**COUNCIL MEETING AGENDA**

**August 20, 2019**

**APPROVAL OF MINUTES**

**The Regular Meeting Minutes**

**of July 16, 2019 and**

**The Special Meeting Minutes of August 1, 2019**

**PRESENTATIONS**

**PRESENTATION BY THE 2020 U.S. CENSUS**

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**ORDINANCE ON HEARING**

There are no Ordinances on Hearing.

**CONSENT ITEMS**

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

1. The amount of money collected during the month of July 2019 and turned over to the treasurer’s office is as follows:

2020 Taxes $1,273.30

2019 Taxes $23,832,271.83

2018 Taxes $750.00

PILOT (MORNING STAR) $0.00

Municipal Lien Redemption $5,830.51

Garbage Fee Late Fee $5.00

Duplicate Tax Sale Certificate $0.00

Tax Search $0.00

Lien Redemption Request Fee $50.00

Year End Penalty $0.00

Returned Check Fee Paid $20.00

Returned Sewer Clean out ($0.00)

Returned Sewer Interest ($0.00)

Returned Check 2019 ($3,819.38)

Returned Check Interest ($60.63)

Returned Online Payments 2019 Taxes ($0.00)

Returned Online Interest ($0.00)

Adv. Before Tax Sale $0.00

Premium $0.00

Sewer Clean out charge $1,100.00

DPW Reso payments $876.14

Interest $18,342.64

Total $23,856,639.41

**Tax Sale** Requesting the refund of the premium paid at the 2019 tax sale on the following blocks & lots.

**Block Lot Redemption Date CTF# Amount**

4 5 7/31/19 18-00004 $1,800.00

52 1.01 7/25/19 18-00031 $2,700.00

64 4 7/12/19 18-00038 $1,600.00

100 8.02 7/31/19 18-00049 $2,000.00

119 22 7/31/19 18-00060 $1,800.00

253 1 7/10/19 18-00136 $3,800.00

385 8 7/31/19 18-00168 $1,900.00

391 29 7/16/19 18-00172 $2,000.00

425 13 7/31/19 18-00185 $2,600.00

552 6 7/12/19 18-00234 $2,100.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $22,300.00 payable to Greymorr, LLC, BMO 85, P.O. Box 1414, Minneapolis, MN 55480, charging same to account #9-01-55-276-999-956.

**Tax Sale** Requesting the refund of the premium paid at the 2019 tax sale on the following blocks & lots.

**Block Lot Redemption Date CTF# Amount**

137 1 7/18/19 18-00077 $29,600.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $29,600.00 payable to: Lillian Zhang, 11 Walnut Street, Livingston, NJ 07039, charging same to account #9-01-55-276-999-956.

**Tax Sale** Requesting the refund of the premium paid at the 2018 tax sale on the following blocks & lots.

**Block Lot Redemption Date CTF# Amount**

147 1 7/12/19 17-00118 $1,200.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,200.00 payable to: Actlien Holding, US Bank Cust, Actlien Holding, 50 South 16th Street, Suite 2050, Philadelphia, PA 19102, charging same to account #-9-01-55-276-999-956.

**Tax Sale** Requesting the refund of the premium paid at the 2017 & 2018 tax sale on the following block & lot.

**Block Lot Redemption Date CTF# Amount**

211 8 7/12/19 17-00176 $1,800.00

341 22 7/22/19 16-00225 $22,800.00

467 2 7/12/19 17-00295 $1,500.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $26,100.00 payable to: Christiana T C/F, CE/1 Firsttrust, P.O. Box 5021, Philadelphia, PA 19111-5021, charging same to account #-9-01-55-276-999-956.

**Tax Sale** Requesting the refund of the premium paid at the 2018 tax sale on the following blocks & lots.

**Block Lot Redemption Date Cert# Premium**

246 19 7/31/19 17-00196 $800.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $800.00 payable to: Fig as Custodian for Fig NJ18, LLC, Secured Party, P.O. Box 54472, New Orleans, LA 70154, charging same to account #9-01-55-276-999-956.

**Tax Sale** Requesting the refund of the premium paid at the 2016 & 2019 tax sale on the following block & lot.

**Block Lot Redemption Date CTF# Amount**

332 35 7/31/19 15-00199 $1,100.00

399 16 7/31/19 18-00177 $500.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the mount of $ 1,600.00 payable to Trystone Capital Assets, LLC., 575 Route #-70, 2nd Floor, P.O. Box 1030, Brick, NJ 08723, charging same to account #-9-01-55-276-999-956.

**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**

494 10 7/11/19 16-00320 $8,200.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $8,200.00 payable to: MTAG Cust for Empire VIII NJ Portfolio, P.O. Box 2208, Hicksville, NY 11802, charging same to account #9-01-55-276-999-956.

**Tax Sale** Requesting the refund of the premium paid at the 2019 tax sale on the following blocks

& lots.

**Block Lot Redemption Date Cert# Premium**

557 5 7/31/19 18-00236 $1,300.00

577 17 7/31/19 18-00240 $1,200.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $2,500.00 payable to: Fig as Cust. for Fig NJ19, LLC, P.O. Box 54226, New Orleans, LA 70154, charging same to account #9-01-55-276-999-956.

**Overpayment** Block 244 Lot 7 (Mother Lot), New Lots- 7 C301 & C0302

VPP, LLC to LMG PROPERTIES LLC, Refund overpayment on mother lot

The above referenced new owners Mortgage Company have paid the property taxes on the mother lot prior to this being sub divided as per tax law, creating this overpayment and the new owner’s mortgage company entitled a refund in the amount of $5,442.32.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $5,442.32, payable to: Valley Bank, 1720 Route 23 North, Wayne, NJ 07470, charging same to account #-9-01-55-288-999-904.

**Overpayment** Block 244 Lot 7 (Mother Lot), VPP, LLC - Refund overpayment on mother lot

The above referenced owners have paid the property taxes on the mother lot prior to this being sub divided as per tax law, creating this overpayment and the new owner’s mortgage company entitled a refund in the amount of $17,691.92.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $17,691.92, payable to: VPP, LLC. 16 West Morris Avenue, Linden, NJ 07036, charging same to account #-9-01-55-288-999-904.

**Veteran’s Deduction -** Victor Gaston, 15 Robbinwood Terrace

This property owner has been deemed a 100% Disabled Veteran by the V.A. as of 2/7/2018 and purchased this property on December 14, 2018. Mr. Gaston is entitled to the 100% Disabled Veteran Status beginning January 1, 2019 per Michael Frangella. The following is the amount paid by the mortgage company and title agency and the property owner is entitled to a refund in the amount of $6,587.42

2019 Over Paid 1st $3,293.71

2nd $3,293.71

**Refund $6,587.42**

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $6,587.42 payable to: Victor Gaston, 15 Robbinwood Terrace, Linden, NJ 07036, charging same to account #-9-01-55-288-999-904.

**Veteran’s Deduction** Cancellation & Refund of Property Taxes Block 359 Lot 10

Carmen Ortega, 2723 Myrtle Avenue

This property owner has been deemed a 100% Disabled Veteran by the V.A. as of 4/5/19 and purchased this property on April 24, 2019. Ms. Ortega is entitled to the 100% Disabled Veteran Status for part of 2019 per Michael Frangella. The following is the amount paid by the mortgage company and title agency and the property owner is entitled to a refund in the amount of $5,040.13.

2019 Over Paid Cancel 4th 2018

2nd $2,159.69 $ 2,880.44

3rd $2,880.44

**Refund $ 5,040.13**

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $5,040.13 payable to: Carmen Ortega, 2723 Myrtle Avenue, Linden, NJ 07036, charging same to account #-9-01-55-288-999-904.

**Replacement Check** Block 264 Lot 12, Old Owner: 141 Rosewood, LLC

New Owner: Sol Mejias, 141 Rosewood Terrace

Due to Noble Title not cashing the original check from November 2017, and requesting a replacement as this is now stale and has been cancelled by the Treasurer’s Office.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $622.17, payable to: Noble Title agency, Inc, 1130 US 202 South Bldg D, 2nd Floor, Raritan, NJ 08869 charging same to account #9-01-55-288-999-904..

**Refund of Property Taxes** Block 484 Lot 6, Stanley A. Carter, 931 MC Gillvray Place

This property owner has been deemed a 100% Disabled Veteran by the V.A. as of 12/14/17 and purchased this property on February 16, 2018. Mr. Carter is entitled to the 100% Disabled Veteran Status for part the 2019 1st & 2nd quarters that his mortgage company paid in error and the property owner is entitled to a refund in the amount of $5,461.39.

2019 Over Paid

1st $2,730.70

2nd $2,730.69

**Refund $5,461.39**

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $ 5,461.39 payable to: Stanley A. Carter, 931 MC Gillvray Place, Linden, NJ 07036, charging same to account #-9-01-55-288-999-904.

**Refund** Block 253 Lot 9.02, Jacek & Renata Zareba, 10-12 W. Elizabeth Avenue

Tax Court Docket #-010206-2016, 009711-2017 & 011203-2018

The above referenced property owners are entitled to a refund due to a Tax Court of New Jersey judgment reducing the assessment by 65,000 for 2016, 65,000 for 2017 & 90,000 for 2018.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $15,920.55 payable to: Michael A. Vespasiano, Attorney Trust Account,331 Main Street Chatam, NJ 07928 charging same to account #9-01-55-275-999-000.

**Refund** Block 573 Lot 8, 109 Irene Street, LLC - 109 Irene Street

Tax Court Docket #-009120-2016, 008565-2017 & 009500-2018

The above referenced property owners are entitled to a refund due to a Tax Court of New Jersey judgment reducing the assessment by 117,400 for 2016, 130,000 for 2017 & 130,000 for 2018.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $25,374.02 payable to: Michael I. Schneck, Trustee for 109 Irene Street, LLC, 301 South Livingston Avenue, Suite #105, Livingston, NJ 07039 charging same to account #6-01-55-275-999-000.

**Refund** Block 586 Lot 11, PR II GAR Tremley Property - Backland

The above referenced former property owners are entitled to a refund due to a County Board Judgment reducing the assessment by 16,067,500 for 2019 creating a total overpayment of $61,553.78.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $61,553.78 payable to: PR II GAR Tremley Property, 33 Cotters Lane, East Brunswick, NJ 08816, charging same to account #9-01-55-275-999-000.

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

1. Advising that seventy-four (74) Certificates of Occupancies were issued during the month of June, 2019 and seventy-five (75) Certificates of Occupancies were issued during the month of July, 2019.

**(\*\*\*) BOARD OF ASSISTANCE:**

1. Advising that Mayor Armstead is appointing the following individuals to the Board of Assistance:

Reappointing Council President, Michele Yamakaitis effective January 1, 2019 and terminating December 31, 2020.

Reappointing Robert Sadowski, effective January 1, 2019 and terminating December 31, 2020.

Reappointing Doris Johnson, effective January 1, 2019 and expiring December 31, 2020.

**(\*\*\*) ENVIRONMENTAL COMMISSION:**

1. Advising that Mayor Armstead is appointing the following individual to the Environmental Commission:

Hans Erik Herberg, effective January 1, 2019 and terminating December 31, 2020 to fill the unexpired term of Robert Sadowski.

**(\*\*\*) PLANNING BOARD:**

1. Advising that Mayor Armstead is appointing the following individual to the Planning Board:

Frank Della Femina is appointed effective immediately and terminates December 31, 2020 to fill the unexpired term of Roberto Vas, Alternate #2.

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

1. Requesting approval of the following refund: Horizon BCBS is entitled to a refund in the amount of $250.99 for service that was provided on 9/19/2017. Therefore, it would be in order for the council to authorize the treasurer to issue a check payable to Horizon BC/BS of NJ, PO Box 820, Newark, NJ 07101 charging same to account number 9-01-08-629-011.

**(\*\*\*) CITY CLERK’S OFFICE:**

1. Requesting approval of the Street Closure Application received from Ms. Dorothy Donoghue, to Close Rosewood Terrace between DeWitt Terrace and Myrtle Street on September 14, 2019 to hold their Annual Block Party. The insurance has been received and approved by the City Attorney and the application has been approved by the Police Chief.

Requesting approval of the Street Closure Application received from Ms. Mecca Ford, to close Hussa Street between Roselle Street and Maple Avenue on Saturday, August 24, 2019 between 12noon and 8pm to hold a Block Party BBQ. The insurance has been received and approved by the City Attorney and the application has been approved by the Police Chief.

**(\*\*\*) CITY CLERK’s OFFICE:**

1. Requesting approval of the following raffle application:

**Organization** **Raffle Fee**

Strike Nation Bowling 50/50 n/a

**(\*\*\*) UPTOWN LINDEN:**

1. Requesting approval to close Wood Avenue between Blancke Street and Elm Street on Saturday, October 19, 2019 between the hours of 3pm and 8pm to hold the first annual Linden Latin Festival.

**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.**

* 1. **Resolution certifying the Governing Body’s review of the annual audit.**
  2. **Resolution requesting that the Director of the Division of Local Government Services approve the insertion of an item of revenue, Lead Hazard Inspections Childhood Lead, in a sum not to exceed $4,000.00 in the City of Linden 2019 Budget.**
  3. **Resolution approving the award of a contract to Nature’s Choice Corp. for the disposal of grass clippings at their low quotation in the amount not to exceed $39,000.00, for the Division of Public Works**
  4. **Resolution authorizing an award of a contract for Komatsu Northeast for Komatsu repair, at a price not to exceed $46,000.00, for the Division of Public Works (Repairs to a frontend loader)**
  5. **Resolution for purchase of one Toro Groundmaster 4000-D from Storr Tractor Company through the Middlesex Regional Educational Services Commission CO-OP ESCNJ CO\_OP #65 MCESSCCPS at an amount not to exceed $66,846.40, for the Division of Public Works.**
  6. **Resolution requesting the Director of the Division of Local Government Services approve the insertion of an item of revenue, Drive Sober or Get Pulled Over Labor Day, in the amount of $5,500.00 in the City of Linden’s 2019 Budget.**
  7. **Resolution authorizing the issuance of duplicate Tax Sale Certificates pursuant to Chapter 99 of the Public Laws of 1997 to Fig Cust Fig NJ19, LLC & Sec Pty.**
  8. **Resolution authorizing the use of State Contract 17-Fleet-00241 for the purchase of one 2-19 Ford 450 Super Duty 4x4. 9’ Western Plow from Route 23 Automall in an amount not to exceed $67,185.00, for the Division of Public Works.**
  9. **Resolution authorizing the use of State Contract A40321n T-2859 for the purchase of one 2019 Ford F-350 Sewer Utility Truck, from Route 23 Automall, in an amount not to exceed $65,718.52 for the Division of Public Works.**
  10. **Resolution authorizing a shared services agreement with the Linden Board of Education for nursing services for the year 2019-2020 in the amount of $6,984.00. (The Board is paying the City)**
  11. **Resolution of the City of Linden issuing a moratorium on the application for or acceptance of further Federal Airport Improvement Grant Funds.**
  12. **Resolution ratifying certain payments made by the Municipal Treasurer, during the month of July, 2019, which do not appear on the Claims List.**
  13. **Resolution in support of the Port Authority of New York and New Jersey’s improvements to Newark Airport.**
  14. **Resolution authorizing the Planning Board to investigate whether the property commonly known on the City’s tax maps as Block 587, Lots 3.01, 3.02 and 3.03 should be designated as an Area in Need of Redevelopment (non-condemnation) pursuant to the Local Redevelopment and Housing Law, N.J.S.A 40A:12A-1, et seq. (aka the “Linden Chlorine Product Property”)**
  15. **Resolution authorizing the Planning Board to investigate whether the property commonly known of the City’s Tax Maps as Block 513, Lots 4.01 and 4.02 should be designated an Area in Need of Redevelopment (non-condemnation) pursuant to the Local Redevelopment pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq. (aka 2525 Brunswick Ave. and 1300 Thomas St. Rear)**
  16. **Resolution for approval to submit a grant application, in the amount of $751,000.00, and execute a grant agreement with the N.J. Department of Transportation for improvements to West Curtis Street, West Linden Avenue, McCandless Street and Orchard Terrace.**
  17. **Resolution authorizing the award of a contract to Rutgers University for the Rutgers mini MPA Class for elected officials and department heads, in the amount of $25,000.00.**
  18. **Resolution amending the date of the November regular meeting of the City Council of the City of Linden.**
  19. **Resolution waiving the fees for a community wide garage sale, to be held in the Sixth Ward on September 21, 2019 with a rain date of September 22, 2019.**
  20. **Resolution supporting the 2020 U.S. Census and a complete Count for Linden.**
  21. **Resolution adopting the Policy Manual for the City of Linden for the year 2019.**
  22. **Resolution accepting the resignation of Stanley Fils, from the Linden Economic Development Corporation.**
  23. **Resolution appointing Rebecca Kerns Tattolli a member of the Linden Economic Development Corporation for a term beginning January 1, 2019, and Terminating December 31, 2020 and until her successor shall have been appointed and shall have qualified.**
  24. **Resolution authorizing the City of Linden to Participate in the National Cooperative Purchasing Alliance (NCPA)**
  25. **Resolution amending Resolution 2019-247 Interim use agreement with Meridia Development Company for the use of a portion of West Morris Ave until December 31. 2019.**
  26. **Resolution amending the amended contract with CME Associates for sampling and analysis of wells and piezometers, air permitting and reporting, leachate monitoring and ACO Compliance services at the Linden Landfill to provide additional funds in an amount not to exceed $82,500.00. The total amount under the original or substantially related contract is $263,548.00.**
  27. **Resolution amending the contract with Pennoni Associates, Inc. for UST A/B Operator License services in the City of Linden for an amount not to exceed $15,300.00. The total contract amount is $34,300.00**
  28. **Resolution approving a contract with M. Disko Associates for Engineering Services associate with the study and recommendation for storm sewer improvements in the area of DeWitt Terrace, Elmwood Terrace, Myrtle Terrace, Rosewood Terrace, East Henry Street and Harrison Place at a fee not to exceed $34,400.00.**
  29. **Resolution disqualifying Eznergy NJ LLC for the lease of the former City Landfill for the construction, operation and maintenance of a solar system.**
  30. **Resolution of Support for Fibrodysplasia Ossificans Progessiva (FOB) Awareness and Research to the Mayor of Harding Township and the Mayor of Walpack Township.**
  31. **Resolution authorizing the implementation of the Union County Deer Control Program in the City of Linden.**
  32. **Resolution authorizing an application to the County of Union for a greening Union County Grant for tree planting for 2019 matching grant in the amount of $20,000.00.**
  33. **Resolution disqualifying Nexamp Solar LLC for the lease of the former City Landfill for the construction, operation and maintenance of a solar system.**
  34. **Resolution authorizing 1) An award of the lease of the former City landfill for the construction, operation and maintenance of a solar system to Hathaway Solar, LLC; and 2) The City’s participation in the Board of Public Utility’s Community Solar Pilot Program.**

**ORDINANCE FOR INTRODUCTION**

* 1. 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 supplements

7-33 Handicapped Parking Regulations

7-33.1A Handicapped Parking On-Street

Name of Street Spaces No. of Location

Delete:

222 First Avenue 1 On the Southeasterly sideline of First Avenue 125 feet more or less southwesterly from the projection of Walnut Street for a length of 22 feet. The aforesaid space is specifically reserved and designed for a vehicle for Ronald D. Guerra to be identified by license plate and number and a placard XXXX, issued by the City, and no other vehicle bearing or displaying handicapped license plates and/or placards, or not, shall be permitted to park in such space.

such space.

**ADD:**

1004 Chandler Avenue 1 On the northeasterly sideline of Chandler Avenue, 65 feet more or less northwesterly from the projection of the northwesterly curbline of Middlesex Street in front of 1004 Chandler Avenue for a length of 22 feet. The aforesaid space is specifically reserved and designated for a vehicle for Michelle Williams-Lewis to be identified by license plate number and placard number to be issued by the City, and no other vehicle bearing or displaying handicapped license plates and/or placards, or not, shall be permitted to park in such space.

2214 East Edgar Road

(on Dennis Place) 1 On the northeasterly sideline of Dennis Place, 70 feet more or less southeasterly from the projection of the southeasterly curbline of East Edgar Road for a length of 22 feet. The aforesaid space is specifically reserved and designated for a vehicle for Ida Rodriguez to be identified by license plate number and placard number to be issued by the City, and no other vehicle bearing or displaying handicapped license plates and/or placards, or not, shall be permitted to park in such space.

* 1. 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, 199 and approved November 24, 1999, and as amended and supplemented.

Section 1 That Chapter VII, Traffic, Section 7-10, Parking Prohibited at All Times on Certain Streets, shall be and the same is hereby amended as follows;

7-10 PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS

Name of Street Side Location

ADD:

DeWitt Street East From a north curbline of West Elm Street and continuing 60 feet

In northerly direction

DeWitt Street East From a south curbline of West Elm Street and continuing 110 feet in southerly direction.

* 1. An Ordinance to amend Chapter 2, Article II, Section 4.3 of the City Code to create the Bureau

Of Constituent Services

Section 1. That Chapter 2, Article II, Section 4.3 of the City Code, shall be and the same is hereby amended to add the following:

g. Within the Office of the Mayor, there shall be the Bureau of Constituent Services, the head of which shall be the Mayor. The Bureau of Constituent Services shall consist of three divisions: a) Division for Special Needs and Disabilities, b) Division on Aging Services, and c) Division of Cultural Diversity. Each division shall have employed one person who shall perform all functions and discharge all duties necessary to assist the Mayor in formulating policy recommendations for the Council, including but not limited to acting as a direct liaison for residents of Linden; assist residents in directing them to City, County, State and private resources; plan and develop socialization programs and social services for the Bureau; and assess the impact of human services programs operated by the City, and develop and implement recommendations as necessary.