event. The Reverend also spoke in support of the Linden First Program, that she runs, and what that program does for the citizens of Linden.

Henry Mack. Mr. Mack spoke about how proud he was of the Reverend Jones he was. He stated that he was here, this evening, on behalf of the peoples. He offered his condolences to the families of those members of the governing body who lost family members. He then commented on the moving of the Personnel Division from the Finance Department to the City Clerk’s office.

**COMMENTS FROM MEMBERS OF THE COUNCIL**

Mrs. Ormon offered her congratulations to Chief Parham on being made permanent.

Mr. Brown talked about the budget, the original increase, and how it was reduced. He also spoke about the ways that it could be reduced further next year.

Mrs. Cosby-Hurling spoke about the members of Council, and the reports that they are giving. She stated that all Council Committees should give reports on what they are doing.

Chief Parham thanked God, the Mayor and Council members for their support. He then spoke about the amazing, and talented people, working in the Police Department.

**ANNOUNCMENTS**

President announced the following Council Meetings will be:

\*Council Conference meeting, Monday, August 14, 2017 in the Council Conference Room, City Hall, 301 N. Wood Ave.

\*Council Conference meeting prior to the Council meeting:

Tuesday, August 15, 2017 at 6:00 pm in the Council Conference Room, City Hall, 301 N. Wood Ave.

\*Council Meeting: Tuesday, August 15, 2017 at 7:00 p.m. in the Council Chambers, City Hall, 301 N. Wood Ave.

**ADJOURNMENT**

There being no further business to come before the governing body, Mr. Strano moved to adjourn the

Meeting. The motion was seconded by Mrs. Cosby-Hurling and was unanimously ordered approved by a

roll call vote. The meeting was adjourned at 10:06 pm.

Respectfully submitted,

Joseph C. Bodek

City Clerk