**Minutes of the Regular**

**Meeting of the 2018 Council of the**

**City of Linden, held Tuesday**

**June 19, 2018**

The regular meeting of the 2018 Council of the City of Linden, was held in the Council Chambers in the City Hall on Tuesday, June, 2018 at 7:15 pm., prevailing time.

The meeting was called to order by President of Council 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

Councilman Alfred Mohammed

Councilwoman Rhashonna Cosby

Councilman John F. Roman

Councilman Ralph Strano

Councilwoman Michele Yamakaitis

Councilman Armando Medina

Councilwoman Gretchen Hickey

Council President Jorge Alvarez

Mayor Derek Armstead

**APPROVAL OF MINUTES**

Ms. Cosby moved for the approval of the Regular Minutes of the May 15, 2018 Council Meeting and the June 7, 2018 Special Meeting. The motion was seconded by Mr. Mohammed and was ordered approved by a roll call vote, with Mr. Roman and Mrs. Hickey abstaining on all and Mr. Medina abstaining on the minutes of the June 7, 2018 Meeting.

**PRESENTATION**

**Mom’s Against Gun Violence**

President Alvarez called upon Ms. Cosby to make the presentation. Ms. Cosby called up Patti from Mom’s Against Gun Violence for the presentation. Ms. Cosby spoke about the number of gun owners in Linden, and the need for responsible gun legislation. Ms. Cosby read the resolution and presented a copy to Patti. Patti thanked the Mayor and Council for recognizing gun violence awareness. She spoke about a number of the gun violence incidents, and how those affected are working to address the issue of gun violence. Patti provided contact information for those wanting more information about their group.

**ORDINANCE – HEARING**

President of Council Jorge Alvarez announced that this is the date designated for the hearing and further consideration respecting an ordinance entitled:

#62-34 Bond ordinance providing an appropriation of $291,500 for the acquisition of various items of capital equipment for the Police Department and authorizing the issuance of $276,925 bonds or notes of the City for Financing part of the appropriation.

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

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

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

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

further consideration respecting an ordinance entitled:

#62-35 Bond ordinance providing an appropriation of $90,090 for acquisition of firefighting equipment and personal protective equipment and authorizing the issuance of $85,586 bonds or notes of the City for financing part of the appropriation.

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

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

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

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

further consideration respecting an ordinance entitled:

#62-36 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.

That Chapter VII. Traffic, Section 7-13, Parking Prohibited for Street Cleaning and Maintenance, shall be and the same is hereby amended as follows:

ADD:

Street Side Hours Days Location

Hampden Street North 1:00 p.m. –3:00 pm Friday’s U.S. Rt 1 to terminus

Hampden Street South 1:00 p.m. - 3:00 pm Tuesday U. S. Rt 1 to terminus

Smith Street North 1:00 p.m. –3:00 pm Friday’s U.S. Rt 1 to terminus

Smith Street South 1:00 p.m. - 3:00 pm Tuesday U.S. Rt. 1 to terminus

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

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

further consideration respecting an ordinance entitled:

#62-37 An ordinance to amend and supplement Chapter X, Building and Housing, of an ordinance entitled, “An Ordinance adopting and enacting the Revised General Ordinances of the City of Linden, 1999” and approved November 24, 1999, and as amended and supplemented.

Section 1. That Chapter X, Building and Housing, Article I, State Uniform Construction Code, shall be and the same is hereby amended and supplemented as follows:

10-2 Fees

10-2.1 Subcode Fees is hereby amended

* + - 1. As peer N.J.A.C. 5:23-4.17(a)

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, Ms. Cosby 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.

#62-38 **DEFEATED ON INTRODUCTION (Bond Ordinance Pay Per Space Kiosk)**

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

further consideration respecting an ordinance entitled:

#62-39 Bond Ordinance restating bond ordinance #61-69 providing a 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.

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 Ms. Cosby and on a roll call vote the foregoing ordinance was unanimously ordered approved.

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

further consideration respecting an ordinance entitled:

#62-40 An Ordinance to amend and supplement Chapter V, Animal 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 amended and supplemented.

Section 1. That Chapter V, Animal Control, shall be and the same is hereby amended as follows:

**ADD:**

**SECTION 5-5 REGULATING THE SALE OF DOGS AND CATS**

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.

Ms. Cosby, as the sponsor for this ordinance, thanked Mr. Cohen, regarding bringing this matter to her attention.

Janice Fisher, Manasquan. Ms. Fisher stated that she coordinates the puppy mill awareness campaign for Friends of Animals United New Jersey. She spoke about the need the type of regulations in this ordinance, and provided a history of problems. She also spoke about proposed legislation, on the State level, regulating puppy mills. Mr. Brown asked her to provide him with bill number of the proposed legislation.

Speaker from Hamilton, NJ. The speaker provided her credentials, to the governing body, and called selling pet store puppies immoral. She went on to explain her concerns and the reasons for them.

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

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

further consideration respecting an ordinance entitled:

#62-41 Ordinance approving the amended Financial Agreement with SRV Linden 1 Urban Renewal LLC.

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.

John Principato, Westover Road. Mr. Principato asked questions regarding what SRVI does. Mr. Polles, special redevelopment counsel, responded with an explanation, and what the ordinance does. Mr. Principato asked what the financial agreement is. Mr. Polles, stated he did not have a copy with him, but it is on file with City and he could obtain a copy there.

There being no other persons to be heard, Ms. Ormon moved that the hearing be closed and the ordinance be adopted. The motion was seconded by Mr. Strano and on a roll call vote the foregoing ordinance was ordered approved, with all voting yes, except for Ms. Cosby, who abstained.

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

further consideration respecting an ordinance entitled:

#62-42 An ordinance to amend an ordinance entitled, “An ordinance establishing a schedule of titles, salary ranges and regulations for maintain the classification and salary standardization plan of all employees of the City of Linden,” passed August 15, 1995 and approved August 16, 1995.

ADD: Schedule 4-MM-4

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

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

further consideration respecting an ordinance entitled:

**ORDINANCE – ON HEARING FROM THE SPECIAL JUNE 7, 2018 COUNCIL MEETING**

#62-43 AN ORDINANCE TO ADOPT A REDEVELOPMENT PLAN FOR THE GRASSELLI ROAD REDEVELOPMENT AREA, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW N.J.S.A. 40A:12A-1 et seq.

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.

John Principato, Westover Road. Mr. Principato asked if this ordinance include the port project that was spoken about at last night’s conference meeting. President Alvarez responded no.

There being no other 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 ordered approved, with all voting yes except for Mr. Roman who abstained.

**CONSENT ITEMS**

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

1. The amount of money collected during the month of May 2018 and turned over to the treasurer’s office is as follows:

2018 Taxes $23,493,113.73

2017 Taxes $225,345.00

2016 Taxes $0.00

Garbage Fee Payments $26,942.74

Garbage Fee Penalty $1,730.00

Municipal Lien Redemption $0.00

Duplicate Tax Sale Certificate $0.00

Tax Search $0.00

Lien Redemption Request Fee $50.00

Year End Penalty $2,377.06

Returned Check Fee Paid $80.00

Returned Check Fee Garbage Paid $0.00

Returned Sewer Clean out ($0.00)

Returned Sewer Interest ($0.00)

Returned Check 2018 ($6,887.98)

Returned Check 2017 ($0.00)

Returned Check Interest ($0.00

Returned Online Payment 2018 Taxes ($1,903.48)

Returned Online Interest ($0.00)

Returned Check Garbage Fee ($0.00)

Returned Check Garbage Fee Penalty ($0.00)

Adv. Before Tax Sale $11,544.89

State Audit Payment $0.00

Premium $0.00

Sewer Clean out charge $2,531.36

DPW Reso payments $2,630.00

Interest $38,419.05

Total $23,795,972.37

**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**

36 7 5/21/18 16-00027 $1,000.00

57 8 5/24/18 16-00042 $3,100.00

244 21 6/1/18 16-00183 $1,000.00

530 26 5/8/18 16-00330 $100.00

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

amount of $5,200.00 payable to: US Bank Cust for PC6, LLC Sterling National, 50 South 16th Street, Suite #2050, Philadelphia, PA 19102, charging same to account #-8-01-55-276-999-956.

**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**

41 11 6/5/18 16-00030 $800.00

294 2 6/5/18 16-00208 $800.00

364 18 5/25/18 16-00241 $1,200.00

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

amount of $2,800.00 payable to Trystone Capital Assets, LLC., 575 Route #-70, 2nd Floor, P.O. Box 1030, Brick, NJ 08723, charging same to account #-8-01-55-276-999-956.

**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**

151 17 6/5/18 16-00121 $1,600.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,600.00 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 #-8-01-55-276-999-956.

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

**Block Lot Redemption Date CTF# Amount**

248 5 6/4/18 16-00187 $1,400.00

386 17 5/25/18 16-00253 $1,400.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $2,800.00 payable to: FWDSL & Associates, LP, Attention: Jared Cucci, 17 W. Cliff Street, Somerville, NJ 08876 charging same to account #-8-01-55-276-999-956.

**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**

299 8 5/24/18 16-00211 $19,400.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $19,400.00 payable to FNA DZ, LLC FBO WSFS,120 N. La Salle Street, Suite #-1220, Chicago, IL 60602charging same to account #-8-01-55-276-999-956.

**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**

457 9 5/9/18 14-00284 $900.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $900.00 payable to: US Bank Cust for PC5 Sterling National, 50 South 16th Street, Suite #2050, Philadelphia, PA 19102, charging same to account #-8-01-55-276-999-956.

**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**

569 18 3/27/18 14-00361 $4,500.00

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

amount of $4,500.00 payable to: PFS Financial 1, LLC US Bank Custodian, 50 South 16th Street-Suite 2050, Philadelphia, PA 19102 charging same to account #8-01-55-276-999-956.

**Credit Balance** Block-182 Lot- 2, John Sabat Jr.

815 Clark Street

Due to a senior citizen deduction for 2017 being denied and proof of illness from the owner and the mortgage company paying erroneous billing, there now exists a credit in the amount of $ 250.00.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of **$250.00** payable to: John Sabat Jr., 815 Clark Street, Linden, NJ 07036, refunds charging same to account *#*8-01-55-288-999-904.

**Overpayment** Block 319 Lot 1, Former Owner: Peter Dzurina

Current Owner: Federal National Mort Assoc.

601 Knopf Street

The above referenced old owner’s Mortgage Company and the new owner’s title agency have paid part of the 2018 2nd quarter property taxes creating this overpayment and the old owner’s mortgage company is entitled a refund in the amount of $2,016.35.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $2,016.35 payable to: Lereta, LLC, Returns & Refunds, 1123 Park View Drive, Covina, CA 91724 charging same to # 8-01-55-288-999-904.

**Credit Balance** Block 379 Lot 10, 713 Lindegar Street

2018 2nd qtr overpayment

There now exists a credit balance on the above referenced block & lot due to the former property owner paying in excess of the 2018 2nd quarter property taxes in the amount of $1,500.00 and is entitled to a refund.

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: Gerturde Scocozza, 920 Knopf Street, Linden, NJ 07036 charging same to account #-8-01-55-288-999-904.

**Tax Court Judgement** Block 436 Lot 10.03, Infineum

1600 E. Linden Avenue

The above referenced property owners are entitled to a refund due to a Tax Court Judgment reducing the assessment by 39,101,100 for 2017 creating a total overpayment of $263,462.54.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $ $263,462.54 payable to: McCarter & English, C/O Infineum, USA, 100 Mulberry Street, Newark, NJ 07102, charging same to account #8-01-55-275-999-000.

**Tax Court Judgement** Block 522 Lot 2, Cytec Industries, Inc.

3301 B. Tremley Point Road,

The above referenced property owners are entitled to a refund due to a County Board Judgment reducing the assessment by 480,500 for 2016 Freeze Act creating a total overpayment of $31,357.43.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $31,357.43 payable to: Bruce J. Stavitsky, Esq for the benefit of Cytec Industries, Inc, 350 Passaic Avenue, Fairfield, NJ 07004, charging same to account #8-01-55-275-999-000.

**Overpayment** Block 319 Lot 1, Former Owner: Peter Dzurina

Current Owner: Federal National Mort Assoc., 601 Knopf Street

The above referenced old owner’s Mortgage Company and the new owner’s title agency have paid part of the 2018 2nd quarter property taxes creating this overpayment and the old owner’s mortgage company is entitled a refund in the amount of $2,016.35.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $2,016.35 payable to: Lereta, LLC, Returns & Refunds,1123 Park View Drive, Covina, CA 91724 charging same to # 8-01-55-288-999-904.

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

1. Advising that the following City of Linden employees have filed for retirement:

**Department Employee Title Date**

DPW Frederick Marinelli Heavy Equipment Operator June 1, 2018

DPW Mark Orcutt Heavy Equipment Operator June 1, 2018

Fire Dept. Michael Fernandes Fire Lieutenant July 1, 2018

Fire Dept. Michael Hreha Deputy Fire Chief July 1, 2018

Fire Dept. Christopher Lukenda Fire Fighter July 1, 2018

Fire Dept. Michael Smith Fire Lieutenant July 1, 2018

Fire Dept. John Principato Fire Lieutenant July 1, 2018

Public Property Alfred MacDonald Superintendent Public Property July 1, 2018

Finance Dept. Margaret Nadler Sr. Account Clerk August 1, 2018

Engineering Dept. George Vircik Municipal Engineer August 1, 2018

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

1. Advising that under Chapter 88, 54 & 436, the City of Linden reimburses retired employees for the monthly premiums which the retiree paid to Social Securityfor his/her Part B coverage, and that of his/her spouse, under the Federal Medicare Program. Total reimbursements $259,014.60.

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

1. Advising that they issued seventy six (76) Certificates of Occupancy during the month of May 2018.

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

1. The Municipal Treasurer is requesting approval for the following reimbursements: a. Service date of 3/11/2018

Lawrence Dukes is entitled to a refund in the amount of $50.00 for service that was provided on 3/11/2018. Therefore, it would be in order for the council to authorize the treasurer to issue a check payable to: Lawrence Dukes, 620 Ainsworth Street, Linden, NJ 07036 charging same to 8-01-08-629-011.

b. Service date of 7/29/2016

Amerigroup New Jersey is entitled to a refund in the amount of $ 125.00 for service that was provided on 7/29/2016. Therefore, it would be in order for the council to authorize the treasurer to issue a check payable to: Amerigroup New Jersey, 4425 Corporation Lane, Suite 100, Virginia Beach, VA 23462 charging same to 8-01-08-629-011.

      c. Service date of 2/5/2018

Cigna is entitled to a refund in the amount of $86.76 for service that was provided on 2/5/2018. 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 37422-7223 charging same to 8-01-08-629-011.

d. CSDCMAC Refund

Lidia Lehmann is entitled to a refund of $50.00 for a Certificate of Smoke

Detector and Carbon Monoxide Alarm Compliance that was already completed and paid for by the previous bank owner. Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $50.00 payable to: Lidia Lehmann, 106 Sinclair Ave., Union, NJ 07083 charging same to 8-01-09-699-069.

e. CSDCMAC Refund

Patricia Janowski is entitled to a refund of $50.00 for a Certificate of Smoke Detector and Carbon Monoxide Alarm Compliance that was already completed and paid for by the previous bank owner. Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $50.00 payable to: Patricia Janowski, 131 Conger Way, Clark, NJ 07066 charging same to 8-01-09-699-069.

Mr. Roman moved for approval of Consent Items #1 through #5. The motion was seconded by Mr. Medina and was unanimously ordered approved by a roll call vote.

**REPORTS OF COUNCIL**

First Ward

Mrs. Ormon began by congratulating Mayor Armstead and Mrs. Yamakaitis on their primary election victory. She spoke about being proud about the victory and being part of the team. She thanked a number of individuals for their efforts, and what they did. She then congratulated Mr. Medina on his victory, and thanked Mrs. Hickey and Ms. Cosby for being part of the Democratic process. She spoke about the Democratic process and now that the election is over we need to come together to work for Linden, and move it forward.

Mrs. Ormon gave a report on the old Pathmark site, and the development that would be coming. She introduced Alexis Lospinoso, LEDC director, and praised him for getting the job done. She described the new grocery store that would be occupying the space. Next Mrs. Ormon spoke about the closing of the Sam’s club site, and how it was a corporate decision. However the Sam’s would now be using the site as one of their ecommerce locations.

Mrs. Ormon congratulated the Linden High School Class of 2018. She also spoke about the summer concert series in the promenade park. She concluded by reminding all that school is out, and to drive carefully.

Second Ward

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

Approval is requested for the following finance actions:

1. The payment of bills totaling $2,614,707.71; 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.
2. We are in receipt of the investments made by the City Treasurer for the month of May at the rate of 1.00%.

Mr. Javick moved for approval of the Finance Report. The motion was seconded by Mrs. Ormon and was ordered approved by a roll call vote, with all voting in favor except Ms. Cosby, who abstained.

Mr. Javick thanked everyone that came out to the First, Second and Third Ward joint community cook out. He spoke about tree trimming, and removal, it the Second Ward, and provided his contact information for those that needed to speak with him.

Mr. Javick spoke about the public meeting, to be held this coming Thursday, to allow the public to provide input into the revisions to the Master Plan. He also spoke about events that the Library was hosting, and that the event to be held on June 26th, would feature Linden’s own Matt Koziol.

Third Ward

Mr. Brown congratulated Mrs. Ormon on her election, and thanked her for all of her hard work, she did during the last few months, organizing joint community events with the Third Ward. Mr. Brown spoke about an event that he had been planning, involving the Liberty Science Center at the promenade park. He provided details on the event.

Mr. Brown informed all that he had worked with Six Flags to hire Linden High School students for employment at their park. They have hired over seventy students, and the feedback, on these students, has been positive. As a result Six Flags will be coming back to hire a second round of Linden students. He noted the role of the SID and his non-profit. He thanked the Board of Education for allowing Six Flags into the schools to conduct the interviews.

Mr. Brown spoke about his not running re-election next year, and the reasons why. He spoke about the nastiness of this past campaign as one of the contributing factors. He talked about his need to re-focus on some of his personal priorities. Mr. Brown noted the need for people to focus more on the issues, and improving Linden, and less on the politics and attacking people and their family members.

Fourth Ward

Mr. Mohammed stated that he was saddened by the impending departure of Mr. Brown. He then informed all that the Board of Health did not meet, so he had not report. Mr. Mohammed spoke about the state of the City very extraordinary optimistic. He congratulated Mrs. Ormon on her stunning victory. He congratulated Mrs. Yamakaitis and Mayor Armstead on their victories. He congratulated those that ran and lost. He spoke about how he expects to be treated as a member of Council and how other members of the Council should behave.

Fifth Ward

Mrs. Cosby announced that she was not able to attend this month’s meeting of the Linden Roselle Sewerage Authority, and had no report. She noted that with the appointment of Mr. Strano as an Alternate member of the Authority, there was no longer a need for her to be liaison, and she would be relinquishing that position. Next Mrs. Cosby reported that the Construction Code Committee did not meet, but that she was again requesting that an assistant to the Department Head be named, as the Personnel Committee was ignoring the request. She explained the reasons for that request. Ms. Cosby moved for approval to install a street light on Pole #60609-LD, located at Price St and W. Blancke St. The motion was seconded by Mrs. Ormon and was unanimously ordered approved by a roll call vote.

Mrs. Cosby informed all that a request had been made, by the Linden Housing Authority, to move the polling place from their facility. The new location still has to be determined. She then announced details for the Fifth Ward Community meeting. Next she announced the Fifth and Seventh Ward community yard sale, and the details. Mrs. Cosby spoke about this past election being over, and that she would not do what she was being told, but would do what is best for Linden. She addressed the comments made by Mr. Mohammed, and her opinion of them. She talked about her eight years on council and her efforts to get programs started. She urged all of the stake holders to get together to get some programs going, for kids over twelve years of age.

Mrs. Cosby provided her contact information and stated that she would like to see members of the Council give the reports of the Committees they are on, as she doesn’t get them due to the power struggles going on.

Sixth Ward

Mr. Roman gave the report of the Landfill Committee. He spoke about the resolution, on tonight’s agenda, settling with the NJDEP, a number of open air quality violations, from previous operations at the landfill. He detailed the efforts of Mr. Vircik, which resulted in a substantial fine being reduced to $7,500.00. He talked about the closed landfill being a money bit, and the need to bring in revenue to keep it up to standards. Mr. Roman noted the efforts to place a solar farm on the site, and the possible sale of some of the property there as two sources of revenue.

Mr. Roman provided details on the ongoing Wood Ave paving project. He also provided information on the second phase of the Merdia project, and issues related to the closure of the sidewalks in that area. He then talked about his attendance about the Union County Community Pride Day. Mr. Roman announced that he was planning a 6th ward community yard sale, and provided details on the event.

Mr. Roman announced that he has been working with Public Properties, and a lot of the graffiti, at the train station has been removed, as well as at Larson Park. He noted the passing of an ordinance, today, dealing with street sweeping on Hampton and Smith St. Mr. Roman pointed out that tonight’s agenda included a number of retirements, including a former neighbor of his, Al MacDonald. He spoke about Mr. MacDonald’s 38 years of service to the City of Linden, and his long association with Mr. MacDonald.

Mr. Roman congratulated Mrs. Yamakaitis and Mayor Armstead. He also congratulated Mrs. Hickey, Ms. Cosby and Mr. Alvarez for their participation in the election process. He then congratulated Mr. Medina and Mrs. Ormon on their victories. He spoke about what it takes to run for office, and now that the election is over it is time that the City heals, and moves forward. He urged all to show each other respect and communicate with each other. He concluded by providing his contact information.

Seventh Ward

Mr. Strano read the following report of the Personnel Committee:

1. Police Department:

a. Permission to hire eleven (11) police recruits from attached list pending successful completion of pre-employment requirements effective July 2, 2018.

b. The retroactive appointment of Louis Safner effective March 27, 2018, as Group Leader in Central Dispatch with the authorized stipend of $2,500.00 prorated.

c. Permission to increase the number of Public Safety Telecommunicator Trainee hires from 4 to 6 off of the current list of eligibles.

d. Accepting the Resignation of Michael Clemendore, Public Safety Telecommunicator effective May 17, 2018.

1. Department of Community Services:

a. Title Changes effective June 20, 2018

John Venditto to provisional Assistant Superintendent PW at the salary of $133,014.00.

Pedro Calzado to provisional Heavy Equipment Operator at $24.00/hr

Joseph Venezio to provisional Motor Broom Operator at $29.50/hr

Craig Lambert to provisional Automated Sanitation Driver at $23.50/hr

Robert Smith to provisional Motor Broom Operator at $36.00/hr

Robert Firestone voluntary demotion to Laborer at $26.00/hr

Cornelius Daves voluntary demotion to Laborer at $16.00/hr

Keith Johnson to provisional Maintenance Repairer at $23.50/hr

Roberto Echevarria to provisional Maintenance Repairer at $21.25/hr

Joseph R. Caplette to provisional Tree Trimmer at $19.25/hr

Eric Meikele to provisional Tree Trimmer at $20.75/hr

Alexis Lugardo to provisional Sewer Maintenance Repairer at $20.75/hr

Vincent Williams to provisional Road Repairer at $26.00/hr

William Sutton to provisional Road Repairer at $20.50/hr

Ernest Green to provisional Tree Trimmer at $25.50/hr

Javier Rivera to provisional Sewer Maintenance Repairer at $27.00/hr

b. Permission to hire Alphonso Smith, Andy Brisson and Otis Hill as Laborer 1(tier 2) effective July 2, 2018 hourly rate of $15.00 subject to the successful completion of pre-employment requirements.

c. Resignation in good standing of Kevin Meyers, Laborer 1 effective July 9, 2018.

d. Approval of Seasonal List. (List on file in the City Clerk’s office)

e. Permission to post for PT Clerk 1 due to existing vacancy.

1. Engineering Department:

a. Approval of Summer Help List (List on file in the Clerk’s Office)

b. Approval of Clean Communities List (List on file in the Clerk’s office)

c. Approval of Denise Franco and Joseph Chrobak Jr. as summer engineering interns at the hourly rate of $15.00 from June 15, 2018 to August 30, 2018.

4. Public Property/Recreational Services:

a. The appointment of Frank Dann as acting head of the Department of Public Property and Recreational Services at no additional compensation effective July 1, 2018.

b. The hiring of Richard Vesci and James Kinderski, as Laborer 1 (tier 2) effective July 2, 2018 at the hourly rate of $15.00, subject to the successful completion of pre-employment requirements.

c. The hiring of Joseph Wnek as provisional Electrician at the hourly rate of $30.00 effective July 2, 2018, pending the successful completion of pre-employment requirements.

d. The salary adjustment for James Venditto, Supervising Mechanic to $91,120.00 effective June 20, 2018.

e. Approval of Seasonal List (list on file in the City Clerk’s office)

5. Municipal Court:

a. Permission to repost for three (3) P/T Clerk 1 from POAA account.

b. Permission to begin posting process for Deputy Court Clerk due to previous retirement.

8. Board of Health:

a. Permission to hire Justin Panzarella as Registered Environmental Health Specialist, effective July 2, 2018 at the annual salary of $60,000 with a residency waiver since announcement was open Statewide, pending the successful completion of the pre-employment requirements.

9. Law Department:

a. Accepting the resignation in good standing of Dana Tristao, Legal Secretary effective July 6, 2018.

10. Personnel:

a. FMLA/NJFLA:

Employee ID# 000942 May 16, 2018 through June 1, 2018

Employee ID# 909498 June 1, 2018 through June 29, 2018

Employee ID# 090893 June 6, 2018 through September 10, 2018

Employee ID# 909524 May 29, 2018 through June 19, 2018

Employee ID# 909223 May 24, 2018 through July 1, 2018

Employee ID#000238 May 23, 2018 through June 30, 2018

Upon completion Mr. Strano asked if there were any questions.

Ms. Cosby commented on item 2e, and how the policy, regarding posting, has changed from when she first established it. She accused the Committee of playing games and detailed her concerns. Next she spoke about item 4a. Ms. Cosby thanked Mr. MacDonald for his 38 years of service. She then was critical of the appointment, noting Mr. Dann’s lack of recreation experience, and that when Mr. MacDonald was off on vacation for 4 months, those in positions of leadership ran the department well. They should have been put in charge. She noted her objections. Ms. Cosby spoke about other clerk vacancies and the posting policy not being followed, resulting in the reversal of a lot of the fair and open policies previously put in place. She concluded by stating that she would be abstaining on the entire report and the reasons why.

Mr. Brown asked Mr. Roth to clarify the statement that we are not an equal opportunity employer. Mr. Roth responded that we do follow the policies established by Council. He noted that the City has never been cites by EOC and the Civil Service Commission. Ms. Cosby stated that was not her issue, her issue was that we are not being fair and equal with members of the public. Mr. Brown stated that these issues should be discussed, by members of Council, at the Monday conference meetings. He disagreed with these discussion being done in public and the reasons why.

John Principato. Mr. Principato noted his attendance at the Monday conference meeting, where Mr. MacDonald spoke about the number of parks, and Mr. Dann spoke about his department being inundated. Mr. Principato wondered how this gentlemen was going to oversee two of the major departments in the City. President Alvarez spoke about Mr. Dann’s qualification, and his ability to manage these two departments. Mr. Principato disagreed.

Mr. Strano moved for approval of the Personnel Report. The motion was seconded by Mrs. Yamakaitis and was ordered approved by a roll call vote, with all voting yes except Mr. Brown and Mrs. Hickey who abstained on item 4a, and Ms. Cosby who abstained on the entire report.

Mr. Strano addressed the issue, raised by Mr. Roman, regarding the walkways, for pedestrians, at the Merdia construction site. He reported about a meeting, at the County regarding this and the outcome. Mr. Strano wished Mr. MacDonald a happy retirement. He thanked the Public Properties department for the recent repairs they made to the Seventh Ward recreation center. He thanked Mr. Dann for the trimming of the trees in the parks that would be hosting summer camps and playground activities.

Mr. Strano provided an update on the quite zone, and the paving of Lower Road. He also noted the repaving of the trails in Memorial Park, and talked about road repairs, in the ward, that were done as a result of problems with the sewer lines.

Mr. Strano informed all of the resolution, on tonight’s agenda, authorizing a Seventh Ward Garage sale and waiving the permit requirement for said sale. He thanked all those that participated in the recent primary election.

Eighth Ward

Mrs. Yamakaitis, as liaison to the Mayor’s Youth Commission, gave a report regarding the upcoming project graduation for Linden High School seniors. She noted the fundraising efforts, of the Youth Commission, to help cover the cost of this activity. She provided details on how to obtain additional information.

Mrs. Yamakaitis informed all of the closing, this weekend, of the approaches of the Goethals Bridge and the reason why. She noted the alternate routes. Next she reported on the redevelopment of the former Park Plastics site. She noted the ordinance, on tonight’s agenda, relative to this development and what it accomplishes. Mrs. Yamakaitis announced that the summer camp and playground programs, would be opening on Monday, June 25th. She noted the free programs taking place in the Eighth Ward. She spoke about the offerings at the playgrounds.

Ninth Ward

Mr. Medina gave a report of the Library. He noted the upcoming events at the library, and that there are flyers available, at the front desk and on their Facebook site with additional information on these events.

Mr. Medina gave the report of the Technology Committee, sharing some of the items that the Committee is working on, including the new camera system and making more applications available on line to residents. He asked for feedback, from the public, on how the City website can be improved. Next Mr. Medina spoke about the condition of the tennis courts at Wilson Park, and the receipt of an award of a grant to replace those tennis courts, next year.

Mr. Medina informed all that the Shade Tree Commission is trimming trees along DeWitt Terrace. He noted that he is getting a lot of tall grass complaints, and that they will be addressed by the Board of Health. He spoke about the amazing job Ms. Koblis does in handling these complaints. He noted the process for addressing the complaints.

Mr. Medina congratulated Mayor Armstead and Mrs. Ormon on their re-election, Mrs. Yamakaitis on her election as Council President. He thanked all that had thrown their name into the democratic process, Mrs. Hickey, Mr. Alvarez and Ms. Cosby. He also thanked all of his supports who came out in support of him in the primary. He concluded by providing his contact information. and urging all to be safe with schools being out for the summer.

Tenth Ward

Mrs. Hickey gave the report of the Fire Committee. The ambulance re-imbursement system collected a total of $65,202.73 for the month of May, bringing the year to date total to $371,782.35. Next she gave the report of the City Clerk’s office. City revenue for the month of May was $4,527.27, and State Revenue was $650.00. Mrs. Hickey also gave the report of the Fire Prevention Bureau. A total of $9,857.90 was collected for the month of May.

Mrs. Hickey congratulated all those that had won their election in the recent primary, and thanked all those that came out and supported her. She noted that she will continue to help those in her ward, throughout the City, and provided her contact information. She added that she is glad it is over, adding that she will continue to speak the truth.

Mrs. Hickey asked for a moment of silence to mark the one year anniversary of the passing of Danny Kuckinsky. She spoke about some of the memories she had of him, and the wonderful things he did for the children.

Mrs. Hickey informed all, that on Friday night, she attended the first gay night prom at the Hamilton stage, which was hosted by the Union County Freeholders. She provided her observes on the event, and thanked the County. She also noted her attendance at the gay pride event at Rahway Park this past Saturday. Mrs. Hickey spoke about the hypocrisy of some of the members of Council during their comments tonight. She noted that her son is gay. Mrs. Hickey stated that the Mayor, and herself, cannot help what people write on social media, adding that the comments made by her, and the Mayor, on social media, are positive.

Mrs. Hickey pointed out that SID did not receive the donation, from Mr. Brown’s, non-profit that he referenced in his report. She spoke about the demeanor of certain members of Council during Monday night’s conference meeting.

Mrs. Hickey congratulated the DPW employees who received promotions, this evening, talked about the amazing job that Director Dann is doing, and the amount of work that he has to do. She then detailed an incident regarding a request for transfer, by a dear friend of hers, who is also her campaign treasurer. Mrs. Hickey spoke about the politics that is now taking place, with personnel.

Next Mrs. Hickey, as Chairperson of the DPW Committee, reported on some issues with the pickup and disposal of trash, as a result of an issue at the disposal site. She also noted that tree trimming is progressing, with trimming at the parks and schools, being given a priority.

Mrs. Hickey wished the Linden High School class of 2018 a happy graduation and a successful future. She wished all a pleasant summer and provided her contact information.

Mr. Brown responded to accusations that were made by Mrs. Hickey, regarding a donation, from his non-profit to the SID.

**MAYOR REPORT**

Mayor Armstead congratulated Mrs. Ormon, and Council President elect Michele Yamakaitis. He thanked all those who participated in this election. He congratulated to the candidates, on his line that ran for Freeholder. He noted while they did not win in County wide, they did win in Linden. He spoke about the message, regarding taxes that this sends. He discussed a tax holiday for the residents of Linden.

Mayor Armstead spoke about the purchase of the old Pathmark building, the opening of a grocery store there, and the qualifications of the individual who made the purchase. He noted that the store would be a Super-Fresh, and ideas the individual had for the property, and the store. The spring of 2019 was the target for the opening.

Mayor Armstead reported on the groundbreaking ceremony for the super Walmart on Routes 1&9. He detailed some of the other tenants that would also have a presents on the site. He also spoke on the Merdia Phase II groundbreaking, and the groundbreaking by VVR for the E. St. Georges site. The Mayor announced that on June 21st at 7:00 pm, a meeting would be held regarding the Master Plan to allow for input from the public. He also informed all that the former Sam’s Club store would be a Sam’s e-commerce site that will employee 40 people.

Mayor Armstead congratulated the Class of 2018. He spoke about Project Graduation, and what it would provide to the graduating seniors. The Mayor thanked Mr. Brown for his effort in brining Great Adventure into Linden to provide job opportunities to our young people. The Mayor announced that his annual Unity Day would take place in the promenade park on June 30th. He urged Linden residents to come out and attend the event.

Mayor Armstead spoke about the Linden Progress newsletter that was supposed to come out. The newsletter did not come out in a timely fashion, and now a number of items, in the newsletter would have to be changed. He provided examples of what he was talking about. Next the Mayor spoke about decorum, at the council meeting. He noted that in the past, the fights took place, in the backroom. Those arguments took place in the backroom and stayed there. All got to express their opinions. They then came out here and conducted business. He asked all to work to maintain decorum, for the benefit of the residents.

**RESOLUTIONS**

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

Mr. Strano moved to remove resolution 2018-233, tabled at the May meeting, from the table. The motion was seconded by Mrs. Yamakaitis and was unanimously ordered approved by a roll call vote.

Mr. Brown moved to remove resolutions 2018-286 and 2018-287 from consideration. The motion was seconded by Mr. Roman and was ordered approved by a roll call vote, with all voting in favor, except Ms. Cosby and President Alvarez, who voted no.

**RESOLUTION: 2018-233**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDEN, COUNTY OF UNION, NEW JERSEY REFERRING TO THE PLANNING BOARD FOR REVIEW AND COMMENT AN AMENDED AND RESTATED REDEVELOPMENT PLAN FOR THE LINDEN AIRPORT DEVELOPMENT AREA, 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 a municipality to determine whether certain parcels of land in the municipality constitute “areas in need of rehabilitation” and/or “areas in need of redevelopment”; and

**WHEREAS**, on March 15, 1994, the City Council of the City (the “**City Council**”), pursuant to *N.J.S.A.* 40A:12A-6, authorized the Planning Board of the City (the “**Planning Board**”) to determine whether the property identified as Block 580, Lot 31.09 on the official tax map of the City (the “**Study Area**” or “**Property**”), met the statutory criteria for designation as an “area in need of redevelopment” pursuant to the Redevelopment Law; and

**WHEREAS**, on April 15, 1994,the Planning Board undertook said investigation and conducted a public hearing, all in accordance with *N.J.S.A.* 40A:12A-6, and recommended to the City Council that the Study Area satisfied certain statutory criteria and thus constituted an area in need of redevelopment in accordance with the Redevelopment Law; and

**WHEREAS**, on May 9, 1994, the City Council adopted a resolution which designated the Study Area as an area in need of redevelopment; and

**WHEREAS**, in order to facilitate the redevelopment of the Property, the City Council also authorized the preparation of a redevelopment plan for the Property pursuant to the authority granted under the Redevelopment Law; and

**WHEREAS**, Planners Diversified prepared, and the City adopted, the redevelopment plan entitled “Redevelopment Plan for the Linden Airport Development Area,” adopted July 1994 and amended through December 1998 (the “**Redevelopment Plan**”), providing the development standards for the Property; and

**WHEREAS**, the City Council desires to refer to the Planning Board certain amendments to the Redevelopment Plan, as described on *Exhibit A* attached hereto, for its review and comment, pursuant to *N.J.S.A.* 40A:12A-7 of the Redevelopment Law.

**NOW THEREFORE, BE IT RESOLVED** by the City Council of the City of Linden, County of Union, New Jersey that:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. Pursuant to *N.J.S.A*. 40A:12A-7(e), the City Council hereby refers the amendments to the Redevelopment Plan, as described on *Exhibit A* attached hereto, to the Planning Board for review and recommendation. The Planning Board shall prepare a report regarding its recommendations as to the aforementioned amendments to the Redevelopment Plan, Former Theater Site and Abutting Properties and submit same to the City Council within 45 days after referral, as required by the Redevelopment Law.
3. The City Clerk shall forward a copy of this Resolution, and the proposed amendments to the Redevelopment Plan, attached hereto as *Exhibit A*, to the Planning Board for review.
4. This Resolution shall take effect immediately.

John Principato. Mr. Principato asked what is being amended. Mr. Antonelli explained what the resolution does. Mr. Polles explained what the current plan is and the proposed use. He also explained the process for amending the plan. Mr. Principato questioned if a commercial or residential use gives the City the bigger bang in terms of purchase price and taxes. Mr. Polles responded that can only be judged on the proposals, to the RFP, that were submitted. This was the only response. President Alvarez noted that this resolution is sending this matter to the Planning Board, and it still needs to come back to Council.

See the vote after resolution 2018-277

President Alvarez called upon Ms. Cosby regarding resolution 2018-283. Ms. Cosby summarized the resolution, reading sections of it, and explained its purpose. She then moved for approval of Resolution 2018-283. The motion was seconded by Mrs. Ormon, and was unanimously ordered approved by a roll call vote.

John Principato, Westover Road asked to remove resolutions 2018-233, 255, 257, 265 and 277.

Mr. Craig Halloran asked to remove resolutions 2018-260, 271, 279 and 281.

Mr. Roman asked to remove resolution 2018-263.

Mrs. Yamakaitis moved to table resolution 2018-282 to the July Council meeting. The motion was seconded by Mr. Strano and was unanimously ordered approved by a roll call vote.

Mrs. Yamakaitis moved for approval of Resolution 2018-233 and Resolutions 2018-248 through 2018-285, with the exception of resolutions 2018-233, 255, 257, 260, 263, 265, 271, 277, 279 and 281. The motion was seconded by Mr. Medina and ordered approved by a roll call vote, with all voting yes except Ms. Cosby who voted no to 2018-249, abstained on 2018-285 and 2018-276 and Mr. Strano who abstained on 2018-284.

**RESOLUTION: 2018-248**

**A RESOLUTION AUTHORIZING THE DOWNLOADING OF THE INTERNET WEBSITE “RECYCLE COACH”, ONTO THE CITY OF LINDEN WEBSITE**

**WHEREAS,** THE City of Linden has adopted ordinances providing for the collection of solid waste (garbage) and various recyclables and

**WHEREAS,** said ordinances and amendments thereto requiring the collection of solid waste (garbage) and various recyclables have actually been implemented under the direction of the Department of Public Works within the City of Linden; and

**WHEREAS,** it is the intent and spirit of these ordinances to have residents properly put out their solid waste (garbage) and recyclable items; and

**WHEREAS,** the use of the app “Recycle Coach”, a free app designed to help make recycling and solid waste information more accessible to city residents and engage the public in the principles of “Reduce, Re-Use and Recycle.”; and

**WHEREAS,** the app “Recycle Coach” will provide accurate and up to date information on city and county events in a handy and user-friendly format

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that council authorize the implementation of the “Recycle Coach” app onto the City of Linden website.

**BE IT FURTHER RESOLVED** that the Mayor, City Clerk and authorized personnel from the Public Works Department shall be permitted to sign any documents necessary to implement the “Recycle Coach” app onto the City of Linden website.

**RESOLUTION: 2018-249**

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

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

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

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

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

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

**WHEREAS,** the Chief Financial Officer or her designee has certified as to the availability of funds for this purpose, as attached hereto, which will be charged to account/line item No. 8-01-40-700-104-208; and

**WHEREAS,** the term of the contract will be for a period of one (1) year commencing January 1, 2018 and terminating December 31, 2018, at a fee not to exceed $55,000.00.

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

1. The City will enter into a contract with the LEDC, commencing January 1, 2018 and terminating December 31, 2018, not to exceed $55,000.00.

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

3. This Resolution shall take effect immediately.

**RESOLUTION: 2018-250**

**RESOLUTION APPROVING A CONTRACT WITH THE LINDEN**

**POP WARNER FOOTBALL AND THE CITY OF LINDEN**

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

Pop Warner Football Program, a non profit organization whose purpose is to encourage youngsters in the City as the City does not offer such a program;

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for "Extraordinary, Unspecifiable Services" without competitive bids and the contract itself must be available for public inspection; and

**WHEREAS**, the Director of Public Property and Community Services has certified that this meets the statute and regulations governing the award of said contracts;

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

**WHEREAS,** the Chief Financial Officer or her designee has certified as to the availability of funds for this purpose, as attached hereto, which will be charged to account/line item No. 8-01-28-370-198-209; and

**WHEREAS,** the amount of said contract shall be a fee not exceed to $15,000.00;

**WHEREAS,** said contract will be for a period of one (1) year commencing January 1, 2018 and terminating December 31, 2018;

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

1. The City will enter into a contract with the Linden Pop Warner Football Program, commencing January 1, 2018 and terminating December 31, 2018, as approved by the Law Department.

2. The Linden Pop Warner Football Program shall provide an audit/financial statement and or similar document for 2017 to the City, before monies can be released, and an audit financial statement for the end of 2017 in compliance with the City of Linden policies.

3. This Resolution shall take effect immediately.

**RESOLUTION: 2018-251**

**RESOLUTION AUTHORIZING AN INTERLOCAL SERVICES AGREEMENT WITH THE TOWNSHIP OF CLARK FOR THE RESURFACING OF FOREST DRIVE**

**WHEREAS,** Forest Drive between Stiles Street and Crestwood Lane is situated on the border of the City of Linden and the Township of Clark, and is in need of resurfacing and other necessary improvements; and

**WHEREAS,** the City of Linden and the Township of Clark have agreed to share the costs associated with said resurfacing and improvements;and

**WHEREAS**, funds are available in the 2018 Capital Budget in the amount of $100,000.00; and

**WHEREAS,** the Chief Financial Officer or her designee has certified to the availability of funds for this purpose, to be charged to Account No. C-04-55-901-687-919.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that the Township of Clark hereby agrees to reimburse the City of Linden for ½ of the cost of said resurfacing and improvements, which is estimated to be $50,000.00.

**BE IT FURTHER RESOLVED** that the City of Linden will act as the lead agency with respect to the bidding and award of a contract for the above purposes; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of a formal Interlocal Services Agreement between the City of Linden and the Township of Clark; and

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk be and hereby are empowered and directed to execute said agreement with the Township of Clark to effectuate the foregoing; and

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

**RESOLUTION: 2018-252**

**RESOLUTION APPOINTING ROBERT VARADY, ESQ. TO SERVE AS SPECIAL COUNSEL IN THE APPEAL OF A GUN PERMIT DENIAL MATTERS FOR 2018**

**WHEREAS,** the City of Linden has denied some applicants firearms ID cards and permits to purchase handguns; and

**WHEREAS,** said applicants of denials sometimes file an appeal with the Superior Court of New Jersey on these matters; and

**WHEREAS,** Robert Varady, Esq., of the firm LaCorte, Bundy, Varady & Kinsella, will serve in the capacity of Special Counsel in the aforementioned matters 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,** 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**, the Chief Financial Officer or his designee has certified to the availability of funds for this purpose, to be charged to Account No. 8-01-20-155-123-255;

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

1. Robert Varady, Esq. shall serve as Special Counsel for the City of Linden, in Superior Court, as aforesaid and shall be paid a fee not to exceed $5,000.00

2. This Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents between Robert Varady, Esq. and the City of Linden.

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

**RESOLUTION: 2018-253**

**A RESOLUTION APPOINTING MEMBERS OF THE**

**RENT LEVELING BOARD OF THE CITY OF LINDEN, NEW JERSEY**

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

Section 1. That, pursuant to the provisions of an Ordinance entitled, "AN ORDINANCE TO REGULATE, CONTROL AND STABILIZE RENTS AND CREATE A RENT CONTROL BOARD WITHIN THE CITY OF LINDEN," passed October 3, 1972 and approved October 4, 1972, and as amended and supplemented, there shall be and hereby are appointed as members of the Rent Leveling Board of the City of Linden the following persons:

Citizens

Pauline Blahuta

1314 Winans Avenue, Linden, New Jersey

Edward Kaminski

201 Maple Avenue, Linden, New Jersey

Doris Matey\*\*\* (New Appointment)

113 Carteret Street, Linden New Jersey

Landlords

Timothy McLeod

182 Berkshire Place, Linden, New Jersey

**VACANCY**

Tenants

Mark MacDonald

115 W. Blancke Street, Linden, New Jersey

Danielle Cratice

834 Gilchrist Avenue, Linden, New Jersey

Alternate No. 1

Joanne Gareis

843 Laurita Street, Linden, New Jersey

Alternate No. 2

Angela Thomas-Braxton

334 E. Price Street, Apt 8, Linden, New Jersey

Section 2. The above named persons shall serve as members of the Rent Leveling Board of the City of Linden for a term of one year effective July 1, 2018 and until their successors shall have been appointed and shall have qualified.

**RESOLUTION: 2018-254**

**A RESOLUTION AUTHORIZING THE MAYOR AND MUNICIPAL CLERK OF THE CITY OF LINDEN TO EXECUTE AN AGREEMENT WITH THE COUNTY OF UNION TO MODIFY THE COOPERATIVE AGREEMENT DATED JUNE 18 2014, AS AMENDED IN JULY 18, 2017**

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

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

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

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

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

**NOW THEREFORE, BE IT RESOLVED** by the Mayor and Governing Body of the City of Linden that the agreement entitled **“COOPERATIVE AGREEMENT BETWEEN THE COUNTY OF UNION AND CERTAIN MUNICIPALITIES FOR CONDUCTING CERTAIN COMMUNITY DEVELOPMENT ACTIVITIES,”** dated June 18 2014, as amended July 18, 2017 for the Purpose of Inserting a Description of Activities for Fiscal Year 2018-2019 of the Union County Community Development Block Grant program, the HOME Investment Partnership program, and the Emergency Shelter Grant program (ESG), a copy of which is attached hereto; be executed by the Mayor and Municipal Clerk in accordance with the provisions of law;

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

**RESOLUTION: 2018-255**

**RESOLUTION APPROVING AN EVENT AGREEMENT WITH GENERAL GROWTH PROPERTIES, INC TO UTILIZE A PORTION OF THE PARKING AREA LOCATED AT 250 WOODBRIDGE CENTER DRIVE, WOODBRIDGE, NEW JERSEY FOR MOTOR OFFICER TRAINING**

**WHEREAS,** the City is desirous of using the parking area located at 250 Woodbridge Center Driver, Woodbridge, New Jersey for motor officer training; and

**WHEREAS**, General Growth Properties, Inc. is the owner of said property; and

**WHEREAS**, the City of Linden has determined it is in the best interests of the City to enter into an Event Agreement, as attached hereto and made part of, to utilize the aforementioned property for said purposes.

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

1. The City hereby authorized entering into an Event Agreement with General Growth Properties, Inc. to utilize a portion of the parking area serving the building located 250 Woodbridge Center Drive, Woodbridge, New Jersey for motor officer training until November 9, 2018.
2. The City of Linden shall provide General Growth Properties, Inc. a Certificate of Insurance as required by said agreement.
3. The Event Fee is waived as per General Growth Properties, Inc.
4. The Mayor and/or such officials that are appropriate, the City Clerk and/or such officials that are appropriate, are hereby authorized to execute and attest to said license in the form as approved by the Law Department.

**John Principato asked what the cost to the taxpayer is and what the liability to the City is. Chief Hart responded, noting that there is no cost to the City. He noted that the training was completed last month.**

**See the vote after resolution 2018-277**

**RESOLUTION: 2018-256**

RESOLUTION CLASSIFING MICHAEL SIMITZ, ESQ. FROM AN EMPLOYEE TO AN INDEPENDENT CONTRACTOR

Be it resolved that the Council hereby modifies the work classification of Michael Simitz, Esq., from an employee to that of independent contractor consistent with the New Jersey State Pension and Benefits regulations.

Be it further resolved that the Chief Finance Officer or her designee has certified to the availability of funds for this purpose, to be charged to Account No. 8-01-43495-310-255

Be it further resolved that the Council directs the Finance Office to make payment of $1,666.00 monthly to Mike Simitz, Esq. through the firm of Kologi and Simitz effective July 1, 2018 through December 31, 2018.

**RESOLUTION: 2018-257**

**RESOLUTION FOR STREET SWEEPING SERVICES FOR PUBLIC WORKS- FROM DEER CARCASS REMOVAL SERVICES, LLC THROUGH THE UNION COUNTY CO-OP**

**WHEREAS**, the City of Linden wishes to obtain services from an authorized vendor under the Union County Co-op Awarded to Deer Carcass Removal Services, LLC, 140 Meirs Road, Creamridge, NJ 08514, an authorized vendor and,

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

**WHEREAS**, Deer Carcass Removal Services, LLC , 140 Meirs Road, Creamridge, NJ 08514, has been awarded a Contract for the provision street sweeping services; 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 $41,913.80 and,

**WHEREAS**, the Chief Finance Officer has certified the availability of funds for this contract, which will be charged to account number 8-01-26-305-169-274.

**NOW THEREFORE BE IT RESOLVED** by the City of Linden that Deer Carcass Removal Services LLC, 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.

John Principato stated while he was present, at the conference meeting, part of the explanation was not clear to him. He asked about the amount of material, being picked, for the dollar amount stated. Mr. Dann did not have the numbers with him. Mr. Principato asked what we are paying per ton, for this disposal. Mr. Dann provided an explanation, noting this was a state contract vendor and it was being done at the best price. He added that the price included testing, of the material, and not just its disposal.

See the vote after resolution 2018-277

**RESOLUTION: 2018-258**

**RESOLUTION AWARDING A STATE CONTRACT TO BCI BURKE & CO. FOR PLAYGROUND EQUIPMENT AND SUPPLIES FOR THE DEPARTMENT OF PUBLIC PROPERTY AND COMMUNITY SERVICES**

**WHEREAS**, the City of Linden wishes to purchase recreation and playground materials, and supplies from BCI Burke & Co. PO Box 549, fond Du Lac, WI 54936, an authorized vendor under the State of New Jersey Cooperative Purchasing Program 1-NJCP; and,

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

**WHEREAS**, BCI Burke, & Co. has been awarded New Jersey State Contract No. #16-FLEET-00134, for parks and playground equipment & parts; 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 $100,148.25; and,

**WHEREAS**, the Chief Finance Officer has certified the availability of funds for this contract, which will be charged to account number C-04-55-904-675-919

**NOW THEREFORE BE IT RESOLVED** by the City of Linden that BCI Burke & Co., be awarded a contract; 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: 2018-259**

**Resolution Supporting Redevelopment Study at 725 Commerce Road, City of Linden, New Jersey (the Property)**

**WHEREAS**, the City of Lindenhas determined that there has been, or it suspects that there has been, a discharge of hazardous substances or a hazardous waste on the Property.

**WHEREAS**, the City of Linden is applying for funds from the Hazardous Discharge Site Remediation Fund (HDSRF) for the assessment and investigation of the Property in order to determine the extent or the existence of any hazardous substance or hazardous waste.

**WHEREAS**, the City of Linden intends to acquire the Property for the purposes of redevelopment.

**NOW, THEREFORE, BE IT RESOLVED**, that the City of Linden is committed to the redevelopment of the Property for the purpose of Site Investigation (SI) of 725 Commerce Road, Linden to evaluate for potential environmental contamination, and finds that a realistic opportunity exists for the redevelopment of the Property within a three year period after the completion of the remediation of this site either through the planned redevelopment project, or through alternate redevelopment.

**RESOLUTION: 2018-260**

**RESOLUTION FOR STATE CONTRACT PURCHASE OF THREE 2018 FORD POLICE INTERCEPTOR SEDANS WITH OPTIONS TO REPLACE OBSOLETE CROWN VICTORIAS FROM WINNER FORD FOR THE POLICE DEPARTMENT**

**WHEREAS**, the City of Linden wishes to obtain three 2018 Ford police interceptor sedans with options from an authorized vendor under the State of New Jersey Cooperative Purchasing Program 1-NJCP; and,

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

**WHEREAS**, Winner Ford of Cherry Hill, 250 Haddonfield Berlin Road, Cherry Hill, NJ has been awarded New Jersey State Contract No. 88728 for the provision of police vehicles; 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 $73,215.00; and,

**WHEREAS**, the Chief Finance Officer has certified the availability of funds charged to:

8-01-26-301-159-277 $70,000.00

8-01-26-301-159-233 3,215.00

**NOW THEREFORE BE IT RESOLVED** by the City of Linden that Winner Ford 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.

Mr. Craig Halloran noted comments made, at a previous Council meeting, regarding the purchase of SUV’s for the Police Department. He also noted concerns, reported in the press, about Ford police cars failing safety test. Chief Hart responded.

**RESOLUTION: 2018-261**

**RESOLUTION ACCEPTING THE RESIGNATION OF THOMAS CALLAHAN AS A MEMBER OF THE A.B.C. BOARD**

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

That **THOMAS CALLAHAN,** a resident of the City of Linden, New Jersey, has tendered his resignation, on May 10, 2018, as a member of the A.B.C. Board of the City of Linden, and said resignation is hereby accepted effective as of the date of this resolution.

**RESOLUTION: 2018-262**

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

**D.L.S. CONTRACTING, INC. FOR THE RESURFACING OF KNOPF STREET, AMON TERRACE, LAURITA STREET AND W. STIMPSON AVENUE IN THE CITY OF LINDEN**

**WHEREAS,** sealed bids were received by the Purchasing Agent on June 6, 2018 for the resurfacing of Knopf Street, Amon Terrace, Laurita Street and W. Stimpson Avenue in the City of Linden; and

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

**WHEREAS,** the Chief Financial Officer or her designee has certified as to the availability of funds for this purpose, as attached hereto, which will be charged to account/line item No. C-04-55-901-687-919; and

**WHEREAS**, D.L.S. Contracting, Inc. was the lowest responsible bidder at their bid of $397,664.00; and

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

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

1. A contract is awarded to D.L.S. Contracting, Inc. at their bid of $397,664.00.

2. This Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents between D.L.S. Contracting, Inc. and the City of Linden.

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

**RESOLUTION: 2018-263**

**RESOLUTION APPROVING A CONTRACT WITH T&M ASSOCIATES FOR THE OPTIMIZATION OF TRAFFIC SIGNALS ALONG WOOD AVENUE IN THE CITY OF LINDEN**

**WHEREAS**, there exists a need for the optimization of traffic signals along Wood Avenue 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**, T&M Associates, submitted a qualification to the City and has qualified for the aforesaid services for 2018; 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 her designee has certified to the availability of funds for this purpose, as attached hereto, which will be charged to Account No. 8-01-20-165-124-255;

**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 T&M Associates, 11 Tindall Road, Middletown, New Jersey 07748, at a fee not to exceed $14,500.00 in accordance with their proposal dated June 6, 2018; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents between T&M Associates 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 T&M Associates to effectuate the foregoing; and

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

Mr. Roman spoke about how the City took over the traffic signals, on Wood Ave, from Union County and the reasons why. He also spoke about how dangerous the intersection of Wood Ave and Elizabeth is, and the need for this traffic survey.

Mrs. Yamakaitis moved for approval of resolution 2018-263. The motion was seconded by Mr. Roman and was unanimously ordered approved by a roll call vote.

**RESOLUTION: 2018-264**

**RESOLUTION ACCEPTING THE RESIGNATION OF EMERITO RUIZ JR AS A MEMBER OF THE LINDEN/ROSELLE SEWERAGE AUTHORITY**

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

That **Emerito Ruiz, Jr., a** resident of the City of Linden, New Jersey, has tendered his resignation, on May 23, 2018, as a member of the A.B.C. Board of the Linden Roselle Sewerage Authority, and said resignation is hereby accepted effective as of the date of this resolution.

See the vote after resolution 2018-281.

**RESOLUTION: 2018-265**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDEN, COUNTY OF UNION, DESIGNATING THE PROPERTY COMMONLY KNOWN AS BLOCK 496, LOT 4 ON THE CITY TAX MAPS 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 located therein constitute areas in need of redevelopment; and

**WHEREAS,** to determine whether certain parcels of land in the City of Linden (the “**City**”) constitute an area in need of redevelopment, the City’s municipal council (the “**City Council**”), by way of a Resolution 2018-234 adopted May 15, 2018, authorized and directed the Planning Board of the City (the “**Planning Board**”) to conduct a preliminary investigation to determine whether the property commonly known as Block 496, Lot 4 on the tax map of the City (the “**Study Area**”) meets the criteria set forth in the Redevelopment Law for designation as an area in need of redevelopment; and

**WHEREAS,** the aforesaid resolution authorized the Planning Board to investigate the Study Area as a Non-Condemnation Redevelopment Area (as defined in *N.J.S.A.* 40A:12A-6(a) of the Redevelopment Law), within which the City may use all of those powers provided under the Redevelopment Law for use in a redevelopment area, except for the power of eminent domain; and

**WHEREAS,** Ricci Planning (the “**Planning Consultant**”) was engaged to conduct a preliminary investigation and prepare a written report for review by the Planning Board concerning whether the Study Area should be designated an area in need of redevelopment; and

**WHEREAS,** the Planning Board received an investigative report from the Planning Consultant entitled “Redevelopment Study and Preliminary Investigation Report, Block 496, Lot 4” and dated May 23, 2018 (the “**Report**”), concerning the determination of the Study Area as an area in need of redevelopment; and

**WHEREAS**, on June 12, 2018, the Planning Board, after providing due notice, conducted a public hearing in accordance with the Redevelopment Law at which it reviewed the Report, heard testimony from the Planning Consultant and determined that the Study Area qualified as an area in need of redevelopment and recommended that the City Council designate the Study Area as an area in need of redevelopment pursuant to the criteria and requirements of the Redevelopment Law; and

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

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The recommendations and conclusions of the Planning Board are hereby accepted by the City Council.
3. Based upon the findings and recommendations of the Planning Board, the Study Area is hereby designated an area in need of redevelopment, except for the power of eminent domain, pursuant to the provisions of Sections 5 and 6 of the Redevelopment Law (the “**Non-Condemnation Redevelopment Area**”).
4. The City Clerk is hereby directed to transmit a copy of this Resolution to the Commissioner of the New Jersey Department of Community Affairs for review pursuant to Section 6(b)(5)(c) of the Redevelopment Law.
5. The City Clerk is hereby directed to serve, within ten (10) days hereof, a copy of this Resolution upon (i) all record owners of property located within the Non-Condemnation Redevelopment Area, as reflected on the tax assessor’s records, and (ii) each person who filed a written objection prior to the hearing held by the Planning Board, service to be in the manner provided by Section 6 of the Redevelopment Law.
6. This Resolution shall take effect immediately.

John Principato asked how does the adding of a lot, to the redevelopment of an area, expedite it. Mr. Polles provided a response, with an explanation. He also explained the process.

See the vote after resolution 2018-277

**RESOLUTION: 2018-266**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDEN, COUNTY OF UNION, NEW JERSEY REFERRING TO THE PLANNING BOARD FOR REVIEW AND COMMENT A REDEVELOPMENT PLAN ENTITLED “REDEVELOPMENT PLAN BLOCK 437, LOTS 5.03 AND 5.04 ROUTE 1/9 AND WILLOW GLADE ROAD,” 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 a municipality to determine whether certain parcels of land in the municipality constitute “areas in need of rehabilitation” and/or “areas in need of redevelopment”; and

**WHEREAS**, on November 21, 2017, the City Council of the City (the “**City Council**”), pursuant to *N.J.S.A.* 40A:12A-6, authorized the Planning Board of the City (the “**Planning Board**”) to determine whether the property identified as Block 437, Lots 5.03 and 5.04 on the official tax map of the City (the “**Study Area**” or “**Property**”), met the statutory criteria for designation as an “area in need of redevelopment” pursuant to the Redevelopment Law; and

**WHEREAS**, on February 14, 2018,the Planning Board undertook said investigation and conducted a public hearing, all in accordance with *N.J.S.A.* 40A:12A-6, and recommended to the City Council that the Study Area satisfied certain statutory criteria and thus constituted an area in need of redevelopment in accordance with the Redevelopment Law; and

**WHEREAS**, on March 20, 2018, the City Council adopted a resolution which designated the Study Area as an area in need of redevelopment; and

**WHEREAS**, in order to facilitate the redevelopment of the Property, the City Council also authorized the preparation of a redevelopment plan for the Property pursuant to the authority granted under the Redevelopment Law; and

**WHEREAS**, Ricci Planning prepared the redevelopment plan entitled “Redevelopment Plan Block 437, Lots 5.03 and 5.04 Route 1/9 and Willow Glade Road,” (the “**Redevelopment Plan**”), providing the development standards for the Property; and

**WHEREAS**, the City Council desires to refer to the Planning Board the Redevelopment Plan, as described on *Exhibit A* attached hereto, for its review and comment, pursuant to *N.J.S.A.* 40A:12A-7 of the Redevelopment Law.

**NOW THEREFORE, BE IT RESOLVED** by the City Council of the City of Linden, County of Union, New Jersey that:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. Pursuant to *N.J.S.A*. 40A:12A-7(e), the City Council hereby refers the Redevelopment Plan, as described on *Exhibit A* attached hereto, to the Planning Board for review and recommendation. The Planning Board shall prepare a report regarding its recommendations as to the aforementioned amendments to the Redevelopment Plan, and submit same to the City Council within 45 days after referral, as required by the Redevelopment Law.
3. The City Clerk shall forward a copy of this Resolution, and the proposed amendments to the Redevelopment Plan, attached hereto as *Exhibit A*, to the Planning Board for review.
4. This Resolution shall take effect immediately.

**RESOLUTION: 2018-267**

**RESOLUTION OF THE CITY OF LINDEN, COUNTY OF UNION, NEW JERSEY AUTHORIZING THE EXECUTION OF A REDEVELOPMENT AGREEMENT RELATING TO THE PROPERTY COMMONLY KNOWN AS BLOCK 587, LOT 2.01 ON THE TAX MAPS OF THE CITY**

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

**WHEREAS**, pursuant to the resolution adopted on April 18, 2000, the municipal council of the City (the **“City Council**”) designated the properties commonly known as Block 586, Lots 8 and 9 on the tax map of the City as an area in need of redevelopment pursuant to the Redevelopment Law (the “**DuPont Redevelopment Area**”); and

**WHEREAS**, on May 16, 2000, by Ordinance 42-01, the City Council adopted a redevelopment plan for the DuPont Redevelopment Area, entitled “DuPont Redevelopment Plan”, dated August, 2010 (the “**2000 Redevelopment Plan**”); and

**WHEREAS**, pursuant to a resolution adopted on January 8, 2002, the Planning Board of the City of Linden (“**Planning Board**”) recommended that certain parcels adjacent to the DuPont Redevelopment Area, identified as Block 587, Lots 1 and 2.01 on the official tax map of the City, be designated as “an area in need of redevelopment” pursuant to the Redevelopment Law; and

**WHEREAS**, pursuant to a resolution adopted on January 15, 2002, the City Council designated as “an area in need of redevelopment” certain other properties identified on the City tax maps as Block 587, Lots 1 and 2.01 (the “**ISP Redevelopment Area**”); and

**WHEREAS**, on February 20, 2002, the City Council, by Ordinance 45-4, adopted a redevelopment plan for the ISP Redevelopment Area (the “**2002 Redevelopment Plan**”); and

**WHEREAS**, on October 19, 2004, the City Council, by Ordinance 48-98, adopted a single, combined redevelopment plan for the redevelopment of the DuPont Redevelopment Area and the ISP Redevelopment Area (the “**2004 Redevelopment Plan**”), which plan superseded the 2000 Redevelopment Plan and the 2002 Redevelopment Plan; and

**WHEREAS**, on July 19, 2005, the City Council, by Ordinance 49-67, designated the Union County Improvement Authority to act as the redevelopment entity, as such term is defined at *N.J.S.A.* 40A:12A-3, for the redevelopment of the DuPont Redevelopment Area and the ISP Redevelopment Area; and

**WHEREAS**, as a result of litigation commenced in the New Jersey Superior Court, Ordinances 48-98 and 49-67 were invalidated; and

**WHEREAS**, on April 21, 2010, the City Council, in furtherance of the redevelopment of the DuPont Redevelopment Area, designated Block 586, Lot 11 as an area in need of redevelopment and added said parcel to the DuPont Redevelopment Area (the “**Expanded DuPont Redevelopment Area**”); and

**WHEREAS**, on September 21, 2010, the City Council, by Ordinance 54-59, amended the 2004 Redevelopment Plan to focus only on the Expanded DuPont Redevelopment Area (the “**2010 Redevelopment Plan**”); and

**WHEREAS**, after additional hearings, and by resolution dated October 9, 2012, the Planning Board recommended that the City Council discontinue the designation of the ISP Redevelopment Area as an area in need of redevelopment; and

**WHEREAS**, by Resolution 2012-414, approved on or about November 21, 2012, the City Council rescinded the designation of the ISP Redevelopment Area as an area in need of redevelopment; and

**WHEREAS**, on March 20, 2018, the City Council adopted Resolution 2018-159, directing the Planning Board to again investigate whether the ISP Redevelopment Area qualified as an area in need of redevelopment; and

**WHEREAS**, on April 10, 2018, the Planning Board recommended that the ISP Redevelopment Area be designated as an area in need of redevelopment; and

**WHEREAS**, on April 17, 2018, the City Council adopted Resolution 2018-200, designating that the ISP Redevelopment Area be designated as an area in need of redevelopment; and

**WHEREAS**, on May 15, 2018, the City Council adopted Ordinance #62-31, superseding and supplementing the 2010 Redevelopment Plan to include both the Expanded DuPont Redevelopment Area and the ISP Redevelopment Area (aka LPH Land) (such new plan, the “**Grasselli Road Area Redevelopment Plan**”); and

**WHEREAS**, the area subject to the Grasselli Road Area Redevelopment Plan shall be referred to herein as the “**Redevelopment Area**”; and

**WHEREAS**, pursuant to the Redevelopment Law, the City in its capacity as the redevelopment entity for the Redevelopment Area, with full authority to exercise the powers contained in the Redevelopment Law, desires to facilitate and implement the development of the Redevelopment Area in accordance with the Grasselli Road Area Redevelopment Plan; and

**WHEREAS**, PR II/GAR Tremley Property Three LLC (“**Property Three Redeveloper**”) has made application to be designated as the redeveloper for Block 587, Lot 2.01 (“**Property Three Redeveloper Parcel**”), of which Property Three Redeveloper is the owner, and Property Three Redeveloper has provided information consisting of documentation evidencing financial responsibility and capability with respect to the Project (as defined herein), estimated total development costs for the Redevelopment Area, and estimated time schedule for commencement and completion of construction; and

**WHEREAS**, the City has determined that Property Three Redeveloper meets all necessary criteria, including financial capabilities, experience, expertise and project concept descriptions, and, as a result, has determined to engage in negotiations with Property Three Redeveloper for the purpose of entering into this Redevelopment Agreement to designate Property Three Redeveloper as the exclusive redeveloper of the Project Area; and

**WHEREAS**, subject to the terms hereof, Property Three Redeveloper has agreed to develop or cause to be developed in the Redevelopment Area certain improvements consistent with the Grasselli Road Area Redevelopment Plan, together with the owner of Block 586, Lots 8 and 9, and Block 587, Lot 1, which shall consist of the following, as applicable: construction of eight (8) Class A high-bay industrial buildings encompassing approximately 4,126,000 square feet, with target uses of bulk distribution, materials processing, manufacturing, refrigeration, research & development and data centers, and/or other uses permitted under the Grasselli Road Area Redevelopment Plan (the “**Project**”); and

**WHEREAS**, in order to implement the development, financing, construction, operation and management of the Project, the City now desires to enter into a redevelopment agreement with Property Three Redeveloper, a form of which redevelopment agreement is attached hereto as **Exhibit A**, and which redevelopment agreement specifies the rights and responsibilities of the City, designates Property Three Redeveloper as redeveloper of the Property Three Redeveloper Parcel and specifies the rights and responsibilities of Property Three Redeveloper with respect to the Project.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF LINDEN, COUNTY OF UNION, STATE OF NEW JERSEY AS FOLLOWS:**

1. The recitals are incorporated herein as if set forth in full.
2. The Mayor is hereby authorized to execute the redevelopment agreement substantially in the form as attached hereto as **Exhibit A**, subject to such additions, deletions, modifications or amendments deemed necessary by the Mayor in his discretion, in consultation with the City’s professionals, which additions, deletions, modifications or amendments do not alter the substantive rights and obligations of the parties thereto, and to take all other necessary and appropriate action to effectuate the Agreement.
3. This Resolution shall take effect immediately.

**RESOLUTION: 2018-268**

**RESOLUTION OF THE CITY OF LINDEN, COUNTY OF UNION, NEW JERSEY AUTHORIZING THE EXECUTION OF A REDEVELOPMENT AGREEMENT RELATING TO THE PROPERTY COMMONLY KNOWN AS BLOCK 586, LOTS 8 AND 9, AND BLOCK 587, LOT 1 ON THE TAX MAPS OF THE CITY**

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

**WHEREAS**, pursuant to the resolution adopted on April 18, 2000, the municipal council of the City (the **“City Council**”) designated the properties commonly known as Block 586, Lots 8 and 9 on the tax map of the City as an area in need of redevelopment pursuant to the Redevelopment Law (the “**DuPont Redevelopment Area**”); and

**WHEREAS**, on May 16, 2000, by Ordinance 42-01, the City Council adopted a redevelopment plan for the DuPont Redevelopment Area, entitled “DuPont Redevelopment Plan”, dated August, 2010 (the “**2000 Redevelopment Plan**”); and

**WHEREAS**, pursuant to a resolution adopted on January 8, 2002, the Planning Board of the City of Linden (“**Planning Board**”) recommended that certain parcels adjacent to the DuPont Redevelopment Area, identified as Block 587, Lots 1 and 2.01 on the official tax map of the City, be designated as “an area in need of redevelopment” pursuant to the Redevelopment Law; and

**WHEREAS**, pursuant to a resolution adopted on January 15, 2002, the City Council designated as “an area in need of redevelopment” certain other properties identified on the City tax maps as Block 587, Lots 1 and 2.01 (the “**ISP Redevelopment Area**”); and

**WHEREAS**, on February 20, 2002, the City Council, by Ordinance 45-4, adopted a redevelopment plan for the ISP Redevelopment Area (the “**2002 Redevelopment Plan**”); and

**WHEREAS**, on October 19, 2004, the City Council, by Ordinance 48-98, adopted a single, combined redevelopment plan for the redevelopment of the DuPont Redevelopment Area and the ISP Redevelopment Area (the “**2004 Redevelopment Plan**”), which plan superseded the 2000 Redevelopment Plan and the 2002 Redevelopment Plan; and

**WHEREAS**, on July 19, 2005, the City Council, by Ordinance 49-67, designated the Union County Improvement Authority to act as the redevelopment entity, as such term is defined at *N.J.S.A.* 40A:12A-3, for the redevelopment of the DuPont Redevelopment Area and the ISP Redevelopment Area; and

**WHEREAS**, as a result of litigation commenced in the New Jersey Superior Court, Ordinances 48-98 and 49-67 were invalidated; and

**WHEREAS**, on April 21, 2010, the City Council, in furtherance of the redevelopment of the DuPont Redevelopment Area, designated Block 586, Lot 11 as an area in need of redevelopment and added said parcel to the DuPont Redevelopment Area (the “**Expanded DuPont Redevelopment Area**”); and

**WHEREAS**, on September 21, 2010, the City Council, by Ordinance 54-59, amended the 2004 Redevelopment Plan to focus only on the Expanded DuPont Redevelopment Area (the “**2010 Redevelopment Plan**”); and

**WHEREAS**, after additional hearings, and by resolution dated October 9, 2012, the Planning Board recommended that the City Council discontinue the designation of the ISP Redevelopment Area as an area in need of redevelopment; and

**WHEREAS**, by Resolution 2012-414, approved on or about November 21, 2012, the City Council rescinded the designation of the ISP Redevelopment Area as an area in need of redevelopment; and

**WHEREAS**, on March 20, 2018, the City Council adopted Resolution 2018-159, directing the Planning Board to again investigate whether the ISP Redevelopment Area qualified as an area in need of redevelopment; and

**WHEREAS**, on April 10, 2018, the Planning Board recommended that the ISP Redevelopment Area be designated as an area in need of redevelopment; and

**WHEREAS**, on April 17, 2018, the City Council adopted Resolution 2018-200, designating that the ISP Redevelopment Area be designated as an area in need of redevelopment; and

**WHEREAS**, on May 15, 2018, the City Council adopted Ordinance #62-31, superseding and supplementing the 2010 Redevelopment Plan to include both the Expanded DuPont Redevelopment Area and the ISP Redevelopment Area (aka LPH Land) (such new plan, the “**Grasselli Road Area Redevelopment Plan**”); and

**WHEREAS**, the area subject to the Grasselli Road Area Redevelopment Plan shall be referred to herein as the “**Redevelopment Area**”; and

**WHEREAS**, pursuant to the Redevelopment Law, the City in its capacity as the redevelopment entity for the Redevelopment Area, with full authority to exercise the powers contained in the Redevelopment Law, desires to facilitate and implement the development of the Redevelopment Area in accordance with the Grasselli Road Area Redevelopment Plan; and

**WHEREAS**, PR II/GAR Tremley Property Two LLC (“**Property Two Redeveloper**”) has made application to be designated as the redeveloper for Block 586, Lots 8 and 9, Block 587, Lot 1 (“**Property Two Redeveloper Parcels**”), of which Property Two Redeveloper is the owner, and Property Two Redeveloper has provided information consisting of documentation evidencing financial responsibility and capability with respect to the Project (as defined herein), estimated total development costs for the Redevelopment Area, and estimated time schedule for commencement and completion of construction; and

**WHEREAS**, the City has determined that Property Three Redeveloper meets all necessary criteria, including financial capabilities, experience, expertise and project concept descriptions, and, as a result, has determined to engage in negotiations with Property Three Redeveloper for the purpose of entering into this Redevelopment Agreement to designate Property Three Redeveloper as the exclusive redeveloper of the Project Area; and

**WHEREAS**, subject to the terms hereof, Property Three Redeveloper has agreed to develop or cause to be developed in the Redevelopment Area certain improvements consistent with the Grasselli Road Area Redevelopment Plan, together with the owner of Block 586, Lots 8 and 9, and Block 587, Lot 1, which shall consist of the following, as applicable: construction of eight (8) Class A high-bay industrial buildings encompassing approximately 4,126,000 square feet, with target uses of bulk distribution, materials processing, manufacturing, refrigeration, research & development and data centers, and/or other uses permitted under the Grasselli Road Area Redevelopment Plan (the “**Project**”); and

**WHEREAS**, in order to implement the development, financing, construction, operation and management of the Project, the City now desires to enter into a redevelopment agreement with Property Three Redeveloper, a form of which redevelopment agreement is attached hereto as **Exhibit A**, and which redevelopment agreement specifies the rights and responsibilities of the City, designates Property Three Redeveloper as redeveloper of the Property Three Redeveloper Parcel and specifies the rights and responsibilities of Property Three Redeveloper with respect to the Project.

**WHEREAS**, an affiliate of Property Two Redeveloper, Grasselli Road Urban Renewal LLC, was previously designated redeveloper of the Expanded DuPont Redevelopment Area and entered into a redevelopment agreement with the City; and

**WHEREAS**, in order to implement the development, financing, construction, operation and management of the Project, the Parties and Grasselli Road Urban Renewal LLC wish to terminate the existing redevelopment agreement covering the Expanded DuPont Redevelopment Area.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF LINDEN, COUNTY OF UNION, STATE OF NEW JERSEY AS FOLLOWS:**

1. The recitals are incorporated herein as if set forth in full.
2. The Mayor is hereby authorized to execute the redevelopment agreement substantially in the form as attached hereto as **Exhibit A**, subject to such additions, deletions, modifications or amendments deemed necessary by the Mayor in his discretion, in consultation with the City’s professionals, which additions, deletions, modifications or amendments do not alter the substantive rights and obligations of the parties thereto, and to take all other necessary and appropriate action to effectuate the Agreement.
3. As an affiliate of Property Two Redeveloper, Grasselli Road Urban Renewal LLC LLC, was previously designated redeveloper of the Expanded DuPont Redevelopment Area and entered into a redevelopment agreement with the City, and in order to implement the development, financing, construction, operation and management of the Project, the City and Grasselli Road Urban Renewal LLC wish to terminate the existing redevelopment agreement covering the Expanded DuPont Redevelopment Area.
4. This Resolution shall take effect immediately.

**RESOLUTION: 2018-269**

**RESOLUTION AUTHORIZING A SETTLEMENT REGARDING AIR VIOLATIONS AT THE LINDEN LANDFILL IN THE CITY OF LINDEN**

**WHEREAS**, the New Jersey Department of Environmental Protection (NJ DEP), under various environmental laws may take enforcement action as it relates to onsite air emission violations at the Linden Landfill; and

**WHEREAS,** NJ DEP has alleged that the City of Linden, since 2012, exceeded its methane limits; and

**WHEREAS**, the NJ DEP calculated the city’s fine to be $31,000.00; and

**WHEREAS**, NJ DEP, the City Engineer and the city’s consultant met on May 30, 2018 to resolve the issues; and

**WHEREAS**, a settlement was reached which requires the City of Linden to pay the sum of $7,500.00; and

**WHEREAS**, the Chief Financial Officer or her designee has certified as to the availability of funds for this purpose, to be charged to Account No. C-04-55-907-523-919; and

**WHEREAS**, the Linden City Council desires to approve the proposed settlement.

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

1. The City of Linden hereby authorizes the settlement with the NJ DEP in the amount of $7,500.00 and hereby authorizes the Mayor and Clerk to execute same.

2. This Resolution shall take effect immediately and/or as required by law.

**RESOLUTION: 2018-270**

**RESOLUTION FOR PURCHASE OF A NEW AMBULANCE THROUGH THE HOUSTON GALVESTON AREA COUNCIL CO-OP FOR THE FIRE DEPARTMENT FROM VCI EMERGENCY VEHICLES**

**WHEREAS**, the City of Linden wishes to obtain services from an authorized vendor under the Houston Galveston Area Council (“H-GAC”) Co-op #AM10-16 Awarded to VCI Emergency Vehicles., 43 Jefferson Avenue, Berlin, New Jersey 08009, an authorized vendor and,

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

**WHEREAS** VCI Emergency Vehicles, has been awarded Contract #AM10-16, for the provision of an ambulance; 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 $220,993.00; and,

**WHEREAS**, the Chief Finance Officer has certified the availability of funds for this contract, which will be charged to account number C-04-55-903-686-919 and,

**NOW THEREFORE BE IT RESOLVED** by the City of Linden that VCI Emergency Vehicles 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: 2018-271**

**RESOLUTION OPPOSING GUN VIOLENCE**

**WHEREAS,** every day 91 Americans are killed by gun violence and the lives of countless others are injured. Just last year, gun violence was responsible for 84,258 nonfatal injuries, 11,208 homicides, 21,175 suicides and more than 500 accidental deaths. The United States has more guns per capita than any other nation on the face of the plant, with 112.6 firearms per person; and

**WHEREAS,** five months into 2018 there have been 16 shootings at US schools that have resulted in injury or death, including Texas where 10 have died, Parkland, Florida where 17 died, Kentucky, where 2 died and 18 were injured; and

**WHEREAS,** there was also the catastrophic Las Vegas shooting, where 58 were killed and injuring more than 800; and

**WHEREAS,** it has been five years since the Sandy Hook elementary school shooting in Connecticut where 20 children and 6 educators were massacred; and

**WHEREAS,** despite these tragedies, Congress has refused to tighten restrictions on gun ownership including background checks that are advocated by such grassroots organizations as Moms Demand Action for Gun Sense in America and Everytown for Gun Safety; and

**WHEREAS,** gun violence, undermines the sense of security in our schools and in our neighborhoods.

**WHEREAS,** sensible gun safety legislation, with innovative and meaning policy will strengthen protections for our schools, students, and neighbors.

**NOW THEREFORE BE IT RESOLVED,** by the Mayor and Council of the City of Linden do hereby step forward and urge the Congress of the United States to adopt meaningful gun safety legislation and to reject misguided positions.

**BE IT FURTHER RESOLVED,** that a copy of this resolution be sent to the New Jersey members of the House of Representatives and to Senator Corey Booker, and Senator Robert Mendez.

Mr. Craig Halloran stated he understood support of gun control, but thought the resolution was a little vague as to what it was supporting. Ms. Cosby responded and explained the intent of the resolution.

See the vote after resolution 2018-281.

**RESOLUTION: 2018-272**

**RESOLUTION WAIVING FEES FOR A GARAGE SALE**

**TO BE HELD IN THE FIFTH AND SEVENTH WARDS**

WHEREAS, the City Council has determined to allow a community wide garage sale in the Fifth and Seventh Wards on June 30, 2018 with a rain date of July 1, 2018; and

WHEREAS, the City of Linden shall waive all fees for permits for a garage sale including the completion of an application form pursuant to City Code 4-3.1 entitled “Garage Sales”; and

WHEREAS, the city wide garage sale shall not impact a resident’s right to conduct up to two garage sales in a year; and

WHEREAS, chapter 4-3.6 shall still apply, limiting one singled faced sign containing not more than four square feet in total area to be placed upon the premises where the sale is being conducted, and further prohibiting any other signs and either public or private property.

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

1. The City of Linden hereby waives fees for permits for a community wide garage sale in the Fifth and Seventh Wards to be held on June 30, 2018 with a rain date on July 1, 2018
2. The city wide garage sale shall not impact a resident’s right to conduct up to two garage sales in a year.
3. Chapter 4-3.6 shall still apply, limiting one singled faced sign containing not more than four square feet in total area to be placed upon the premises where the sale is being conducted, and further prohibiting any other signs and either public or private property.
4. This Resolution shall take effect pursuant to law.

**RESOLUTION: 2018-273**

RESOLUTION REQUESTING THE REFUND OF DEPOSITS

FROM THE 2018 ONLINE TAX SALE

WHEREAS, on June 8, 2018 an On-Line Tax Sale was conducted by Stacey L. Carron, Tax Collector of the City of Linden and;

WHEREAS, due to multiple unsuccessful bidders, permission is requested to refund all deposits from the Tax Sale Account held by the Tax Collector and;

WHEREAS, due to said circumstances, the City is desirous of refunding said monies:

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

1. The Municipal Attorney has directed the Tax Collector to refund

all monies being held in the Tax Sale Account.

1. This resolution shall take effect pursuant to law.

**RESOLUTION: 2018-274**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDEN, COUNTY OF UNION, NEW JERSEY REFERRING TO THE PLANNING BOARD FOR REVIEW AND COMMENT A REDEVELOPMENT PLAN ENTITLED “REDEVELOPMENT PLAN ROUTE 1/9 AND STILES STREET – BLOCK 469, LOTS 31.01, 33.01, 34, 35.01 AND 36.01” 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 a municipality to determine whether certain parcels of land in the municipality constitute “areas in need of rehabilitation” and/or “areas in need of redevelopment”; and

**WHEREAS**, on March 22, 2017, the City Council of the City (the “**City Council**”), pursuant to *N.J.S.A.* 40A:12A-6, authorized the Planning Board of the City (the “**Planning Board**”) to determine whether the property identified as Block 469, Lots 31.01, 33.01, 34, 35.01 and 36.01 on the official tax map of the City (“**Study Area**”), met the statutory criteria for designation as an “area in need of redevelopment” pursuant to the Redevelopment Law; and

**WHEREAS**, on May 9, 2017,the Planning Board undertook said investigation and conducted a public hearing, all in accordance with *N.J.S.A.* 40A:12A-6, and recommended to the City Council that the Study Area satisfied certain statutory criteria and thus constituted an area in need of redevelopment in accordance with the Redevelopment Law; and

**WHEREAS**, on May 16, 2017, the City Council adopted Resolution 2017-221, which designated the Study Area as an area in need of redevelopment; and

**WHEREAS**, in order to facilitate the redevelopment of the Study Area, the City Council also authorized the preparation of a redevelopment plan for the Property pursuant to the authority granted under the Redevelopment Law; and

**WHEREAS**, Ricci Planning prepared the redevelopment plan entitled “Redevelopment Plan Route 1/9 and Stiles Street – Block 469, Lots 31.01, 33.01, 34, 35.01 and 36.01,” (the “**Redevelopment Plan**”), providing the development standards for the Study Area, as described on *Exhibit A* attached hereto; and

**WHEREAS**, the City Council desires to refer the Redevelopment Plan to the Planning Board, as described on *Exhibit A* attached hereto, for its review and comment, pursuant to *N.J.S.A.* 40A:12A-7 of the Redevelopment Law.

**NOW THEREFORE, BE IT RESOLVED** by the City Council of the City of Linden, County of Union, New Jersey that:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. Pursuant to *N.J.S.A*. 40A:12A-7(e), the City Council hereby refers the the Redevelopment Plan, as described on *Exhibit A* attached hereto, to the Planning Board for review and recommendation. The Planning Board shall prepare a report regarding its recommendations as to the aforementioned amendments to the Redevelopment Plan, and submit same to the City Council within 45 days after referral, as required by the Redevelopment Law.
3. The City Clerk shall forward a copy of this Resolution, and the proposed amendments to the Redevelopment Plan, attached hereto as *Exhibit A*, to the Planning Board for review.
4. This Resolution shall take effect immediately.

**RESOLUTION: 2018-275**

**RESOLUTION FOR CITYWIDE CAMERA SYSTEM THROUGH THE PEPPM PROGRAM FOR EASTERN DATACOMM**

**WHEREAS**, the City of Linden wishes to obtain city wide camera system from an authorized vendor under the PEPPM program awarded to Eastern Datacomm, 44 Commerce Way, Hackensack, NJ 07601 a distributor of Panasonic and Razberi, authorized vendors 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**, Eastern Datacomm, Inc. has been awarded as distributor for Razberi and Panasonic, for the provision of providing city wide camera systems; and,

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

**WHEREAS**, the amount of the service is not to exceed $469,195.25 and,

**WHEREAS**, the Chief Finance Officer has certified the availability of funds for this contract, which will be charged to account number C-04-55-902-685-919.

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

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

**RESOLUTION: 2018-276**

**CITY OF LINDEN RESOLUTION**

**WHEREAS,** there were certain payments made by the Municipal Treasurer during the month of May, 2018 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**

5/2/18 Worker’s Comp. claims 25,376.86

5/7/18 SHBP Retirees May Health premium 647,643.63

5/7/18 SHBP Active March Health premium 644,438.63

5/7/18 Payroll payroll 1,686,070.88

5/9/18 Worker’s Comp. claims 34,044.01

5/9/18 Medco claims 61,878.45

5/9/18 City of Linden May Dental Bill 35,253.98

5/9/18 Sewerage “ 3,456.56

5/9/18 Housing “ 1,402.81

5/9/18 Library “ 900.31

5/9/18 Cobra “ 146.54

5/9/18 Vision Service Plan claims 4,380.66

5/16/18 Worker’s Comp. claims 12,537.75

5/23/18 Medco claims 69,049.14

5/23/18 Worker’s Comp. claims 11,089.05

169774 5/23/18 Linden Prop. Holding escrow return 15,375.18

**TRUST**

5/7/18 Payroll payroll 114,215.92

**GRANT**

5/7/18 Payroll payroll 3,954.00

**Capital**

5/7/18 Payroll payroll 930.09

**UNEMPLOYMENT**

5/7/18 Payroll payroll 779.12

**RESOLUTION: 2018-277**

**RESOLUTION AUTHORIZING AN AMENDMENT TO THE CONTRACT WITH FOLEY, INC. FOR THE CITY HALL GENERATOR IN THE CITY OF LINDEN**

**WHEREAS**, the City Council of the City of Linden passed a Resolution No. 2016-302 on September 20, 2016 approving an award of a contract to Foley, Inc. for the City Hall Generator in the City of Linden in the amount of $1,363,575.00; and

**WHEREAS**, a change order in the amount of $45,503.00 is required to extend the project; and

**WHEREAS**, inclusive of these additional funds the total expenditures for said contract is $1,409,078.00; and

**WHEREAS**, the Chief Financial Officer or her designee has certified to the availability of funds for this purpose, to be charged to Account No. C-04-55-904-594-919;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** that the agreement awarded to Foley, Inc. is hereby amended to increase the contract by the additional sum of $45,503.00, for a total contract of $1,409,078.00; and

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

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

John Principato asked if this was for one generator. President Alvarez noted the location and that it was for all of City hall and JTG center. Mr. Vircik explained the need for the change order, and the work that was done. He noted that the cost was 3% of the original contract.

Mrs. Yamakaitis moved for approval of resolution 2018-233, 255, 257, 265, and 277. The motion was seconded by Mr. Medina and was ordered approved by a roll call vote, with all voting yes, except Ms. Cosby and Ms. Roman who abstained and Mrs. Hickey who voted no on resolution 233.

**RESOLUTION: 2018-278**

**RESOLUTION IN SUPPORT OF “PROJECT GRADUATION”**

**WHEREAS,** the Governing Body of the City of Linden and all the residents of our community are concerned about the safety of our your youth and recognize that drinking, drugs, and driving is the number one cause of teen fatalities in our nation; and

**WHEREAS,**  “**PROJECT GRADUATION”** is a nationally recognized effective teen drinking, drugs and driving prevention strategy in which members of the community, school personnel and students work together toward a common goal of eliminating such conduct; and

**WHEREAS,** “**PROJECT GRADUATION”** will culminate on June 22, 2018 with an all-night, fun-filled, substance-free party for the 2018 Linden high School graduates, thereby providing a safe graduation celebration and leaving positive, lasting memories; and

**WHEREAS,** the aforementioned party, entitled **BASH ’18** is being sponsored by the Mayor’s Youth Commission of the City of Linden.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF LINDEN** that they do hereby wholeheartedly support **BASH ’18** and recognize this project as one of the many invaluable programs sponsored by the Mayor’s Youth Commission in its efforts to undertake and promote activities and programs of benefit to the your of our City; and

**BE IT FURTHER RESOLVED** that our citizens as well as our business community in Linden are urged to support **BASH ’18** and participate in every way possible to make the 2018 Linden High School graduation night a safe and happy one for all concerned.

**RESOLUTION: 2018-279**

**RESOLUTION SUPPORTING THE**

**SANDY HOOK PROMISE**

**WHERES,** the City Council of the City of Linden wishes to support and extend its deep appreciation to **Sandy Hook Promise**; and

**WHEREAS, Sandy Hook Promise** is an apolitical non-profit organization whose “Know The Signs” programs are researched base programs and practices to help protect children from gun violence in their homes, school and communities. This program is led by several family members who lost loved ones at the Sandy Hook Elementary School on December 14, 2012; and

**WHEREAS, Sandy Hook Promise’s** programs have trained over 2.5. million students and helped stop multiple school shootings, prevented youth suicides and reduced bullying and other violence in schools across the country. These prevention programs have helped prevent gun violence before it happens by teaching adults and youth how to recognize the signs and signals of individuals who may be at risk of hurting themselves or others; and

**WHEREAS,** raising awareness and educating others is an important factor when protecting others from gun violence. **Sandy Hook Promise** continues to “make the promise” to protect children from gun violence by speaking engagements, media, community round tables and remembrance events.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Members of City Council, City of Linden, New Jersey hereby supports **Sandy Hook Promise**; and

**BE IT FURTHER RESOLVED** that a copy of this Resolution be presented to **Sandy Hook Promise** as a sincere token of this Council’s support and appreciation.

Mr. Craig Halloran asked if the resolution was in support of gun control, to which the answer was yes.

See the vote after resolution 2018-281.

**RESOLUTION: 2018-280**

**RESOLUTION ADOPTING THE POLICY MANUAL OF THE CITY OF LINDEN**

BE IT RESOLVED that the Council of the City of Linden adopts the attached revised Policy Manual effective July 1, 2018 and that this Policy Manual supersedes the City’s current Policy Manual.

BE IT FURTHER RESOLVED that this Council authorizes the Personnel Division to distribute the Policy Manual to all employees.

**RESOLUTION: 2018-281**

**CITY OF LINDEN**

**RESOLUTION CHAPTER 159**

**CLEAN COMMUNITIES FY2018 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 $67,432.65 from the State of New Jersey Clean Communities Account Fund and wishes to amend its 2018 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 2018 in the sum of $ 67,432.65 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:

Clean Communities 2018

**BE IT FURTHER RESOLVED** that a like sum of $ 67,432.65 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:

Clean Communities 2018

Mr. Craig Halloran asked for clarification as to what the grant money would be spent on. Ms. Figueiredo, of the Treasurer’s office, responded with an explanation, and also noted that there was a typo in the dollar amount, and provided the correct amount.

Mrs. Yamakaitis moved for approval of resolutions #2018-260, 271, 279 and 281. The motion was seconded by Mr. Medina and was unanimously ordered approved by a roll call vote.

**RESOLUTION: 2018-282**

**RESOLUTION AUTHORIZING A DONATION TO THE CITY OF LINDEN PAL**

**WHEREAS**, City of Linden, 301 N. Wood Avenue, Linden, New Jersey wishes to donate $20,000.00 to the City of Linden PAL a non-profit whose purpose is to provide programs for the youth of Linden; and

**WHEREAS**, the City of Linden PAL is desirous of accepting the aforesaid donation; and

**WHEREAS,** the Chief Financial Officer or her designee has certified as to the availability of funds for this purpose, as attached hereto, which will be charged to account/line item No. is 8-01-28-370-198-208; and

**WHEREAS,** said donation will be for a period of one (1) year commencing January 1, 2018 and terminating December 31, 2018

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF LINDEN** that the City of Linden shall donate the aforesaid donation with the condition that the Linden PAL shall provide an audit/financial statement and or similar document for 2017 to the City, before monies can be released, in compliance with the requirements of the policy adopted by the City of Linen by resolution 2015-347; and

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk are hereby authorized to execute any and all documents, if necessary, to effectuate the foregoing as approved by the City of Linden Law Department.

**RESOLUTION: 2018-284**

**A RESOLUTION APPOINTING RALPH STRANO AS AN ALTERNATE MEMBER OF THE LINDEN-ROSELLE**

**SEWERAGE AUTHORITY TO FILL THE UNEXPIRED TERM OF**

**EMERITO RUIZ, JR.**

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

Section 1. That pursuant to the Ordinance entitled “ORDINANCE CREATING THE LINDEN ROSELLE SEWERAGE AUTHORITY”, approved December 3, 1947, a certified copy whereof was duly filed by the City Clerk in the Office of the Secretary of the State of New Jersey, **RALPH STRANO** residing in Linden, New Jersey, be and he/she hereby is appointed an alternate member of the Linden Roselle Sewerage Authority to serve fill the unexpired term of EMERITO RUIZ, JR. which commenced on May 1, 2017 and terminates on April 30, 2021 and until his/her successor has been appointed and qualifies, to exercise and perform all the rights, powers and duties provided in the Ordinance hereinbefore mentioned, and in N.J.S.A. 40:14A-1 et seq., and the amendments and supplements thereto.

Section 2. That the City Clerk of the City of Linden shall certify a copy of this Resolution and cause it to be filed in the Office of the Secretary of the State of New Jersey.

**RESOLUTION: 2018-285**

**A RESOLUTION APPOINTING RHASHONNA COSBY A MEMBER**

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

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN,** that Rhashonna Cosby a resident of the City of Linden, be and she is hereby appointed a member of the Linden Board of Alcoholic Beverage Control, to serve the unexpired term of Thomas Callahan which commenced on June 5, 2017 and terminating June 4, 2020 and until her successor is appointed and qualifies.

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

**Resolutions 2018-286 & 2018-287 were removed from consideration.**

**ORDINANCES ON INTRODUCTION**

**An Ordinance entitled:**

#62-44 An Ordinance creating a new chapter in the code of the City of Linden entitled business hours.

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

Ordinance #62-44 was introduced by Ms. Cosby and was read on first reading by the Deputy Clerk.

On motion of Ms. Cosby, seconded by Mrs. Hickey the foregoing Ordinance was on roll call vote

unanimously ordered approved.

**An Ordinance entitled:**

#62-45 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.

2-12 Department of Police

Delete Section 2.12.12, Special Law Enforcement Officers

Add Section 2.12.12, Special Law Enforcement Officers

(Creating the position of Class 3 Special Law Enforcement Officers)

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

Craig Halloran. Mr. Halloran wanted to ask a question. President Alvarez stated no questions, only statements. Mr. Halloran he had nothing further.

Ordinance #62-45 was introduced by Mr. Strano and was read on first reading by the Deputy Clerk.

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

unanimously ordered approved.

**An Ordinance entitled:**

#62-46 Bond Ordinance providing an appropriation of $77,000 for city wide curb and sidewalk reconstruction for and by the City of Linden and authorizing the issuance of $73,150 Bonds or notes of the City for financing part of the appropriation.

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

Ordinance #62-46 was introduced by Mr. Javick and was read on first reading by the Deputy Clerk.

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

unanimously ordered approved.

**An Ordinance entitled:**

#62-47 Bond Ordinance providing an appropriation of $165,000 for acquisition of playground equipment and renovations for various parks for and by the City of Linden, and authorizing the issuance of $85,500 bonds or notes of the City for financing part of the appropriation.

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

Ms. Cosby noted that this ordinance provided funds for the Hagel Avenue Park. She added that she looked forward to having work done at this park.

Ordinance #62-47 was introduced by Mr. Javick and was read on first reading by the Deputy Clerk.

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

unanimously ordered approved.

**An Ordinance entitled:**

#62-48 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. Adding Schedule 4-MM-6.

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

Ordinance #62-48 was introduced by Mr. Strano and was read on first reading by the Deputy Clerk.

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

unanimously ordered approved.

**An Ordinance entitled:**

#62-49 An Ordinance adopting an amended redevelopment plan for the Park Plastics site, initially governing the redevelopment of Block 496, Lot 3, to include Block 496, Lot 4 on the tax map of the City, pursuant to the Local Redevelopment and Housing Law, N.J.S.A 40A:12A-1, et seq.

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

Ordinance #62-49 was introduced by Mrs. Yamakaitis and was read on first reading by the Deputy Clerk.

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

unanimously ordered approved.

**An Ordinance entitled:**

#62-50 An Ordinance to adopt the redevelopment plan entitled “1001 West Elizabeth Ave Redevelopment plan – Block 423, Lot 4.02,” Pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.

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

Ordinance #62-50 was introduced by Mr. Javick and was read on first reading by the Deputy Clerk.

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

unanimously ordered approved.

**An Ordinance entitled:**

#62-51 An Ordinance to adopt the “Avenue C Redevelopment Plan,” Concerning Block 580 Lots 13 and 14 on the tax map of the City of Linden, Pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.

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

Mr. Roman noted the comments he had previously made regarding this project and the effect it would have on the lives and business of the tenants of this shopping mall. After looking into it further, he found out that the lease agreements that the tenants had, contained a very generous buyout. As a result he was supportive of this project.

Ordinance #62-51 was introduced by Mr. Strano and was read on first reading by the Deputy Clerk.

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

unanimously ordered approved.

**An Ordinance entitled:**

#62-52 An Ordinance approving the application for a long term tax exemption and authorizing the execution of a financial agreement with PR II/GAR Tremley Property Two Urban Renewal LLC.

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

John Principato. Mr. Principato stated his objections to the granting of long term tax exemptions, stating that Linden residents are paying too much and the Council should not be giving tax breaks to large corporations.

Mr. Brown stated his support of this PILOT program and the reasons why.

Mr. Roman stated that he normally does not support the granting of a PILOT, and why, however he would be supporting this PILOT and gave the reasons why.

Ordinance #62-52 was introduced by Council President and was read on first reading by the Deputy Clerk.

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

unanimously ordered approved.

**An Ordinance entitled:**

#62-53 An Ordinance approving the application for a long term tax exemption and authorizing the execution of a Financial Agreement with PRII/GAR Tremley Property Three Urban Renewal LLC.

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

John Principato. Mr. Principato repeated his comments on Ordinance #62-52, and asked if Council did the numbers on PILOT. He explained his objections.

Mrs. Hickey noted the ordinance was on introduction, and that council had received the financial agreements last night, and they still need to be reviewed. She noted that the second reading is the most important.

Ms. Cosby noted her early opposition to another deal, that cost the City. She stated that she does not agree with the granting of thirty (30) year tax abatements, explaining that the Board of Education does not get its share of the money, and then has to raise taxes, resulting in residents complaining about those taxes going up. She concluded by stating that she cannot support this ordinance.

Mr. Brown Stated that NW Financial runs the numbers, for the City, on these PILOTS, and makes recommendations. He explained that a negotiation process then takes place with the developer. In a number of the cases the agreements are negotiated up from what the developer wants.

Mr. Strano noted his long history in the City, and on Council. He noted the number of dog and pony shows that have gone through the various Mayor’s offices regarding development of this property. The people that are making this proposal are real people, with real dollars. The development of this property will bring in rateables that are needed in this City.

Mr. Roman spoke about his concerns, and how this project is going to bring tens of millions of dollars into the city.

Mayor Armstead agreed with Mr. Strano. He went on to state that this is a project that we need, and the economics of the financial agreement are competitive. He noted that we need to compete with other areas, for these types of projects, and that is what we are doing. The Mayor noted that this project will benefit homeowners and residents.

Alex Lospinoso, LEDC Director, spoke about the project and the number of jobs that it will bring.

Mr. Mohammed stated that he supports this project, and that he pro-economic development. He added that he supports it for the reasons given by Mr. Lospinoso.

Ordinance #62-53 was introduced by Mr. Strano and was read on first reading by the Deputy Clerk.

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

ordered approved, with Ms. Cosby and Mrs. Hickey voting no.

**An Ordinance entitled:**

#62-54 An ordinance amending the Infineum Redevelopment Project, Redevelopment Plan, to the Planning Board for review and comment pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A et seq.

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

Ordinance #62-54 was introduced by Mrs. Yamakaitis and was read on first reading by the Deputy Clerk.

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

unanimously ordered approved.

**An Ordinance entitled:**

#62-55 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.

2-12 Department of Police

Delete Section 2.12.1, created – Department of Police

Add Section 2.12.1, created – Department of Police

(This ordinance add (4) SLEO III Officers to the compliment)

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

Ordinance #62-55 was introduced by Mr. Strano and was read on first reading by the Deputy Clerk.

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

unanimously ordered approved.

Mr. Strano noted, for the public, that copies of these ordinances are available are on the City’s website, and if people read them, prior to the next meeting, it might answer some of the questions that people have.

**PUBLIC COMMENT**

Craig Halloran 120 Donaldson Place. Mr. Halloran questioned if the school board election could be moved back to April and if so consider doing it, to give the citizens the right, once again, to vote on the budget. He also asked why the City has not taken those steps.

Gina Currenti, 122 Raritan Rd. Ms. Currenti spoke about people laughing at her broken English, and addressed Council about the issues she was facing.

John Principato, 1706 Westover Road. Mr. Principato noted that the former Sam’s Club site was now a warehouse. He asked why we are still learning when it comes to development in the City. He then spoke about parking spaces, and the Mayor’s comments that we are building units with proper parking. He noted that for years the City code has had parking requirements in it. He tied these, and other issues to his prior comment about the City learning when it comes to development. Next he spoke about the ordinance, regarding the PAL that was tabled. He noted his prior involvement, with PAL, how the program has deteriorated, and how the money could have helped provide better programs. He encouraged the City to put police back into the PAL and why.

Henry Mack. Mr. Mack asked permission to ask for legal advice, on behalf of the people. He then spoke on behalf of the people, noting their concerns.

Robert Scutro, 416 Helen St. Mr. Scutro asked who gave Frank Dann permission to leave tree trunks in front of people’s property. He then brought to Council’s attention a number of other items, concerning Mr. Dann’s operation of Public Works that were of concern to him, including the number of hours that CDL drivers drove during a snow storm in February. He noted that he reported these violations to the proper agencies. Next Mr. Scutro pointed out several items, regarding the removal of a tree, by the City, that he believed to be violations of safety standards by the employees, which he blamed on Mr. Dann’s oversight of the department.

Mrs. Ormon moved to close the public comment portion of the meeting. The motion was seconded by Mr. Mohammed and was unanimously ordered approved be a roll call vote.

**COMMENTS BY MEMBERS OF THE GOVERNING BODY**

Mayor Armstead addressed the issue of parking spaces, at development sites, raised by Mr. Principato. He then informed all of the reasons that the resolution, providing funds to the PAL was held, and once PAL complied with the City’s requirements, the resolution would be put back on and the funds released. Lastly he addressed the issue of bringing back a police officer to PAL.

Allan Roth addressed the issue of moving the Board of Education election, from November back to April. He also spoke on the state statue regarding voting on Board of Education budgets, and what, under the amended statue triggers an election vote on the board’s budget.

Mrs. Ormon also spoke on the issue of the Board of Education elections, and that as long as the election is held in November, the Board is bound to a 2% CAP on increases in their budget. She offered to speak with Mr. Halloran, after the meeting, on this issue.

Mr. Brown addressed Mr. Principato on the issue of the contribution to the PAL, and how contributions, by the City, are made, and the requirements placed on the group, in order to receive those funds. He explained what was submitted by the PAL, and how it did not meet the City’s policy.

Ms. Cosby spoke about how she had worked with Mr. Antonelli, to get the contribution policy in place, and to make sure that all adhere to it. She applauded the Council, on their actions, tonight, to make sure all are compliant. Ms. Cosby talked about all working together, and not blocking members of Council from serving on committees, where they have talent. She then spoke about ways to increase employee morale. She concluded by speaking on the pulling of a resolution, by the majority of council, that would have created an ad hoc committee focused only on the creation of a port authority.

Mr. Roman responded to comments, made by Mr. Principato, regarding the ordinance on Infinitum. Next he talked about a grant, given to School 6, for flower pots and fresh vegetables. Lastly he spoke about his efforts, behind the scenes, to get the stairs fixed at the train station.

Mrs. Hickey spoke about resolution 2018-250, providing a grant to the Linden Pop Warner football. She noted that the resolution contains language that the grant will not be released until we receive their 2017 audit report. She noted why one was removed and one left on. Mrs. Hickey expressed her concern that the audits are costly, these organizations are about the kids, and by requiring them we are taking away money for programs for kids. She was hoping that there was a better way to get the audit reports, through City services.

**ANNOUNCEMENTS**

President Alvarez announced the following:

\*Council Conference meeting:

Monday, July 16, 2018 at 6:00 pm in the Council Conference Room, City Hall, 301 N. Wood Ave.

\*Council Conference meeting prior to the Council meeting:

Tuesday, July 17, 2018 at 6:00 pm in the Council Conference Room, City Hall, 301 N. Wood Ave.

\*Council Meeting: Tuesday, July 17, 2018 at 7:00 p.m. in the Council Chambers, City Hall, 301 N. Wood Ave.

**ADJOURNMENT**

There being no further business to come before Council, Mr. Roman moved to adjourn the meeting. The motion was seconded by Mr. Strano, and was unanimously ordered approved by a roll call vote. The meeting was adjourned at 11:55 pm.

Respectfully submitted,

Joseph C. Bodek

City Clerk