**Minutes of the Regular**

**Meeting of the 2017 Council of the**

**City of Linden, held Tuesday**

**November 21, 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, November 21, 2017 at 7:00 pm. The meeting was called to order by Council President Jorge Alvarez and he 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

Councilman Peter Brown

Councilwoman Cosby

Councilman Robert Sadowski

Councilman Ralph Strano

Councilwoman Michele Yamakaitis

Councilman Armando Medina

Council President Jorge Alvarez

Mayor Derek Armstead

Mr. Brooks and Mrs. Hickey were excused from the meeting.

**APPROVAL OF MINUTES**

Mrs. Ormon moved for approval of the minutes of the October 17, 2017 Council meeting. The motion was seconded by Mr. Medina and was unanimously ordered approved by a roll call vote.

**PRESENTATIONS**

**“Act of Bravery”**

**Marty Brandon**

President Alvarez called upon Mayor Armstead to do a presentation to Marty Brandon. Mayor Armstead spoke about the reasons for Mrs. Brandon being recognized this evening. He noted that she was a hero that day, when she went into action to stop a bus, when the bus driver became disabled, stopping a possible tragedy. The Mayor stated that we cannot thank Mrs. Brandon enough.

**“Veteran’s Day”**

**Raymond R. Miskiewicz**

President Alvarez called upon Mayor Armstead, Mr. Sadowski, Mr. Strano and himself to make the presentation to Mr. Miskiewicz, for Veterans Day. President Alvarez noted this is very dear to him, as he comes from a military background, and spoke about his experiences. He asked all to stand and show Mr. Miskiewicz our appreciation for his service. Mayor Armstead spoke about how fortunate we are to live in America, the greatest country in the world. He noted that this happened because of men, like Mr. Miskiewicz, joined the military and put their lives at risk. Mr. Strano stated that we should have done this last month, before Veterans Day. He explained the reasons that Mr. Miskiewicz came to be here tonight. The Mayor thanked Mr. Miskiewicz, read the resolution honoring Mr. Miskiewicz, and presented it to him.

**“Appreciation Award”**

**Mayor Derek Armstead**

President Alvarez called upon representatives from the Galloping Hill Cruisers, BBC Speed & Machine and the Garden State Gear Shifters to make a presentation to the Mayor and Council. Mr. Robert Barkof spoke on behalf of the various organizations, stating that he was here to thank the Mayor, and Council, for their support of the 2017 “Cruise for a Cause” off to a great start. Mr. Barkof noted several individual who also helped. He also informed all as to the cause that was being supported, and thanked all for their help. He presented the Mayor with a plaque showing their appreciation for the support given. The Mayor noted that $15,000 was donated to the Lakeview School, as a result of the efforts of these groups. Mayor Armstead also spoke about what was accomplished, with the bringing of this activity to Aviation Plaza.

**ORDINANCE HELD FROM THE OCTOBER 17, 2017 MEETING**

**#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.**

Mrs. Ormon moved to table Ordinance #61-48 to the December meeting. The motion was seconded by Mr. Strano 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:

**#61-66 An ordinance amending ordinance number 61-24 authorizing exemptions from taxes and the execution of tax agreements for the payments in lieu of taxes for new industrial structures, to also include improvements to commercial structures, on an individual basis after review, evaluation and approval of each application by the City Council pursuant to N.J.S.A. 40A:21-7.**

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, Mrs. Ormon moved that the hearing be closed and the ordinance be adopted. The motion was seconded by Mr. Medina and on a roll call vote the foregoing ordinance was unanimously ordered approved by a roll call vote.

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

further consideration respecting an ordinance entitled:

**#61-67 An ordinance to amend and supplement Chapter VII Traffic of 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.**

**Traffic, Section 7-34, Don’t Block the Box:**

**ADD:**

**E. Elizabeth Avenue and N. Wood Ave.**

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. Brown moved that the hearing be closed and the ordinance be adopted. The motion was seconded by Mr. Medina and on a roll call vote the foregoing ordinance was unanimously ordered approved by a roll call vote.

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

further consideration respecting an ordinance entitled:

**#61-68 An Ordinance to amend and supplement Chapter II, Administration, 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.**

**DELETE:**

**2-12.10 Off-duty employment of Police Officers for police-related activities in its entirety**

**ADD:**

**New Section 2-12.10** Off-duty employment of Police Officers for Police-Related Activities.

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, Mrs. Yamakaitis moved that the hearing be closed and the ordinance be adopted. The motion was seconded by Mr. Sadowski and on a roll call vote the foregoing ordinance was unanimously ordered approved by a roll call vote.

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

further consideration respecting an ordinance entitled:

**#61-69 Bond Ordinance Amending Bond Ordinance Number 59-16 finally adopted by the City Council of the City of Linden, New Jersey on April 21, 2015. (inserting, after the phrase “replacement of the roof at the Linden Multi Purpose Center” the phrase”, 7th Ward Recreation Center, PAL Memorial Field and City Hall”.**

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 Mrs. Yamakaitis and on a roll call vote the foregoing ordinance was unanimously ordered approved by a roll call vote.

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

further consideration respecting an ordinance entitled:

**#61-70 An Ordinance to amend and supplement Chapter VII, Traffic, 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, 199 and as amended and supplemented.**

**7-10 Parking Prohibited at all Times on Certain Streets**

**Name of Street Side Location**

**ADD**

**W. Elizabeth Avenue South Beginning at a point 450 feet west of N.**

**Stiles Street and continuing westerly a**

**Distance of 425 feet.**

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. Javick moved that the hearing be closed and the ordinance be adopted. The motion was seconded by Mr. Medina and on a roll call vote the foregoing ordinance was unanimously ordered approved by a roll call vote.

**CONSENT AGENDA**

**(\*\*\*) TAX COLLECTOR:**

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

2018 Taxes $196,694.95

2017 Taxes $18,675,685.64

2016 Taxes $190.40

Garbage Fee Payments $175,198.67

Garbage Fee Penalty $590.00

Municipal Lien Redemption $0.00

Duplicate Tax Sale Certificate $500.00

Tax Search $0.00

Lien Redemption Request Fee $100.00

Year End Penalty $0.00

Returned Check Fee Paid $0.00

Returned Check Fee Garbage Paid $0.00

Returned Check 2016 (Disallowed) ($0.00)

Returned Check 2017 ($0.00)

Returned Check Interest ($0.00)

Returned Online Payment 2017 Taxes ($0.00)

Returned Online Interest (S0.00)

Returned Check Garbage Fee ($115.00)

Returned Check Garbage Fee Penalty ($0.00)

Adv. Before Tax Sale $0.00

State Audit Payment $1,200.00

Premium $0.00

Sewer Clean out charge $1,200.00

DPW Reso payments $1,375.00

Interest $21,537.97

Total $19,074,157.63

**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**

18 7.01 10/10/17 15-00012 $2,100.00

215 64 10/11/17 15-00152 $1,800.00

378 10 11/3/17 15-00219 $14,600.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $18,500.00 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 block & lot.

**Block Lot Redemption Date CTF# Amount**

35 11 10/19/17 16-00026 $1,100.00

306 15 10/19/17 16-00215 $800.00

405 2 10/30/17 16-00267 $800.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $2,700.00 payable to Trystone Capital Assets, LLC., 575 Route #-70, 2nd Floor, P.O. Box 1030, Brick, NJ 08723, charging same to account #-7-01-55-276-999-956.

**Tax Sale** Requesting the refund of the premium paid at the 2013 tax sale on the following blocks & lots.

**Block Lot Redemption Date CTF# Amount**

42 9 10/11/17 10-00030 $300.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $300.00 payable to: Ace Plus, LLC, 1416 Ave L, Brooklyn, NY 11230, 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**

58 16 10/17/17 16-00044 $100.00

69 4 11/1/17 15-00039 $30,000.00

118 4 10/11/17 15-00078 $33,100.00

246 18 10/18/17 16-00184 $1,000.00

246 19 10/18/17 16-00185 $1,000.00

341 7 10/31/17 16-00224 $23,200.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $88,400.00 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 blocks & lots.

**Block Lot Redemption Date CTF# Amount**

117 7 10/18/17 16-00086 $1,700.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,700.00 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 2015 tax sale on the following block & lot.

**Block Lot Redemption Date CTF# Amount**

118 4 10/11/17 14-00089 $51,900.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $51,900.00 payable to: PFS Financial 1, LLC US Bank Custodian, 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 & 2017 tax sale on the following block

& lot.

**Block Lot Redemption Date CTF# Amount**

121 13 10/17/17 16-00091 $1,500.00

288 10 10/12/17 16-00201 $1,500.00

311 18 10/11/17 15-00193 $1,500.00

320 3 10/17/17 16-00220 $1,400.00

334 23 10/18/17 16-00223 $1,400.00

546 16 11/1/17 16-00345 $1,100.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $8,400.00 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 2015 tax sale on the following block & lot.

**Block Lot Redemption Date CTF# Amount**

150 15 10/17/17 14-00123 $1,500.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,500.00, payable to: TTLBL, LLC, Attention: John Lemkey, 4747 Executive Drive, Suite 510, 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**

290 1 11/2/17 16-00203 $19,200.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $19,200.00 payable to: Christiana T C/F, CE/1 Firsttrust, P.O. Box 5021, Philadelphia, PA 19111-5021, charging same to account #-7-01-55-276-999-956.

**Tax Sale** Requesting the refund of the premium paid at the 2013 tax sale on the following block & lot.

**Block Lot Redemption Date CTF# Amount**

414 9 10/24/17 12-00211 $13,600.00

414 10 10/24/17 12-00212 $13,200.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $26,800.00 payable to: Huntington Associates, LLC, P.O. Box 132, Northfield, NJ 08225, charging same to account #-7-01-55-276-999-956.

**Refund Due** Block 101 Lot 15 & 16, Uno Financial Services, LLC

1007 E. Elizabeth Avenue, 1001 E. Elizabeth Avenue

Tax Court Dockets-008636-2016

The above referenced property owners are entitled to a refund due to a Tax Court Judgment

reducing the assessment for lot #-15 by 20,000 and lot#-16 by 20,000 for 2016 creating a total overpayment of $ 2,610.40 (1,305.20 + 1,305.20).

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of 2,610.40 payable to: Jacobus & Associates, LLC trustees for Uno Financial Services, LLC, 201 Littleton Road, 1st Floor, Morris Plains, NJ 07950, charging same to account #7-01-55-275-999-000.

**Refund Due** Refund of Property Taxes, Block 155 Lot 21

William M. Smith, 632 E. Elm Street

2 Family home, 2017 Veterans Deduction

This property owner is deemed a 100% Disabled Veteran by the V.A. for the portion of the 2 family home in which he owns and resides. Per the Division of Taxation, Mr. Smith is entitled to the refund $125.00 for part of the Veterans Deduction that is now a credit on his property.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $125.00, payable to: William M. Smith, 632 E. Elm Street, Linden, NJ 07036, charging same to account #-7-01-55-288-999-904.

**Credit Balance** Block 182 Lot 3, Federal National Mortgage Assoc.

811 Clark Street, 2017 4th quarter

There now exists a credit balance on the above referenced block & lot due to an overpayment by old owners Mortgage Company and the title agency. The overpayment amount is $1,400.89.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,400.89, payable to Statewide Closing Services, LLC, 1018 Route # 202 South, Branchburg, NJ 08876 charging same to account #7-01-55-288-999-904..

**Credit Balance** Block 264 Lot 12, Old Owner: 141 Rosewood, LLC

New Owner: Sol Mejias, 2016 4th quarter

There now exists a credit balance on the above referenced block & lot due to an overpayment by old owners and the Title Agency. The overpayment amount is $622.17.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $622.17, payable to: Noble Title agency, Inc, 1130 US 202 South Bldg D, 2nd Floor, Raritan, NJ 08869 charging same to account #7-01-55-288-999-904.

**Overpayment** Block 376 Lot 3, Former Owner: Jacqueline Pereira

Current Owner: Joshua & Shannon Hamilton

857 Laurita Street

The above referenced owners Mortgage Company and the new owner’s title agency have paid the 2014 3rd quarter property taxes creating this overpayment and the old owner’s mortgage company entitled a refund in the amount of $2,604.19.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $2,604.19, payable to Core Logic Tax Services, Attention: Kathy Bishop, 92-16 220th Street, Queens Village, NY 11428 charging same to account #-7-01-55-288-999-904.

**Overpayment** Block 378 Lot 4.02, Mark & Glenda Simoes

835 Erudo Street

The above referenced owners Mortgage Company and the owner’s title agency have paid the 2017 2nd quarter property taxes creating this overpayment and the old owner’s mortgage company entitled a refund in the amount of $2,104.64.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $2,104.64, payable to Core Logic Tax Services, Attention: Kathy Bishop, 92-16 220th Street, Queens Village, NY 11428 charging same to account #-7-01-55-288-999-904.

**Overpayment** Block 380 Lot 23.02, Former Owner: Robert S. & Rebecca Jenco

Current Owner: Sami K. Sami, 760 Ercama Street

The above referenced owners Mortgage Company and the new owner’s title agency have paid the 2015 4th quarter property taxes creating this overpayment and the old owner’s mortgage company entitled a refund in the amount of $2,997.63.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $2,997.630, payable to Core Logic Tax Services, Attention: Kathy Bishop, 92-16 220th Street, Queens Village, NY 11428 charging same to account #-7-01-55-288-999-904.

**Overpayment** Block 390.01 Lot 2, Former Owner: Michael Raimonde

Current Owner: Roberto E. & Katurah E. Bell

600 Rosewood Terrace

The above referenced old owners Mortgage Company and the new owner’s title agency have paid the 2016 4th quarter property taxes creating this overpayment and the old owner’s mortgage company entitled a refund in the amount of $3,110.52.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $3,110.52, payable to Core Logic Tax Services, Attention: Kathy Bishop, 92-16 220th Street, Queens Village, NY 11428 charging same to account #-7-01-55-288-999-904.

**Overpayment** Block 393 Lot 37

Former Owner: Trevor & Shannon Rutledge-Leverenz

Current Owner: Ahmed & Faye T. Dickerson

1710 N. Stiles Street

The above referenced old owners Mortgage Company and the new owner’s title agency have paid the 2017 2nd quarter property taxes creating this overpayment and the old owner’s mortgage company entitled a refund in the amount of $2,036.11.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $2,036.11, payable to Core Logic Tax Services, Attention: Kathy Bishop, 92-16 220th Street, Queens Village, NY 11428 charging same to account #-7-01-55-288-999-904.

**Overpayment** Block 408 Lot 4, Placido Rodriguez

712 Willick Road

The above referenced owners Mortgage Company and the owner’s title agency have paid the 2013 1st quarter property taxes creating this overpayment and the old owner’s mortgage company entitled a refund in the amount of $2,087.66.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $2,087.66, payable to Core Logic Tax Services, Attention: Kathy Bishop, 92-16 220th Street, Queens Village, NY 11428 charging same to account #-7-01-55-288-999-904.

**Overpayment** Block 413 Lot 25, Uilton & Karolina M. Dossantos

1600 Westover Road, 2017 3rd qtr overpayment

The above referenced owner’s Mortgage Company and the owner have paid the 2017 3rd quarter property taxes creating this overpayment and the owner is entitled a refund in the amount of $2,422.27.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $2,422.27.payable to: Uilton & Karolina M. Dossantos, 1600 Westover Road, Linden, NJ 07036, charging same to # 7-01-55-288-999-904.

**Overpayment** Block 457 Lot 20.02, Kazimierz & Halina M. Kiczek

322 W. Linden Ave Rear, 2017 2nd qtr overpayment

The above referenced owner’s Mortgage Company and the owner have paid the 2017 2nd quarter property taxes creating this overpayment and the owner is entitled a refund in the amount of $92.99.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $92.99.payable to: Kazimierz & Halina M. Kiczek, 322 W. Linden Ave, Linden, NJ 07036, charging same to # 7-01-55-288-999-904.

**Posting Error** Block 527 Lot 5, 124 E. 11th Street

There now exists a credit balance on the above referenced block & lot due to a posting error paid towards the Property Taxes instead of the Sewer billing. The overpayment amount is $400.00.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $400.00 payable to L.R.S.A., 5005 South Wood Avenue, P.O. Box 4118, Linden, NJ 07036 charging same to account #7-01-08-607-011.

**Disabled Veterans** Refund of Property Taxes, Block 570 Lot 22

Alfredo Rosado, 104 Main Street

This property owner has been deemed a 100% Disabled Veteran by the V.A. as of December 1, 1969. Mr. Rosado is entitled to the 100% Disabled Veteran Status for 2015 & 2016 per Michael Frangella. The following is the amount that the Mortgage Company continued to pay. The property owner is entitled to a refund in the amount of $ 3,972.29

Therefore, it would be in order for the council to authorize the treasurer to issue a check

in the amount of $3,972.29, payable to: Alfredo Rosado, 104 Main Street Linden, NJ 07036,

charging same to account #-7-01-55-288-999-904.

**Overpayment** Block 579 Lot 6, Former Owner: Frederick F. Cowell

New Owner: NJ DEP Green Acres, 345 Madison Street

2016 1st qtr overpayment

The above referenced owner’s Attorney and the old owner’s Mortgage Company have paid the 2016 1st quarter property taxes creating this overpayment and the owner’s attorney is entitled a refund in the amount of $1,341.71.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,341.71.payable to: Anna-Maria Pittella, 55 N. Bridge Avenue, Suite #-1, Red Bank, NJ 07701, charging same to # 7-01-55-288-999-904.

**Overpayment** Block 465 Lot 3 CAA1, Former Owner: Charles Cascone

300 W. Munsell Avenue, 2013 3rd Quarter

The above referenced owner’s old Mortgage Company and owner’s new mortgage company have paid a partial payment on the 2013 3rd quarter property taxes creating this overpayment and the new owner’s mortgage company is entitled a refund in the amount of $193.94.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $ 193.94 payable to: Ocwen Loan Servicing, LLC, Tax/Escrow Dept, 1661 Worthington Road, Suite #-100, West Palm Beach, FL 33409, charging same to # 7-01-55-288-999-904.

**Overpayment** Block 467 Lot 1, Former Owner: Michael & Joanna Germinaro

Current Owner: Franklyn & Lina M. Roldan

411 W. Stimpson Avenue

The above referenced old owners Mortgage Company and the new owner’s title agency have paid the 2016 4th quarter property taxes creating this overpayment and the old owner’s mortgage company entitled a refund in the amount of $2,843.05.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $2,843.05, payable to Core Logic Tax Services, Attention: Kathy Bishop, 92-16 220th Street, Queens Village, NY 11428 charging same to account #-7-01-55-288-999-904.

**Overpayment** Block 480 Lot 8.02, Former Owner: Mercedes M. Perez

Current Owner: 850 Bacheller LLC, 850 Bacheller Avenue

The above referenced old owners Mortgage Company and the old owner have paid the 2017 2nd quarter property taxes creating this overpayment and the old owner’s mortgage company entitled a refund in the amount of $2,933.71.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $2,933.71, payable to Core Logic Tax Services, Attention: Kathy Bishop, 92-16 220th Street, Queens Village, NY 11428 charging same to account #-7-01-55-288-999-904.

**Overpayment** Block 489 Lot 1, Former Owner: Marcelino Otero

Current Owner: Saul & Lanette Laboy, 701 S. Park Avenue

The above referenced old owners Mortgage Company and the old owner have paid the 2015 4th quarter property taxes creating this overpayment and the old owner’s mortgage company entitled a refund in the amount of $2,524.45.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $2,524.45, payable to Core Logic Tax Services, Attention: Kathy Bishop, 92-16 220th Street, Queens Village, NY 11428 charging same to account #-7-01-55-288-999-904.

**Overpayment** Block 491 Lot 3, Jaime Gonzalez-Seoane

910 Mc Candless Place, 2016 4th qtr overpayment

The above referenced owner’s Mortgage Company and the owners’ title agency have paid the 2016 4th quarter property taxes creating this overpayment and the owner is entitled a refund in the amount of $1,946.90.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,946.90.payable to: Jaime Gonzalez-Seoane, 910 Mc Candless Place, Linden, NJ 07036, charging same to # 7-01-55-288-999-904.

**Overpayment** Block 524 Lot 41, Estate of Jospeh P. Adase

1421 Emma Place, 2015 3rd qtr overpayment

The above referenced owner’s Mortgage Company and the owner have paid the 2015 3rd quarter property taxes creating this overpayment and the owner is entitled a refund in the amount of $1,784.50.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,784.50.payable to: Joseph Adase, 30 Beekman Avenue, Colonia, NJ 07067, charging same to # 7-01-55-288-999-904.

**Overpayment** Block 570 Lot 14.02, Former Owner: Matthew A. Cardinoza

Current Owner: Daniel A. Osei, 2717 Grasselli Avenue

The above referenced old owners Mortgage Company and the new owners Title Agency have paid the 2015 4th quarter property taxes creating this overpayment and the old owner’s mortgage company entitled a refund in the amount of $1,825.76.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,825.76, payable to Core Logic Tax Services, Attention: Kathy Bishop, 92-16 220th Street, Queens Village, NY 11428 charging same to account #-7-01-55-288-999-904.

**Overpayment** Block 577 Lot 8, Former Owner: Ketty Trigoso

Current Owner: Carlos E. Perez, 218 Hayes Street

The above referenced old owners Mortgage Company and the new owner’s title agency have paid the 2017 2nd quarter property taxes creating this overpayment and the old owner’s mortgage company entitled a refund in the amount of $1,378.62.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,378.62, payable to Core Logic Tax Services, Attention: Kathy Bishop, 92-16 220th Street, Queens Village, NY 11428 charging same to account #-7-01-55-288-999-904.

**Overpayment** Block 562 Lot 16, Daniela Schachter

214 W. 15th Street, 2012 1st qtr overpayment

The above referenced owner’s Mortgage Company and the owners’ title agency have paid the 2012 1st quarter property taxes creating this overpayment and the owner is entitled a refund in the amount of $1,309.23.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,309.23.payable to: Daniela Schachter, 214 W. 15th Street, Linden, NJ 07036, charging same to # 7-01-55-288-999-904.

**Overpayment** Block 575 Lot 2, Douglas F. Adase & Daniel A. Herrera

2612 Grasselli Avenue

The above referenced owners Mortgage Company and the owners Title Agency have paid the 2016 4th quarter property taxes creating this overpayment and the old owner’s mortgage company entitled a refund in the amount of $2,136.07.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $2,136.07, payable to Core Logic Tax Services, Attention: Kathy Bishop, 92-16 220th Street, Queens Village, NY 11428 charging same to account #-7-01-55-288-999-904.

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

**(2)** Advising that the following City Employees have filed for retirement:

**Department Employee Title Date**

Municipal Court Doretha Blassingame Deputy Court Admin. Dec. 1, 2017

Police Dept. Thomas Larmore Police Officer Dec. 1, 2017

Fire Dept. Steven Moncur Fire Captain Dec. 1, 2017

DPW John Schleckmann Sanitation Truck Driver (Tier 1) Dec. 1, 2017

Municipal Garage John Velez Body & Fender Mechanic (Tier 1) Dec. 1, 2017

Fire Dept. Thomas Weldon Fire Fighter Dec. 1, 2017

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

**(3)** Requesting approval of the following bingo/raffle applications which have been

submitted to the City Clerk’s Office

**Application # Organization Raffle Fees**

RA-1622 School #9 50/50 $20.00

RA-1623 School #10 50/50 $20.00

**(\*\*\*) BOARD OF HEALTH:**

1. Advising that the Health Department issued sixty-five (65) Certificates of Occupancy during the month of October 2017.

**(\*\*\*) MAYOR ARMSTEAD:**

1. Advising that he has made the following appointment to the Linden Housing Authority.

Joanne Petkov

1601 Dill Avenue, Apt. 914

Linden, NJ 07036

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

1. Requesting approval for the following reimbursements:
2. Aetna is entitled to a refund in the amount of $304.00 for service that was provided on 6/17/2017. Therefore, it would be in order for the council to authorize the treasurer to issue a check payable to: Aetna, 29408 Reliable Parkway, Mail Stop U23S, Chicago, IL 60686 charging same to 7-01-08-629-011.
3. Cigna is entitled to a refund in the amount of $426.35 for service that was provided on 12/17/2016. Therefore, it would be in order for the council to authorize the treasurer to issue a check payable to Cigna, PO Box 182223, Chattanooga, TN 37422.
4. Aetna is entitled to a refund in the amount of $169.86 for service that was provided on 5/13/2017. Therefore, it would be in order for the council to authorize the treasurer to issue a check payable to: Aetna, 29408 Reliable Parkway, Mail Stop U23S, Chicago, IL 60686 charging same to 7-01-08-629-011.
5. Continental Benefits is entitled to a refund in the amount of $392.31 for service that was provided on 5/22/2017. Therefore, it would be in order for the council to authorize the treasurer to issue a check payable to: Continental Benefits, PO Box 3610, Brandon, FL 33509-3610 charging same to 7-01-08-629-011.
6. Arleen Zelonis is entitled to a refund in the amount of $86.27 for service that was provided on 6/1/2017. Therefore, it would be in order for the council to authorize the treasurer to issue a check payable to Arleen Zelonis, 214 W. Locust Ave., Edison, NJ 08820 charging same to 7-01-08-629-011.

**(\*\*\*)** **AMENDING CAR, TRUCK, BIKE & AIRPLANE SHOW**

1. Advising that the City of Linden will be co-sponsoring the event along with Mayor Derek

Armstead, the Mayor’s Youth Commission, Linden PBA, Galloping Hill Cruisers, BBC Speed & Machine and Garden State Gear Shifters on November 5, 2017 at Linden Airport between the hours of 10am and 4pm. And authorizing the waiving of permit fees and insurance requirements relative to City Ordinance 4-21 Circuses and Carnivals. Insurance will be provided to Linden Airport Corp. by the City of Linden in the amount of $2,000,000.00 as required.

* **Giving retroactive approval relative to the use of Duke Realty Parking Lot along Pleasant Street for additional parking for those in attendance at the November 5th car show. The City of Linden provided an Insurance Certificate and Hold Harmless Agreement to Duke Realty.**

**Mrs. Ormon moved for approval of Consent Items #1 through #7. The motion was seconded by Mr. Javick and was unanimously ordered approved on a roll call vote.**

**COMMITTEE REPORTS**

**FIRST WARD**

Mrs. Ormon began by giving the report of the Division of Transportation and Parking for the month of September 2017. A total of $56,811.85 was collected from all sources. Next she gave the First Ward report, noting that sidewalks are being worked on, however the entire First Ward list will not be done this fall, but those not reached will be on the list for next year. Mrs. Ormon then spoke about the collection of leaves and the options available to residents regarding leave collection. She then discussed the parking issues on Erudo, Keep and Ercamma St. and there being addressed.

Mrs. Ormon then addressed the issue of feral cats. She asked residents not to feed them, as they could be a nuisance to the neighbors, and there is also an ordinance prohibiting their feeding. She providing suggestion on how to deal with the issue. Next she spoke about trash, and not placing items out when it is not the scheduled trash day or placing them out too early. She gave a special thank you, to all of the residents of the First Ward for reporting a number of issues to her, stating that she appreciates that they care about the ward that much.

Mrs. Ormon announced that the City would be hosting its annual tree lighting ceremony, and provided details on the event.

**SECOND WARD**

Mr. Javick announced that one of his priorities is addressing the issue of parking space availability. He spoke about his efforts to address this issue. Next he spoke about the safety of the children attending School #8, and spoke about his efforts to address them. He also spoke about a program, for second graders, regarding recycling.

Mr. Javick informed all that a tree planting would occur, in the Second Ward in early December, and thanked the commission for the planting on Wood Ave that just occurred. He asked any Second Ward resident, needing leaf bags, to please contact him, and to also reach out to him regarding trees that need to be trimmed. Mr. Javick reported on activity at the landfill and the RFQ for acquisition of solar panels for the landfill. He concluded by wishing all a happy Thanksgiving, and providing information on the City’s tree lighting ceremony.

**THIRD WARD**

Mr. Brown had no report.

**FIFTH WARD**

Ms. Cosby asked for clarification on the date of the Christmas tree lighting. The correct date is December 1st. She thanked the Fifth Ward residents who participated in the Community meeting, and noted that a Spanish Heritage celebration was conducted at the meeting. She provided details on the celebration, and the person who was honored. Ms. Cosby provided details, on the work being done, in the Fifth Ward by NJ American Water Company, adding that if any resident had issues with the work that they are doing, to please contact her, and provided her contact information.

Ms. Cosby spoke about sidewalk repair, on Union and Middlesex St, the reasons that it was done that way, and requested that since the area was a school bus stop, that it be added to the City’s shoveling list. She then spoke about various Fifth Ward activities, including a visit from Santa, and the Hooked on Fishing, not Drugs program, among others.

Ms. Cosby noted that the reports of the Construction Code Department are on file in the City Clerk’s office. She reported that Mr. Brown had requested a street light be added on Maple Ave., adding that he had previously made this request. In order to clear up an issue she was asking that it be reapproved. Ms. Cosby moved for approval of a street light on Pole 64237, on Maple Ave, near the intersection of Clark St. The motion was seconded by Mr. Medina and was unanimously ordered approved.

Ms. Cosby spoke about the use of Nixel, for emergencies, and that she also has a text alert system for residents of the Fifth Ward. She provide details on how residents could sign up for text alerts from her. She urged residents to sign up for those alerts. She wished all a Happy Thanksgiving.

**SIXTH WARD**

Mr. Sadowski gave the report of the Fire Committee. He noted that the Fire Prevention Bureau collected a total of $5869.15 for permits and fees. The ambulance reimbursement system deposited $75,324.27 for the month of October. Collections, to date, total $669,855.68. On behalf of the Fire Department he informed all of the recall of fire extinguishers manufactured by Kidde Corp., and the website that further information could be found at.

Mr. Sadowski announced that any Sixth Ward residents, needing leave bags to call him and he will drop them off. He also stated that he is receiving phone calls over four-way stop intersections and the installation of speed humps. He noted that they are coming, but it takes time, and asked for patience. He wish all a happy Thanksgiving.

**SEVENTH WARD**

Mr. Strano gave the licensing report of the City Clerk’s office. A total of $2,507.00 was collected. Next he gave the report of the City Clerk’s office, where a total of $5,267.54 was collected for the month of October. He also reported on the collection of the Division of Transportation and Parking, for the month of October. A total of $56,811.35 was collected.

Mr. Strano gave the following report of the Budget Review and Finance Committee:

The payment of bills totaling $2,198,315.44 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 October at the rate of 1.00%

Mr. Strano moved for approval of the Finance Report. The motion was seconded by Mrs. Yamakaitis and was ordered approved by a roll call vote, with all voting in favor, except Mr.Sadowski, who was absent from the room.

Mr. Strano reported that he had good news regarding the Quite Zone. He reported on the construction meeting, regarding the resurfacing of Lower Road, which also incorporates the construction of the barriers required for the Quite Zone. He wished all safe travels and a happy Thanksgiving.

**EIGHT WARD**

Mrs. Yamakaitis asked if there were any questions on the Personnel Report.

Diane Wilverdine, 150 Morris Ave. Ms. Wilverdine stated that she was looking at the report, where individuals titles were being changed, but there was no increase in pay, and asked wasn’t that the purpose of a promotion, to get an increase in pay. Mrs. Yamakaitis and Ms. Cosby explained the changes in titles, and why no increase in pay. Mr. Bodek provided a further explanation.

Mrs. Yamakaitis gave the following report of the Personnel Committee:

1. In the Police Department – the approval is requested for the following:

a. The promotion of Monika Solarska-Gnat to Clerk 2 at no increase in salary effective December 1, 2017.

b. The hiring of Joseph Williams as Parking Enforcement F/T at the annual salary of $34,548, effective December 4, 2017, subject to the successful completion of the City required background check.

c. The rescinding of the job posting of Network Administrator

1. In the Fire Department – the approval for Chief Dooley to immediately begin background checks for two fire candidates to replace two pending retirements/
2. In the Office of the Construction Code – the approval of the waiver of the City’s internal educational policy for Dennis Carbone based upon the needs of the City and the State certification maintained my Mr. Carbone. Further, approval is granted to amend Mr. Carbone’s hire date to October 19, 2017 from June 24, 2017.
3. In the Office of the Mayor – extending the time of employment for intern of Ashante Haley, student assistant, to November 3, 2017.
4. In the Office of the Clerk – the temporary increase of work hours for Chelsea Liberos from December 20, 2017 through January 20, 2018 to 35 hours per week.
5. In the Personnel Division – the following actions to be taken:
6. Amending the appointment of Glenn Matuska to indicate that the correct salary of $49,286
7. Amending the appointment of Theresa Vitale to indicate that the correct annual salary of $78,750 with an effective of December 10, 2016
8. Amending the appointment of Deidra Green to indicate the correct annual salary of $39,321 with an effective date of December 10, 2016
9. Amend the hire date for Eric Haefner to be October 14, 2017
10. Amend the hire date for Alexander Ventura to be October 21, 2017
11. The following FMLA/NJFLA leave requests:
12. Employee #000129, Intermittent FMLA 10/24/17 through 1/15/18
13. Employee #909177, 8/11/2017 through 11/11/2017
14. In the Board of Health – authorization for Stephanie Chrobak to utilize 6 unpaid voluntary furlough days.
15. In the Department of Public Property/Community Services – approval for the following:
16. Change in title for John Chabra from Recreation Maintenance Worker to Maintenance Worker 2 Grounds (Tier 2) at the hourly rate of $23.00, for an annual salary of $47840.
17. Change in title for Ronald Feuerschwenger from Maintenance Worker Grounds 1 to Maintenance Worker Grounds 2 at the hourly rate of $24.50, for an annual salary of $50960.
18. Change in title for Gerald Bishop from Sr. Maintenance Repairer to Sr. Building Maintenance Worker 1 Grounds (tier 2) at no increase in pay.
19. Change in title for John Flemming from Maintenance Worker 1 Grounds to Building Maintenance Worker 1 (tier 2) at no increase in pay.
20. Change in title for Rolando Rodriguez from Maintenance Worker 1 Grounds to Building Maintenance Worker 1 (tier 2) at no increase in pay.
21. Change in title for Matthew Czerwinski from Recreation Maintenance Worker to Maintenance Worker 1 Grounds (tier 2 Public Property) at no increase in pay.
22. Change in title for Jerzy Kowalik from Recreation Maintenance Worker to Maintenance Worker 1 Grounds (tier 2 Public Property) at no increase in pay.
23. Change in title for Tywanda Gadson from Senior Account Clerk/Clerk 3 to Principal Account Clerk at the annual salary of $60,529.
24. Change in title for Cybil Specht from Clerk 1 to Clerk 2 at the annual salary of $39,321.
25. Change in title for Dennis Scanlon from Sr. Traffic Maintenance Worker to Traffic Signal Technician 2 (tier 2) at the annual salary of $71,760.
26. The hiring of Joseph Wnek as an Electrician at the minimum starting salary of $21.00 per hour, for an annual salary of $43680, effective December 4, 2017, subject to the successful completion of the City required background check.
27. Division of Recreation – the appoint of Jerry Aquino, as Audio Visual Specialist at the minimum salary of $44,210 effective December 4, 2017, subject to the successful completion of the City required background check.

President Alvarez noted there were several items, without effective days on them. Mr. Roth responded, noting that the effective date would be November 22, 2017.

Mrs. Yamakaitis noted that all items that do not contain an effective date, the effective date was November 22, 2017. Mrs. Yamakaitis moved for approval of the Personnel Report. The motion was seconded by Mr. Strano and was approved by a roll call vote, with all voting in favor, except Ms. Cosby, who abstained, on all items. Ms. Cosby, upon her vote, that there were a lot of things, on the report, that were of concern to her, noted some of them, and stated that she was not going to vote, so that nobody could file a tort claim against her. She also spoke about the creation of policies and procedures, and that they should be followed.

Mr. Brown asked Mr. Roth to explain further the reason for the educational waiver. He also commented on the hiring of two people for TV 36 and the reasons why.

Mrs. Yamakaitis confirmed that the tree lighting is December 1st. Next she spoke about the Council Traffic Committee, what their task was, and the amount of work they are faced with. She noted that she had requested a four way stop sign, at Chandler and Dill Ave., and the state standard for a four way stop, and that the intersection does not meet the state guidelines.

Mrs. Yamakaitis announced a new exercise program that the Recreation Department, was considering. She urged all to come to a demonstration, and provide their input. She also announced the details on the Eighth Ward visit from Santa, and holiday kick off. Mrs. Yamakaitis also spoke about the problem of individuals, walking their dogs, and not picking up after them. She asked all to pick up after their dogs. She wish all a Happy Thanksgiving.

**NINTH WARD**

Mr. Medina noted that his report would include information from Mrs. Hickey, due to her absence. He first gave a report on the library activity, announcing a variety of programs that were planned. He then read a letter from the Halloween Parade Committee, regarding the cancellation of this year’s parade and spoke about the reasons for there not being a rain date.

Mr. Medina promoted a raffle that the library was having. He informed Ninth Ward residents of the paving of streets, in the ward. He went on to note the work of the Traffic Committee to address issues throughout the City, spoke about speeding in the 9th Ward, and efforts to address it. He thanked the Linden DPW and the Division of Transportation and parking for the job they are doing. He wished all a happy Thanksgiving.

**MAYOR’S REPORT**

Mayor Armstead spoke about how council meetings were run, and stated his disagreement with the rules governing the running of the meetings. He asked Mr. Roth to answer the questions that Mr. Brown asked earlier, but was not allowed to answer. Mr. Roth did so, explaining the position of per diem plumbing inspector, and the requirements for the job. The Mayor, before he continued, repeated his disagreement with how Council meetings are run, and that the individual, being hired, had met all of the requirements of Civil Service, for the position, which did not include having a high school diploma.

Mayor Armstead announced that a piece of property, at Stiles St. and Routes 1&9 was being considered as a possible site for a Wawa in Linden. He spoke about discussions to create jitney routes in Linden and linking other nearby towns to Linden by jitney. He noted the benefits of this type of service to Linden. Next the Mayor provided an update on the RFQ for solar panels for the landfill, noting that there are other Linden companies with an interest in purchasing the electric generated by those panels.

Mayor Armstead congratulated those elected in the recent Board of Education election, and thanked all that ran, whether or not they were elected. Next he spoke about the numerous calls he had received regarding the group that provides animal control services to Linden. He ensured the public that he, and Council, were looking at all of their options, and would do all that was possible to provide a remedy. He noted some of the items under consideration.

Mayor Armstead stated that he had some good news and bad news to announce. He noted that with his twenty-four years of service, there have been many employees who have retired. It gives him mixed feelings, happy for them, but sad that they are leaving. He then informed all that the police chief, Johnathan Parham was retiring, effective December 31, 2017. He stated that he is happy for him, as he had worked hard. The Mayor stated that the Chief was an outstanding officer, and will be missed. He added that the Chief, as a leader, has ensured him, that his successor is well prepared. The Mayor noted that the Chief was a great leader, at a time when the Department needed a great leader. The Chief has left the department in better shape than he found it. He spoke in glowing terms of the chief and his service to the Department and the City. Mayor Armstead thanked the chief for his service.

**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.**

Diane Wilverdine, asked to discuss Resolutions #2017-387 and #2017-394.

Edward Kaminski asked to discuss Resolutions #2017-376 and #2017-385.

John Principato asked to discuss Resolutions #2017-381 and #2017-390

**Mr. Brown moved for approval of Resolutions #2017-365 through #2017-396 with the exception of Resolutions #2017-376, #2017-381, #2017-385, #2017-387, #2017-390 and #2017-394. The motion was seconded by Mrs. Cosby and was unanimously ordered approved on a roll call vote.**

**RESOLUTION: 2017-365**

**RESOLUTION FOR THE PURCHASE OF TRASH RECEPTACLES FROM A & M WHOLESALE HARDWARE CO. BY QUOTATIONS FOR THE CITY OF LINDEN**

**WHEREAS**, the City of Linden wishes to purchase trash receptacles for the City of Linden; and

**WHEREAS,** N.J.S.A. 40A:11-6 provides for the solicitation of competitive quotes and the award to a vendor whose response is most advantageous, price and other factors considered; and

**WHEREAS,** A & M Wholesale Hardware Co., PO Box 1044, Rahway, NJ 07065 was solicited for quotations; and

**WHEREAS,** A & M Wholesale Hardware Co. provided the most advantageous quote, price and others factors considered in the amount not to exceed $38,246.00; and

**WHEREAS**, the Chief Finance Officer has certified the availability of funds for this award, which will be charged to T-03-56-807-000-152

**NOW THEREFORE BE IT RESOLVED** A & M Wholesale Hardware Co. be awarded a contract to supply trash receptacles at the low quote of $38,246.00.

**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: 2017-366**

RESOLUTION FIXING THE REGULAR MEETING

DATES OF THE COUNCIL AND PRESCRIBING THE

RULES GOVERNING THE PROCEDURE AT ALL

MEETINGS OF THE COUNCIL FOR 2018.

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

THAT the Conference Meetings of the Linden City Council will be held in the Council Office, City Hall, Linden, New Jersey and the Regular Meetings of the Linden City Council will be held in the Council Chambers, City Hall, Linden, New Jersey. All meetings shall be held on the dates and convened at the prevailing times listed below, or as soon thereafter as the Council assembles:

CONFERENCE MEETINGS

CONFERENCE MEETINGS PRIOR TO COUNCIL MEETINGS COUNCIL MEETINGS

(Organization Meeting) (Organization Meeting)

Jan. 02, 6:00 p.m. to 7:00 p.m. Jan. 02, at 7:00 p.m.

Jan. 16, 5:00 p.m. to 7:00 p.m. Jan. 16, at 7:00 p.m.

Feb. 20, 5:00 p.m. to 7:00 p.m. Feb. 20, at 7:00 p.m.

Mar. 19, at 6:00 p.m. Mar. 20, 6:00 p.m. to 7:00 p.m. Mar. 20, at 7:00 p.m.

Apr. 16, at 6:00 p.m. Apr. 17, 6:00 p.m. to 7:00 p.m. Apr. 17, at 7:00 p.m.

Apr. 24, 6:30 p.m. to 7:00 p.m. Apr. 24, at 7:00 p.m.

May 14, at 6:00 p.m. May 15, 6:00 p.m. to 7:00 p.m. May 15, at 7:00 p.m.

June 18, at 6:00 p.m. June 19, 6:00 p.m. to 7:00 p.m. June 19 at 7:00 p.m.

July 16, at 6:00 p.m. July 17, 6:00 p.m. to 7:00 p.m. July 17, at 7:00 p.m.

Aug. 20, at 6:00 p.m. Aug. 21, 6:00 p.m. to 7:00 p.m. Aug. 21, at 7:00 p.m.

Sept. 17, at 6:00 p.m. Sept. 18, 6:00 p.m. to 7:00 p.m. Sept. 18, at 7:00 p.m.

Oct. 15, at 6:00 p.m. Oct. 16, 6:00 p.m. to 7:00 p.m. Oct. 16, at 7:00 p.m.

Nov. 19, at 6:00 p.m. Nov. 20, 6:00 p.m. to 7:00 p.m. Nov. 20, at 7:00 p.m.

Dec. 17, at 6:00 p.m. Dec. 18, 6:00 p.m. to 7:00 p.m. Dec. 18, at 7:00 p.m.

- - - - - - - - - - - - Dec. 27, 6:00 p.m. to 7:00 p.m. Dec. 27, at 7:00 p.m.

BE IT FURTHER RESOLVED, that the procedure of all meetings for the year 2018 shall be in compliance with the Open Public Meetings Act, Chapter 231, P.L. 1975.

**RESOLUTION: 2017-367**

**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**

Record Storage Carousel $93,500.00 $ 93,500.00 $ 4,675.00 $ 88,825.00

**RESOLUTION: 2017-368**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDEN AUTHORIZING THE CANCELATION OF TAX SALE CERTIFICATE PREMIUM MONIES**

**WHEREAS**, a tax sale certificate #12-00150 on block 226 lot 10 was sold on June 14, 2013;

**WHEREAS**, a premium of $ 13,300.00 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 #12-00150, US Bank Cust BV0001 Trust has assigned to Queen Equities, LLC. And Queen Equities, LLC has foreclosed on September 25, 2017 and recommends said premium, totaling $13,300.00, be canceled and turned over the City Treasurer.

**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.

**RESOLUTION: 2017-369**

**CITY OF LINDEN**

**RESOLUTION CHAPTER 159**

**MARSHES CREEK WETLANDS IMPROVEMENT PROJECT**

**PHILLIPS 66GRANT**

**WHEREAS,** N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

**WHEREAS,** said Director may also approve the insertion of an item of appropriation for equal amount, and

**WHEREAS,** the City of Linden will receive $60,000.00 from Phillips 66 Company and wishes to amend its 2017 Budget to include this amount as a revenue, and

**NOW, THEREFORE, BE IT RESOLVED** that the Council of the City of Linden hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2017 in the sum of $ 60,000.00 which item is now available as a revenue from:

Miscellaneous Revenues

Special items of General Revenue Anticipated with

Prior Written Consent of the Director of Local

Government Services:

Public and Private Revenues off-set with Appropriations:

Marshes Creek Wetlands Phillips 66 Grant

**BE IT FURTHER RESOLVED** that a like sum of $ 60,000.00 be and the same is hereby appropriated under the caption of:

General Appropriations

(A) Operations excluded from "CAPS"

Public and Private Programs off-set by revenues:

Marshes Creek Wetlands Phillips 66 Grant

**RESOLUTION: 2017-370**

**CITY OF LINDEN**

**RESOLUTION CHAPTER 159**

**QUIET ZONE PHILLIPS 66GRANT**

**WHEREAS,** N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

**WHEREAS,** said Director may also approve the insertion of an item of appropriation for equal amount, and

**WHEREAS,** the City of Linden will receive $30,000.00 from Phillips 66 Company and wishes to amend its 2017 Budget to include this amount as a revenue, and

**NOW, THEREFORE, BE IT RESOLVED** that the Council of the City of Linden hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2017 in the sum of $ 30,000.00 which item is now available as a revenue from:

Miscellaneous Revenues

Special items of General Revenue Anticipated with

Prior Written Consent of the Director of Local

Government Services:

Public and Private Revenues off-set with Appropriations:

Quiet Zone Phillips 66 Grant

**BE IT FURTHER RESOLVED** that a like sum of $ 30,000.00 be and the same is hereby appropriated under the caption of:

General Appropriations

(A) Operations excluded from "CAPS"

Public and Private Programs off-set by revenues:

Quiet Zone Phillips 66 Grant

**RESOLUTION: 2017-371**

**CITY OF LINDEN RESOLUTION**

**WHEREAS,** there were certain payments made by the Municipal Treasurer during the month of October, 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**

10/3/17 Workers Comp. claims 7,149.53

167387 10/5/17 Filing Fee fee 31.00

167390 10/6/17 Annual Fee claim 5,000.00

10/6/17 Payroll payroll 1,723,244.41

167390 10/10/17 SHBP Retirees Oct health premium 656,373.95

167390 10/10/17 SHBP Active Aug health premium 657,354.22

10/11/17 Workers Comp. claims 21,743.67

10/11/17 Medco claims 69,615.70

10/11/17 Vision Ser. Plan claims 4,460.07

10/18/17 Workers Comp. claims 130,632.73

10/20/17 Payroll payroll 1,718,360.80

167655 10/23/17 Bureau of Housing claims 213.96

167656 10/23/17 OCA Benefit Services refund Atanasio 1,479.88

167657 10/23/17 Rutgers certificate renewal 25.00

167658 10/23/17 Linden Dr. Martin Luther King advertisement 25.00

167661 10/24/17 ADP invoice 8,308.56

167660 10/24/17 Muller Bohlin Sept. service 8,549.80

10/25/17 Workers Comp. claims 46,061.01

10/26/17 Medco claims 62,244.03

10/27/17 Dental City of Linden premium Nov 2017 38,669.95

10/27/17 Dental Sewerage “ 3,125.15

10/27/17 Dental Housing “ 856.52

10/27/17 Dental Library “ 900.31

10/27/17 Dental Cobra “ 207.86

10/31/17 Workers Comp. claims 9,577.25

10/31/17 Vision Ser Plan claims 4,437.24

**TRUST**

167389 10/6/17 Division Consumer Affairs training fee 24,643.00

167388 10/6/17 Sept. to Rem Band Kevin Brady 1,000.00

10/6/17 Payroll payroll 62,592.54

10/20/17 Payroll payroll 45,769.54

167659 10/24/17 Linden Halloween Committee donation 500.00

**GRANT**

10/6/17 Payroll payroll 6,957.56

10/20/17 Payroll payroll 6,588.53

**SANITARY LANDFILL**

10/6/17 Payroll payroll 2,560.00

10/20/17 Payroll payroll 2,560.00

**CAPITAL**

10/6/17 Payroll payroll 1,117.55

10/20/17 Payroll payroll 728.21

**UNEMPLOYMENT**

10/6/17 Payroll payroll 162.42

10/20/17 Payroll payroll 155.70

**RESOLUTION: 2017- 372**

**RESOLUTION APPROVING A CONTRACT**

**WITH PENNONI ASSOCIATES, INC. FOR ENVIRONMENTAL SITE REMEDIATION AT 1901 LOWER ROAD IN THE CITY OF LINDEN**

**WHEREAS**, there exists a need for environmental site remediation at 1901 Lower Road in the City of Linden; 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**, Pennoni Associates, Inc. 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**, the Chief Financial Officer or his designee has certified to the availability of funds for this purpose, to be charged to Account No. C-04-55-905-588-919;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** that a contract for Professional Services be and hereby is awarded to Pennoni Associates, Inc., 24 Commerce Street, Suite 300, Newark, New Jersey 07102, at a fee not to exceed $17,300.00 in accordance with their proposal dated October 16, 2017; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary contract agreements between Pennoni Associates, 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 Pennoni Associates, Inc. effectuate the foregoing; and

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

**RESOLUTION: 2017-373**

**CITY OF LINDEN**

**RESOLUTION CHAPTER 159**

**RUTGERS NFWF CONRAIL CULVERT GRANT**

**WHEREAS,** N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

**WHEREAS,** said Director may also approve the insertion of an item of appropriation for equal amount, and

**WHEREAS,** the City of Linden will receive $1,773,000.00 from Rutgers, The State University and wishes to amend its 2017 Budget to include this amount as a revenue, and

**NOW, THEREFORE, BE IT RESOLVED** that the Council of the City of Linden hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2017 in the sum of $ 1,773,000.00 which item is now available as a revenue from:

Miscellaneous Revenues

Special items of General Revenue Anticipated with

Prior Written Consent of the Director of Local

Government Services:

Public and Private Revenues off-set with Appropriations:

Rutgers NFWF Conrail Culvert Grant

**BE IT FURTHER RESOLVED** that a like sum of $ 1,773,000.00 be and the same is hereby appropriated under the caption of:

General Appropriations

(A) Operations excluded from "CAPS"

Public and Private Programs off-set by revenues:

Rutgers NFWF Conrail Culvert Grant

**RESOLUTION: 2017-374**

**RESOLUTION AUTHORIZING AN AMENDMENT TO THE CONTRACT WITH PACIFIC CONSTRUCTION, LLC FOR THE RECONSTRUCTION OF SANITARY SEWERS IN THE CITY OF LINDEN**

**WHEREAS**, the City Council of the City of Linden passed a Resolution No. 2017-191 on April 18, 2017 approving an award of a contract to Pacific Construction, LLC for the reconstruction of sanitary sewers in the City of Linden in the amount of $106,600.26; and

**WHEREAS**, a change order in the amount of $21,000.00 is required to extend the project; and

**WHEREAS**, inclusive of these additional funds the total expenditures for said contract is $127,600.26; 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-04-55-901-666-919;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** that the agreement awarded to Pacific Construction, LLC , 531 Route 22 East, PMB 240, Whitehouse Station, NJ 08889 is hereby amended to increase the contract by the additional sum of $21,000.00, for a total contract of $127,600.26; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary amended contract documents between Pacific Construction, LLC 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 Pacific Construction, LLC; and

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

**RESOLUTION: 2017-375**

**RESOLUTION APPROVING THE SUBMISSION OF A GRANT APPLICATION AND THE EXECUTION OF A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE SOUTH STILES STREET – LOWER ROAD PROJECT**

WHEREAS, the City of Linden is requesting funding from the New Jersey Department of Transportation Local Freight Impact Fund Program.

NOW, THEREFORE, BE IT RESOLVED that Council of the City of Linden formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as LFIF-2018-South Stiles Street - Lower Road-00026 to the New Jersey Department of Transportation on behalf of the City of Linden.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the City of Linden and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Certified as a true copy of the Resolution adopted by the Council

On this 21St day of November, 2017

**RESOLUTION: 2017-376**

**RESOLUTION APPROVING THE SUBMISSION OF A GRANT APPLICATION AND THE EXECUTION OF A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE SOUTH WOOD AVENUE PROJECT**

WHEREAS, the City of Linden is requesting funding from the New Jersey Department of Transportation Local Freight Impact Fund Program.

NOW, THEREFORE, BE IT RESOLVED that Council of the City of Linden formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as LFIF-2018-South Wood Avenue-00021 to the New Jersey Department of Transportation on behalf of the City of Linden.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the City of Linden and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Certified as a true copy of the Resolution adopted by the Council

On this 21st day of November, 2017.

Ed Kaminski, 201 Maple Ave. Mr. Kaminski asked if this resolution and resolution #2017-385 where related in any way. Mr. Bodek explained the purpose of each of these resolutions.

For roll call and comments see Resolution #2017-394.

**RESOLUTION: 2017-377**

**A RESOLUTION REQUESTING THE UNION COUNTY COMMUNITY**

**DEVELOPMENT REVENUE SHARING COMMITTEE TO APPROVE THE PROPOSALS HEREINAFTER LISTED AND PRIORITIES FOR YEAR 44 FUNDING (2018-2019)**

**WHEREAS**, the County of Union has provided Community Development Block Grant Funding from the U. S. Department of Housing and Urban Development since 1974‑1975; and

**WHEREAS,** the City of Linden has been a participating Union County Community Development Program municipality; and

**WHEREAS**, in order to continue to receive program funding, it is now necessary for the City of Linden to prepare and submit applications for funding assistance; and

**WHEREAS**, the City of Linden has conducted a public hearing on November 1, 2017 in order to receive project funding requests and recommendations.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF**

**LINDEN** that the following projects have been selected for submission to the County of Union for Community Development funding and that the Mayor is hereby authorized to execute all documentation necessary to complete formal application for requested funding.

**Project Priority**

Street Improvements 1

Home Improvement Program 2

**BE IT FURTHER RESOLVED** that the Union County Community Development Revenue Sharing Committee be urged to approve the proposals set forth herein and that a copy of this resolution be forwarded to the Union County Community Development Revenue Sharing Committee forthwith.

**RESOLUTION:** **2017-378**

**RESOLUTION AMENDING A RESOLUTION FOR PURCHASE OF ROOF RESTORATION AT THE LINDEN MULTI PURPOSE CENTER THROUGH ESCNJ FORMELY THE MIDDLESEX REGIONAL EDUCATIONAL SERVICES COMMISSION CO-OP FOR THE PUBLIC PROPERTY DEPARTMENT FROM WTI TREMCO INC.**

**WHEREAS**, the City of Linden passed a Resolution, No. 2016-378, dated November 22, 2016 for the purchase of roof restoration at the Linden Multi-Purpose Center through ESCJJ formerly the Middlesex Regional Educational Services Commission CO-OP for the Public Property Department from WTI Tremco Inc; and

**WHEREAS,** said resolution refers to playground equipment which is incorrect; and

**WHEREAS**, an amendment needs to be made to correct said language.

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

1. Said services are for roof restoration at the Linden Multi-Purpose Center through ESCJJ formerly the Middlesex Regional Educational Services Commission CO- OP for the Public Property Department from WTI Tremco Inc.
2. This Resolution shall take effect pursuant to law.

**RESOLUTION: 2017-379**

**RESOLUTION AUTHORIZING AN ACTING MUNICIPAL PROSECUTOR FOR**

**LINDEN MUNICIPAL COURT**

**WHEREAS,** pursuant to Chapter 349 of the Laws of 1999 (the “Municipal Prosecutor’s Act”) a municipality must designate a substitute Municipal Prosecutor to provide for representation of the State of New Jersey in Municipal Court matters where the regular Municipal Prosecutor is absent or unavailable; 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 professions, and same may be awarded without competitive bidding; and

**WHEREAS**, pursuant to the provisions of N.J.S.A. 19:44A20.4 or 20.5,said contract is awarded as a non-fair and open contract; 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. 7-01-20-155-123-255;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that Aloia Law Firm, 2 Broad Street, Suite 407, Bloomfield, New Jersey 07003 be and hereby is appointed, designated and empowered to serve as temporary Municipal Prosecutor for the Linden Municipal Court on October 18, 2017; and

**BE IT FURTHER RESOLVED** that Aloia Law Firm shall be paid a fee of $300.00 for this matter as aforesaid; and

**BE IT FURTHER RESOLVED** that this Resolution shall take effect in accordance with applicable law.

**RESOLUTION: 2017-380**

RESOLUTION OF THE CITY OF LINDEN

AUTHORIZING THE IMPLEMENTATION OF ACA REPORTING SERVICES FOR THE YEAR 2017 WITH MEDCOM

**WHEREAS**, The Affordable Care Act (ACA) added Section 6056 to the Internal Revenue Code, which requires applicable large employers to file information returns with the IRS and provide statements to their full-time employees about their health insurance coverage offered; and

**WHEREAS**, the City meets the IRS definition of an applicable large employer and must adhere to the IRS reporting requirements under Section 6056; and

**WHEREAS**, there is a need to contract a vendor to perform such reporting; and

**WHEREAS,** Medcom has provided the most advantageous price in an amount not to exceed $7,600.00; and

**WHEREAS,** the Chief Finance Officer has certified the availability of funds for this award, which shall be charged to 7-01-20-130-120-201; and

**WHEREAS**, the City of Linden Broker is recommending Medcom, has the capabilities necessary to fulfill the ACA reporting requirements; and

**BE IT RESOLVED**, the City of Linden wishes to enter into a contract with Medcom, with address of MSC #378, PO Box 830270, Birmingham, Al., 35283-0270, for ACA reporting services at a cost not to exceed $7,600.00.

**RESOLUTION: 2017-381**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDEN, COUNTY OF UNION, NEW JERSEY AUTHORIZING THE PLANNING BOARD TO INVESTIGATE WHETHER THE PROPERTY COMMONLY KNOWN ON THE CITY’S TAX MAPS AS BLOCK 437, LOTS 5.03 AND 5.04 (1001 AND 1031 EAST EDGAR ROAD) SHOULD BE DESIGNATED AS AN AREA IN NEED OF REDEVELOPMENT, 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 (“**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,** the City Council believes it is in the best interest of the City that an investigation occur with respect to certain parcels within the City and therefore authorizes and directs the Planning Board to conduct an investigation of the property commonly known on the City tax maps as Block 437, Lots 5.03 and 5.04 (also known as 1001 and 1031 East Edgar Road) (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; and

**WHEREAS,** the redevelopment area determination requested hereunder authorizes 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 (hereinafter referred to as a “**Non-Condemnation Redevelopment Area**”).

**NOW THEREFORE, BE IT RESOLVED BY THE CITY 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 Planning Board is hereby authorized and directed to conduct an investigation pursuant to *N.J.S.A.* 40A:12A-6 to determine whether the Study Area satisfies the criteria set forth in *N.J.S.A.* 40A:12A-5 to be designated as an area in need of redevelopment.

Section 3. As part of its investigation, the Planning Board shall prepare a map showing the boundaries of the Study Area and the location of the parcels contained therein, and appended thereto shall be a statement setting forth the basis of the investigation.

Section 4. The Planning Board shall conduct a public hearing in accordance with the Redevelopment Law, specifically *N.J.S.A.* 40A:12A-6, after giving due notice of the proposed boundaries of the Study Area and the date of the hearing to any persons who are interested in or would be affected by a determination that the Study Area is an area in need of redevelopment. The notice of the hearing shall specifically state that the redevelopment area determination shall authorize the City or City Council to exercise the power of eminent domain to acquire any property in the delineated area, for the Study Area is being investigated as a possible Non-Condemnation Redevelopment Area.

Section 5. At the public hearing, the Planning Board shall hear from all persons who are interested in or would be affected by a determination that the Study Area is a redevelopment area.  All objections to a determination that the Study Area is an area in need of redevelopment and evidence in support of those objections shall be received and considered by the Planning Board and made part of the public record.

Section 6. After conducting its investigation, preparing a map of the Study Area, and conducting a public hearing at which all objections to the designation are received and considered, the Planning Board shall make a recommendation to the City Council as to whether the City Council should designate all or some of the Study Area as an area in need of redevelopment.

Section 7. This Resolution shall take effect immediately.

John Principato, 1706 Westover Rd. Mr. Principato asked the location of the properties being investigated. Mr. Antonelli noted the purpose of the resolution, and Mr. Medina provided the location of the properties.

See the vote after Resolution #2017-394.

**RESOLUTION: 2017-382**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **CITY OF LINDEN** | | | | |
|  | | | | |
| **RESOLUTION TO TRANSFER 2017 APPROPRIATIONS** | | | | |
|  |  |  |  |  |
| **BE IT RESOLVED,** by the City Council of the City of Linden, County of Union, New Jersey, that the following transfers of 2017 appropriations be made in accordance with the provisions of Revised Statute 40A: 4-58. | | | | |
|
|
|  |  |  |  |  |
|  | **CURRENT BUDGET** |  |  |  |
|  |  |  |  |  |
| From: | Business Administrator - Salaries & Wages |  | $ 21,000.00 |  |
| To: | Purchasing - Other Expenses |  |  | $ 15,000.00 |
| To: | Buildings & Grounds - Other Expenses |  |  | $ 6,000.00 |
|  |  |  |  |  |
| From: | Municipal Garage - Salaries & Wages |  | $ 75,500.00 |  |
| To: | Municipal Garage - Other Expenses |  |  | $ 75,500.00 |
|  |  |  |  |  |
| From: | Engineering Services/ Costs - Salaries & Wages |  | $ 28,000.00 |  |
| To: | Engineering Services/ Costs - Other Expenses |  |  | $ 9,000.00 |
| To: | Fire Department - Other Expenses |  |  | $ 19,000.00 |
|  |  |  |  |  |
| From: | Salary Adjustment - Salaries & Wages |  | $ 9,200.00 |  |
| To: | Financial Administration - Salaries & Wages |  |  | $ 5,000.00 |
| To: | Collection of Taxes - Salaries & Wages |  |  | $ 2,000.00 |
| To: | Legal Services & Costs - Salaries & Wages |  |  | $ 2,200.00 |
|  |  |  |  |  |
| From: | Personnel/Human Resources - Salaries & Wages |  | $ 13,000.00 |  |
| To: | Collection of Taxes - Salaries & Wages |  |  | $ 13,000.00 |
|  |  |  |  |  |
|  |  |  |  |  |
|  | Total Transfers Needed: |  | $ 146,700.00 | $ 146,700.00 |
|  |  |  |  |  |

**RESOLUTION: 2017-383**

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

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

That **CYNTHIA JOHNSON,** 10 East Blancke Street**,** Linden, County of Union and State of New Jersey, be and he hereby is appointed a 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 the unexpired term of Bruce Russell, commencing immediately and expiring December 31, 2017, and until his successor is appointed and qualifies.

**RESOLUTION: 2017-384**

**RESOLUTION AUTHORIZING A CONTRACT TO CONCORD ENGINEERING FOR TECHNICAL AND ENERGY POLICY AND CONTRACTUAL SUPPORT FOR THE CITY OF LINDEN ENERGY REGARDING THE DEMAND RESPONSE AND LINDEN VFT LLC**

**WHEREAS,** The City of Linden is the host municipality for the Linden VFT which provides an interconnection between the PJM ISO and NY ISO. The VFT was originally built and commissioned in 2009, prior to the PJM’s adoption of their Regional Transmission Expansion Plan (RTEP) and cost distribution. The Linden VFT LLC is claiming that the adoption of the RTEP has significantly changed their valuation. These issues are under a protest before the Federal Energy Regulatory Commission (FERC). The City of Linden needs professional consulting support to review these issues and applications and support their position as to the value of this facility.

**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 professions, and same may be awarded without competitive bidding; and

**WHEREAS**, pursuant to the provisions of N.J.S.A. 19:44A20.4 or 20.5,said contract is awarded as a non-fair and open contract; 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. 7-01-26-310-125-242;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that Concord Engineering, 520 South Burnt Mill Road, Voorhees, NJ 08043 be awarded a contract in the amount not to exceed $6,000.00.

**BE IT FURTHER RESOLVED** that this Resolution shall take effect in accordance with applicable law.

Diane Wilverdine, 150 E. Morris Ave. Ms. Wilverdine stated that the Finance Report indicated that the City gets a 1% return on its investments, so she wondered what this financial group does. Mrs. Zack, responded and explained, in detail, the various task the firm preforms. Mrs. Wilverdine asked if they could get a higher return on the City’s investments. Mrs. Zack and Mr. Brown responded explained that the investments, of government entities, are limited by State Statute, in New Jersey, to where they can be placed.

See the vote after #2017-394.

**RESOLUTION: 2017-385**

**RESOLUTION AMENDING A CONTRACT WITH PENNONI ASSOCIATES, INC. FOR THE ADMINISTRATION ON THE WOOD AVENUE STREETSCAPE PROJECT # TAP-0617(300) IN THE CITY OF LINDEN**

**WHEREAS,** the City Council of the City of Linden passed a resolution on February 22, 2017, No. 2017-117, retaining the services of the administration on the Wood Avenue Streetscape Project # TAP-0617 (300) in the City of Linden; 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**, Pennoni Associates, Inc., 24 Commerce Street, Suite 300, Newark, NJ 07102 submitted a qualification to the City and has qualified for the aforesaid services for 2017; and

**WHEREAS**, due to the ongoing nature of the work, it is necessary to provide an amendment for additional funds not to exceed $15,171.22; and

**WHEREAS**, inclusive of these additional funds the total expenditures paid to date to Pennoni Associates, Inc., for services rendered under the original or substantially related contract is $144,000.00; and

**WHEREAS,** Chief Financial Officer has certified to the availability of funds for this purpose, to be charged to Account No. C-04-55-901-643-919.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that the agreement for Professional Services awarded to Pennoni Associates, Inc., 24 Commerce Street, Suite 300, Newark, New Jersey, is hereby amended to increase the contract an additional sum of $15,171.22, for a total contract of $144,000.00; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary amended contract documents between Pennoni Associates, 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 Pennoni Associates, Inc. to effectuate the foregoing; and

**BE IT FURTHER RESOLVED** that a copy of this Resolution be published in accordance with applicable law.

**For roll call and comments see Resolution #2017-394.**

**RESOLUTION: 2017-386**

**RESOLUTION FOR PURCHASE OF ONE SC802 STUMP CUTTER THROUGH THE NATIONAL JOINT POWERS ALLIANCE FOR R.J. SHERMAN & ASSOC. INC. DBA VERMEER ATLANTIC SALES AND SERVICE**

**WHEREAS**, the City of Linden wishes to obtain services from an authorized vendor under the National Joint Powers Alliance awarded to R.J. Sherman & Associates Inc. DBA Vermeer Atlantic Sales and Service, 7 Maple Avenue, Lumberton, NJ 08048, an authorized vendor and,

**WHEREAS**, the purchase of goods and services by National contracting units is authorized by the Local Finance Notice 2012-10 using National Cooperative Contracts: Application of P.L. 2011, c. 139.; and,

**WHEREAS**, R.J. Sherman & Associates, Inc., has been awarded Contract #062117-VRM, for the provision of Grounds Maintenance landscape equipment; 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 $50,959.00 and,

**WHEREAS**, the Chief Finance Officer has certified the availability of funds for this contract, which will be charged to account number C-04-55-907-678-919.

**NOW THEREFORE BE IT RESOLVED** by the City of Linden that R.J. Sherman & Associates, DBA Vermeer North Atlantic Sales and Service 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:** **2017-387**

**RESOLUTION AMENDING THE CONTRACT WITH NW FINANCIAL GROUP INC. AS FINANCIAL AND INVESTMENT ADVISORS TO THE**

**CITY OF LINDEN, NEW JERSEY**

**WHEREAS,** the City Council of the City of Linden passed a Resolution on January 3, 2017 retaining the services of NW Financial Group, Inc., as financial and investment advisors to the City of Linden; and

**WHEREAS,** because of the ongoing nature of the services in this matter, there is a need for additional funds not to exceed $10,000.00 for services relative to the aforesaid matter; 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** NW Financial Group, Inc. submitted a qualification to the City and has qualified for the aforesaid services for 2017; and

**WHEREAS,** inclusive of these additional funds the total expenditures paid to date to NW Financial Group, Inc. for services rendered under the original or substantially related 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. 7-01-20-130-115-255;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that they do hereby approve the additional amount not to exceed $10,000.00 for services rendered by NW Financial Group, Inc. and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary amendatory contract documents between NW Financial, 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 for Professional Services consistent with the above; and

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

**For roll call and comments see Resolution #2017-394.**

**RESOLUTION: 2017-388**

**RESOLUTION OF THE CITY OF LINDEN**

**AUTHORIZING THE IMPLEMENTATION OF ACA REPORTING SERVICES FOR THE YEAR 2018**

**WHEREAS**, The Affordable Care Act (ACA) added Section 6056 to the Internal Revenue Code, which requires applicable large employers to file information returns with the IRS and provide statements to their full-time employees about their health insurance coverage offered; and

**WHEREAS**, the City meets the IRS definition of an applicable large employer and must adhere to the IRS reporting requirements under Section 6056; and

**WHEREAS**, there is a need to contract a vendor to perform such reporting; and

**WHEREAS,** Medcom has provided the most advantageous price in an amount not to exceed $7,600.00; and

**WHEREAS,** the Chief Finance Officer has certified the availability of funds for this award, which will be charged to 8-01-20-130-120-201, subject to the approval of the 2018 budget; and

**WHEREAS**, the City of Linden Broker is recommending Medcom, has the capabilities necessary to fulfill the ACA reporting requirements; and

**BE IT RESOLVED**, the City of Linden wishes to enter into a contract with Medcom, with an address of MSC #378, PO Box 830270, Birmingham, Al 35283-0270, for ACA reporting services at a cost not to exceed $7,600.00.

**RESOLUTION: 2017-389**

**RESOLUTION HONORING RAYMOND RICHARD MISKIEWICZ FOR HIS SERVICE IN THE UNITED STATES ARMY ON THE OCCASION OF VETERANS DAY**

**WHEREAS,** on Veterans Day, America pauses to honor every service member who has ever worn one of our Nation’s uniforms, in defense of our nation and our freedoms; and

**WHEREAS,** through the generations the courage and sacrifices made by our veterans have allowed our Republic to flourish; and

**WHEREAS,** as a way to pay tribute to our veterans, mindful that no ceremony or parade can full repay the debt we owe our veterans, Veterans Day was established; and

**WHEREAS,** Raymond Richard Miskiewicz was born in Linden, the son of Viola Iskrzycki Miskiewicz and Edward Miskiewicz and was educated in the Linden Public School System and at the Union County Vocational School; and

**WHEREAS,**  Raymond Miskiewicz entered the United States Army in August 1968, completed his basic training at Fort Dix, was stationed at Aschaffenburg, Germany, and then was transferred to Jungle Training School at Fort Lewis, Washington; and

**WHEREAS,** Ray was then sent to Vietnam on April 1, 1968 and was assigned to Ranger Company, 1st Infantry Division, known as “The Big Red One;” and

**WHEREAS,** In Vietnam he served with Bravo Company 2nd Battalion 16th Infantry Regiment as part of the Point Team, serving as Pace Man, and Squad Leader until his departure in March 1969; and

**WHEREAS,** Raymond is the proud recipient of the Combat Infantry Badge, Vietnam Campaign Medal, Vietnam Gallantry Cross with Palm, and the Army Accommodation Medal; and

**WHEREAS,** Raymond Miskiewicz first day witnessing combat, in the jungle with Bravo Company, have been published in *The 1st Infantry Division Vietnam Vol 2 “Nightmares and Memories;”* and

**WHEREAS,** Raymond Miskiewicz is an active member of Vietnam Veterans of America Chapter 779, where, as a member of the Education Committee he goes to various schools in Union County to share his experiences in Vietnam; and

**WHEREAS,** the Mayor and Council of the City of Linden wish to recognize the contributions of Raymond Richard Miskiewicz, and those of all of our service members, to the cause of peace and freedom.

**NOW THEREFORE BE IT RESOLVED,** by the Mayor and Council of the City of Linden do hereby thank Raymond Richard Miskiewicz, and all of our veterans, for the valor and sacrifice they have made to allow for all of our citizens to live in safety, in peace and freedom; and

**BE IT FURTHER RESOLVED that** a copy of this resolution be recorded in the minutes of the City Council of the City of linden and a copy be appropriately presented to him in recognition of his sacrifices for our Freedom.

**RESOLUTION: 2017-390**

**RESOLUTION AMENDING ARTICLE 13, WORKING CONDITIONS, SECTION 1, OF THE**

**PERSONNEL POLICIES OF THE CITY OF LINDEN**

**BE IT RESOLVED** that the City hereby approves the amendment to Article 13, Working Conditions, Section 1,

This resolution is effective immediately.

John Principato, 1706 Westover Rd. Mr. Principato asked if this was the City’s policy and what was being amended. Mr. Roth responded and explaining the policy and what was being amended. Mr. Bodek noted that the change was to curtail employees from working from home. Mrs. Cosby stated her disagreement with the policy and why. Mr. Brown noted that no one should be working from home, and his reasons for asking for this policy. Mr. Brown asked Mr. Roth to provide further explanation on the policy and what Council was allowed to do, which he did. Mr. Roth also read the new language.

**For roll call and comments see Resolution #2017-394.**

**RESOLUTION: 2017-391**

**RESOLUTION AMENDING ARTICLE 39, ELECTRONIC DATA**

**AND VOICE SYSTEMS POLICY, SECTION 2, OF THE**

**PERSONNEL POLICIES OF THE CITY OF LINDEN**

**BE IT RESOLVED** that the City hereby approves the amendment to Article 39, Electronic Data and Voice Media and E-Mail Policy, Section 2.

This resolution is effective immediately.

**RESOLUTION: 2017-392**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDEN**

**AUTHROIZING THE IMPLEMENTATION OF A FLEXIBLE SPENDING ACCOUNT EFFECTIVE JANUARY 1, 2015**

**WHEREAS,** PL 2011, C. 78 was adopted on June 28, 2011 and provides for major reform for pension and health benefits for public workers in the State of NJ; and

**WHEREAS,** this law requires the City of Linden to provide our employees with a Section 125 flexible spending account; and

**WHEREAS,** the flexible spending account allows an employee to voluntarily set aside a portion of their earnings to pay for qualified medical expenses thereby reducing their tax liability as well as reducing the Social Security/Medicare liability of the City ; and

**WHEREAS,** the City’s Broker, BGIA/Accrusiure has obtained quotes for this service and has determined that Benefit Resource, Inc.245 Kenneth Drive, Rochester, NY 14623 will provide the best service to the City, in an amount not to exceed $9,000.00; and

**WHEREAS,** the Chief Financial Officer has certified to the availability of funds for this purpose to be charged to Account No. 8-01-23-220-141-274, subject to the adoption of the 2018 budget.

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

1. That the Mayor, City Clerk and/or any other City Official if necessary, are hereby authorized to implement the flexible spending accounts with Benefit Resource, Inc. effective January 1, 2018 through December 31, 2018, and to prepare and sign all necessary Section 125 Plan documents.
2. This Resolution shall take effect pursuant to law.

**RESOLUTION: 2017-393**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDEN**

**AUTHROIZING THE IMPLEMENTATION OF COBRA ADMINISTRATION EFFECTIVE JANUARY 1, 2018**

**WHEREAS,** PL 2011, C. 78 was adopted on June 28, 2011 and provides for major reform for pension and health benefits for public workers in the State of NJ; and

**WHEREAS,** the City of Linden is required to offer COBRA coverage to all City employees and eligible dependents; and

**WHEREAS,** it is in the best interest of the City of Linden to hire a firm to administer said COBRA offerings; and

**WHEREAS,** the City’s Broker, BGIA/Accrusiure has obtained quotes for this service and has determined that Benefit Resource, Inc.245 Kenneth Drive, Rochester, NY 14623 will provide the best service to the City, in an amount not to exceed $1,300.00; and

**WHEREAS,** the Chief Financial Officer has certified to the availability of funds for this purpose to be charged to Account No. 8-01-23-221-141-275, subject to the adoption of the 2018 budget.

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

1. That the Mayor, City Clerk and/or any other City Official if necessary, are hereby authorized to implement COBRA administration with Benefit Resource, Inc. effective January 1, 2018 through December 31, 2018, and to prepare and sign all necessary documents.
2. This Resolution shall take effect pursuant to law.

**RESOLUTION: 2017-394**

**RESOLUTION FOR THE AWARD OF A CONTRACT TO JTG CONSTRUCTION INC. FOR RECONSTRUCTION OF WALKS AT THE LINDEN JTG CENTER BY QUOTATIONS FOR THE CITY OF LINDEN**

**WHEREAS**, the City of Linden wishes to reconstruct walks at the JTG Center for the City of Linden; and

**WHEREAS,** N.J.S.A. 40A:11-6 provides for the solicitation of competitive quotes and the award to a vendor whose response is most advantageous, price and other factors considered; and

**WHEREAS,** JTG Construction, Inc., 188 Jefferson Street, Suite 387, Newark, NJ 07105 was solicited for quotations; and

**WHEREAS,** JTG Construction, Inc. provided the most advantageous quote, price and others factors considered in the amount not to exceed $34,550.00; and

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

N-18-55-017-016-505 $24,000.00

7-01-26-310-125-203 $10,550.00

**NOW THEREFORE BE IT RESOLVED** JTG Construction, Inc. be awarded a contract to reconstruct walks at the JTG Center at the low quote of $34,550.00.

**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.

Diane Wilverdine, 150 E. Morris Ave. Mrs. Wilverdine asked if this company was related to the JTG Scaffolding Company. She was assured that it was not.

**Mr. Brown moved for approval of Resolutions #2017-376, #2017-381, #2017-385, #2017-387, #2017-390 and #2017-394. The motion was seconded by Mr. Strano and was ordered approved on a roll call vote with the exception of Mrs. Cosby who voted no on resolution #2017-390.**

**RESOLUTION: 2017-395**

**A RESOLUTION AUTHORIZING THE MAYOR AND MEMBERS OF THE AIRPORT/AIRPORT LEASE COMMITTEE TO INVESTIGATE AND NEGOTIATE CHANGES TO THE CURRENT LEASE WITH LINDEN AIRPORT SERVICES, COPORATION AS THE AIRPORT FIXED BASE OPERATOR**

**WHEREAS,** there exists a need to review the City of Linden’s current lease agreement with Linden Airport Services, Corporation as the City’s Fixed Base Operator of Linden Airport; and

**WHEREAS,** the City Council of the City of Linden wishes to begin said review and enter into negotiations with Linden Airport Services Corporation to amend the City’s current lease agreement.

**NOW THEREFORE BE IT RESOLVED,** that the City Council of the City of Linden does hereby authorize the Mayor and members of the Airport/Airport Lease Committee to conduct such investigation and negotiations of the City’s current lease agreement with its Fixed Base Operator, Linden Airport Services, Corporation; and

**BE IT FUTHER RESOLVED,** that this resolution shall take effect immediately.

**Resolution: 2017-396**

**A RESOLUTION ESTABLISHING AN AD HOC COMMITTEE**

**OF THE COUNCIL AND APPOINTING IT’S MEMBERS**

**WHEREAS,** municipal code 2-7.1 provides that a majority of the members of Council then present and voting at the annual reorganization meeting shall establish such ad hoc committees as they deem necessary and appoint the members thereof; and

**WHEREAS,** Council has determined that the need exists for the following Ad Hoc committee of Council: 1) To investigate the social, economic and quality of life impact of Legalization of Marijuana on the City of Linden.

**NOW THEREFORE BE IT RESOLVED,** that the Council does hereby create the following Ad Hoc Committees of Council: 1) To investigate the social, economic and quality of life impact of Legalization of Marijuana on the City of Linden.

**BE IT FURTHER RESOLVED,** that a majority of the members of Council have determined that the membership of the Ad Hoc Committees of Council shall be Peter Brown, Armando Medina and Ralph Strano; and

**BE IT FURTHER RESOLVED,** that this resolution shall hereby take effect immediately.

**ORDINANCES ON INTORDUCTION**

**An Ordinance entitled:**

**#61-71 Bond ordinance providing an appropriation of $60,500 for the acquisition and installation of a salt dome for the Department of Public Works and authorizing the issuance of $57,475. Bonds or notes of the City for financing part of the appropriation.**

President Alvarez asked if there were any comments from the public. Ordinance #61-71 was introduced

by Mr. Strano and was read on first reading by the Clerk.

On motion of Mr. Strano, seconded by Mr. Javick the foregoing Ordinance was on roll call vote unanimously ordered approved.

**An Ordinance entitled:**

**#61-72 An ordinance to amend and supplement Chapter XXIV, Cable Communications System, 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.**

**DELETE:**

**SECTION 24-1, FRANCHISE WITH COMCAST OF NEW JERSEY in its entirety**

**ADD:**

**NEW SECTION 24-1, FRANCHISE WITH COMCAST OF NEW JERSEY**

President Alvarez asked if there were any comments from the public. Ordinance #61-72 was introduced

by Mr. Medina and was read on first reading by the Clerk.

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

unanimously ordered approved.

**An Ordinance entitled:**

**#61-73 An ordinance amending ordinance No. 61-54 Ordinance of the City Council of the City of Linden vacating the perpetual easement reserved for the benefit of public utility companies on a portion of Lumber Street Pursuant To N.J.S.A 40:67-1 et seq.**

President Alvarez asked if there were any comments from the public. Ordinance #61-73 was introduced

by Mrs. Ormon and was read on first reading by the Clerk.

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

unanimously ordered approved.

**An Ordinance entitled:**

**#61-74 An ordinance to amend and supplement Chapter II, Administration, 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.**

**DELETE SECTION:**

**2-66.2 Membership**

**ADD SECTION**

**2-66.2 membership.**

**(Correcting the number of public members of the Linden Historical Society)**

President Alvarez asked if there were any comments from the public. Ordinance #61-74 was introduced

by Mr. Sadowski and was read on first reading by the Clerk.

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

unanimously ordered approved.

**An Ordinance entitled:**

**#61-75 An Ordinance to amend and supplement Chapter VII, Traffic 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.**

**7-10 Parking Prohibited At All Times on Certain Streets**

**Name of Street Side Location**

**ADD:**

**W. Elizabeth Avenue South Beginning at a point 450 feet west of N. Stiles**

**Street and continuing westerly a distance of**

1. **et.**

President Alvarez asked if there were any comments from the public. Ordinance #61-75 was introduced

by Mr. Javick and was read on first reading by the Clerk.

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

unanimously ordered approved.

**An Ordinance entitled:**

**#61-76 An ordinance to amend and supplement Chapter VI, Alcoholic Beverage Control, 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 amend and supplemented.**

**Amending Section 6-2.2**

**DELETE 6-2.2 CLASSES AND MAXIMUM NUMBER OF LICENSES; LICNESE FEES in its entirety.**

**ADD NEW SECTION 6-2.2 CLASSES AND MAXIMUM NUMBER OF LICENSES; License fees.**

**(Increase the annual renewal fee for certain classes of Licenses)**

**DELETE 6-4.1, EXCLUDED HOURS OF SALE in its entirety.**

**ADD NEW SECTION 6-4.1, EXCLUDED HOURS OF SALE**

**(Changing the hours of sale for Sundays, except January 1, to require that they be closed between 3:00 am and 10:00 am)**

President Alvarez asked if there were any comments from the public. Ordinance #61-76 was introduced

by Mr. Javick and was read on first reading by the Clerk.

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

unanimously ordered approved.

**An Ordinance entitled:**

**#61-77 An ordinance to amend and supplement Chapter VII, Traffic, 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.**

**7-20 ONE WAY STREETS**

**ADD:**

**Name of Street Direction Parking Permitted**

**Lafayette Street North From W. Blancke Street to**

**Knopf Street**

President Alvarez asked if there were any comments from the public. Ordinance #61-77 was introduced

by Mr. Javick and was read on first reading by the Clerk.

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

unanimously ordered approved.

**An Ordinance entitled:**

**#61-78 Bond Ordinance providing an appropriation of $93,500 for acquisition of a record storage carousel system in the Police Department and authorizing the issuance of $88,825 bonds or notes of the City for financing part of the appropriation.**

President Alvarez asked if there were any comments from the public. Ordinance #61-78 was introduced

by Mr. Strano and was read on first reading by the Clerk.

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

unanimously ordered approved.

**An Ordinance entitled:**

**#61-79 An Ordinance to amend and supplement Chapter VII, Traffic 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.**

7-33 Handicapped Parking Regulations, 7-33.1A Handicapped Parking On-Street

Name of Street Spaces Location

Delete:

500 W. Blancke St. 1 On the southwesterly sideline of Spruce Street,

(on Spruce Street) 74 feet more or less northwesterly from the

projection of the northwesterly curbline of W. Blancke Street on the side of School 8 (500 W. Blancke Street) for a length of 22 feet.

ADD:

201 W. 16ht St. 1 To a point on W. 16th Street from the south curb

Line of Winans Ave continuing along the as curb

Line of W. 16th Street for 229 feet, and from

That point for 33 feet on the south side of W.

16th Street.

President Alvarez asked if there were any comments from the public. Ordinance #61-79 was introduced

by Mr. Javick and was read on first reading by the Clerk.

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

unanimously ordered approved.

**An Ordinance entitled:**

**#61-80 An Ordinance to amend and supplement Chapter XIV, Fire Prevention and Protection 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.**

**Section 1. That Chapter XIV, Fire Prevention and Protection, shall be and the same is hereby amended as follows:**

**DELETE SECTION 14-1.12 PERMITS in its entiry:**

**ADD NEW SECTION 14-1.12 PERMITS**

President Alvarez asked if there were any comments from the public. Ordinance #61-80 was introduced

by Mr. Sadowski and was read on first reading by the Clerk.

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

unanimously ordered approved.

**An Ordinance entitled:**

**#61-81 An Ordinance to amend an Ordinance entitled, “An ordinance establishing a schedule of titles, salary ranges and regulations for maintaining the Classification and salary standardization plan of all employees of the City of Linden,” passed August 15, 1995 and approved August 16, 1995.**

**Section 1. Add Schedule 4-LL-6**

President Alvarez asked if there were any comments from the public. Ordinance #61-81 was introduced

by Mr. Javick and was read on first reading by the Clerk.

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

unanimously ordered approved.

**An Ordinance entitled:**

**#61-82 An Ordinance creating Chapter 2-25 entitled “Department of Community Service” by the City Council in the City of Linden. (Creating the Department of Community Services, with a Division of Engineering and the Division of Public Works).**

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

John Principato, 1706 Westover Road. Mr. Principato stated that he remembers the creation of a department of public property, to condense the departments, in the City, He asked what happened to that, and that there still exists separate departments, with separate supervisors. He rhetorically asked a number of questions, for Council to consider, before moving forward with this. He urged Council people to open their eyes, as this points to the creation of another job, which would not save the taxpayers money.

Ms. Cosby stated that we are creating another department, and she is not sure why we are in such a hurray. She spoke about the need to have divisions work together, to make operations more efficient. She went on to state that we are creating a position for a candidate who has been selected for the job, and that job has never been posted. She noted her concerns with this, and the elimination of opportunity’s for Linden residents. Ms. Cosby also spoke about the need for transparency, and not compromising. She concluded by stating she was not supporting these two positions.

Mr. Brown spoke about mis-information, and what the ordinance was doing, eliminating one department. He also addressed the issue of the number of department heads, and this would help the City run more efficiently. He note why this is important.

Ordinance #61-82 was introduced by Mr. Javick and was read on first reading by the Clerk.

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

ordered approved by all voting yes with the exception of Ms. Cosby who voted no.

**An Ordinance entitled:**

**#61-83 An ordinance to amend an Ordinance entitled, “An ordinance establishing a schedule of titles, salary ranges and regulations for maintaining the classification and salary standardization plan of all employees of the City of Linden,” passed** **August 15, 1995 and** **approved August 16, 1995.**

**Section 1 Add Schedule 4-JJ-5**

President Alvarez asked if there were any comments from the public. Ordinance #61-83 was introduced

by Mr. Javick and was read on first reading by the Clerk.

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

ordered approved by all voting yes with the exception of Ms. Cosby who voted no.

**An Ordinance entitled:**

**#61-84 An ordinance to amend and supplement Chapter VII, Traffic, of an Ordinance entitled, “An ordinance adopting and enacting the Revised General Ordinances of the City of Linden, 199,” passed November 23, 1999 and as amended and supplemented.**

**ADD TO 7-14.2 NO PARKING DURING SCHOOL HOURS** as follows:

Street Side Hours Days Location

West 18th Street Both 7:30 am -4:00 pm School Between South Wood Avenue

Day and Winans Avenue

President Alvarez asked if there were any comments from the public. Ordinance #61-84 was introduced

by Mr. Strano and was read on first reading by the Clerk.

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

unanimously ordered approved.

Mrs. Ormon was excused at the conclusion of the Introduction of Ordinances (9:15 pm).

**PUBLIC COMMENT**

Ed Kaminski, Maple Ave. Mr. Kaminski wish all a best for the holiday season. Next he spoke about Route 1 and Park Ave, how dangerous of an intersection it was, and asked if there was any consideration to bringing a camera back, as it seemed that when there was a camera, there were less issues. Next he commented on the legal settlement about what are old judge did, and how expensive of a lesson it was.

He next spoke on the downtown development, how good it is beginning to look, and asked when the next phase would begin. Mr. Kaminski then spoke about the possible placement of a park, on Orchard Terrace, that comments made, by others, back then, were on point, and concluded by questioning the need for this park. He expressed his concerns regarding the park.

Delia Collins, Clark, NJ. Ms. Collins noted that she was here because she had worked with animal welfare people, in Linden. She detailed her past involvement, with Linden and then spoke about the eighteen (18) page report concerning Linden’s current animal control vendor, Associated Humane Society, and its noncompliance with various agencies requirements. She described some of the conditions detailed in the report, and the reports of various news agencies. Next Ms. Collins detailed, past efforts, to get a Union County Shelter built, and the current efforts to accomplish this goal.

Laurie Vigeant, 1601 Cornell Dr. Ms. Vigeant stated that she is also here to discuss the animal shelter, in Newark, and its deplorable conditions. She spoke about the amount of money Linden spends every year, to have the Associated Humane provided animal control services, and that this money could be better spent in a better way. Ms. Vigeant informed all that the City of Rahway terminated its contract with Associated Humane, yesterday. She noted the alternate provider that Rahway contracted with. She urged council to look at Woodbridge Animal Shelter, as a prime example, of a well-run municipal shelter.

John Principato, 1706 Westover Rd. Mr. Principato spoke about the horrible conditions he observed at the Associated Humane Society in Newark. Next he noted the wonderful job done by Chief Parham, and that all are sad to see him go, and wished him well. Mr. Principato then talked about policies and procedures, that the City has policies and procedures that should be followed. He spoke about the waiver of the education requirements for the individual being hired as a per diem inspector in the Construction Code Department. Mr. Principato stated that he hoped the person being chosen to head the new department of community services has a degree in engineering and why. He also urged Council to have a farm system to develop leaders from within, for our departments. We should hire and promoting from within.

Henry Mack, Mr. Mack stated that he came up on behalf of the people. He then spoke in favor of the person being hired as the per diem plumbing inspector. Next he spoke about the hiring of the new head of public works, the fantastic work done by Linden’s Public Works Department, and that we should not go outside, of our family, to hire someone to head public works. Mr. Mack stated that it was like he was slapped in the face when he was told that the Chief of Police was leaving. He informed the governing body that the people told him to come and thank the Chief of Police.

Mayor Armstead stated that he had omitted announcing about Breakfast with Santa on December 16th.The event is being sponsored by the Mayor’s Youth Commission and is open to all Linden Children. He provided all of the details on the event.

John Roman, 15 W. Linden Ave. Mr. Roman noted that someone had indicated the City Christmas Tree lighting was December 8th, the correct day is December 1st.

Mr. Brown moved to close the public comment portion of the meeting. The motion was seconded by Mr. Medina, and was unanimously ordered approved by a roll call vote.

**COMMENTS FROM MEMBERS OF THE GOVERNING BODY**

President Alvarez opened the floor to comments from members of the Governing body, indicating that each had a minute, to respond to comments from the public.

Mr. Brown stated that he wanted to respond to comments from Mr. Principato, regarding hiring. Mr. Brown noted the process behind the recommendations on the Personnel Report, and none of it is taken lightly. Next Mr. Brown spoke about Wood Ave, the work that is being done and provided details on the work this is currently in the planning stages.

Mrs. Yamakaitis spoke about the intersection of S. Park Ave, and Route 1 and the serious accidents that have occurred there. She talked about the need to explore other options, now that the red light camera systems were done away with by the State of New Jersey. She also spoke about the animal shelter and the steps being taken by the Mayor to address the concerns with Associated Humane, and the reports about the condition of the facility and treatment of the animals.

Mr. Strano talked about the Mayors food drive for those affected by the recent hurricanes, and how donation to that drive could be made. Only non-perishables are being requested. Next Mr. Strano spoke about the City’s hiring policy, and noted a waiver of one of those policies, when an individual was on the Fire Department list.

Ms. Cosby spoke about the Fifth Ward Cancer awareness walk, the donations collected, that they were being matched by the Rhashonna Cosby Civic Association, and where the funds would be donated to. She spoke about her plans for the for the 2018 walk. She thanked everyone that came out. Next she talked about comments made by Mr. Mack, that 2018 was the year of the woman, and that she was excited for the new Lt. Governor, and all of the other woman who are going to take office.

Mr. Medina noted that Mrs. Hickey was home sick, but asked him to wish all a Happy Thanksgiving.

Chief Parham thanked Mayor Armstead for having appointed him as chief, Council for the support that he received, and wish all god bless.

**ANNOUNCEMENTS**

President Alvarez announced that the following Council Meetings:

\*Council Conference meeting, Monday, December 18, 2017 in the Council Conference Room, City Hall, 301 N. Wood Ave.

\*Council Conference meeting prior to the Council meeting:

Tuesday, December 19, 2017 at 6:00 pm in the Council Conference Room, City Hall, 301 N. Wood Ave.

\*Council Meeting: Tuesday, December 19, 2017 at 7:00 p.m. in the Council

There being no further business to come before the governing body, Ms. Cosby moved to adjourn the meeting. The motion was seconded by Mr. Medina and was ordered approved by a roll call vote with all voting yes with the exception of Mr. Brown who voted abstained. The meeting was adjourned at 9:54 pm.

Respectfully submitted,

Joseph C. Bodek

City Clerk