**Minutes of the Regular**

**Meeting of the 2019 Council of the**

**City of Linden, held Tuesday,**

**April 16, 2019**

The regular meeting of the 2019 Council of the City of Linden, was held in the Council Chambers in the City Hall on Tuesday, April 16, 2019 at 7:07 pm., prevailing time.

The meeting was called to order by President of Council Michele Yamakaitis and she announced that the notice of this meeting stating the date, place and time, has been disseminated as required under the Open Public Meeting Act, Chapter 231, P.L. 1975.

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

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

Council President Michele Yamakaitis 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 Michele Yamakaitis 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:

Councilwoman Lisa Ormon

Councilman Barry Javick

“ Peter Brown

“ Alfred Mohammed

Councilwoman Rhashonna Cosby

Councilman John F. Roman

Councilman Ralph Strano

8th Ward Council Vacant

Councilman Armando Medina

Councilwoman Gretchen Hickey

Council President Michele Yamakaitis

Mayor Derek Armstead

**APPROVAL OF MINUTES**

Mr. Strano moved for the approval of the March 19, 2019 Regular Meeting Minutes. The motion was seconded by Mr. Roman and was ordered approved on a roll call vote with all voting in favor with the exception of Ms. Cosby who abstained.

**2019 BUDGET HEARINGS**

**CITY OF LINDEN BUDGET**

President Yamakaitis turned the floor over to Mrs. Zack, who explained the 2019 budget to the members of the public. Mayor Armstead, Mr. Brown, and various department heads also spoke and explained various details on the budget and revenue sources. At the conclusion there were no questions from the public.

The Clerk read the following budget resolution:

Be it Resolved by the City Council of the City of Linden, County of Union that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of (a0 $60,932,231.82 (for municipal purposes, and (e) $1,967,501.21 Minimum Library Tax.

1. General Revenues

Surplus Anticipated 8,100,000.00

Miscellaneous Revenues Anticipated 37,308,500.37

Receipts from Delinquent Taxes 2,155,100.00

1. Amount to be raised by taxation for municipal purposes 60,932,231.82

5. Amount to be raised by Taxation minimum library levy 1,967,501.21

Total Revenues 110,463,333.40

5. General Appropriations

Within “CAPS”

(a&b) Operations including Contingent 75,686,992.97

(e) Deferred Charges and Statutory Expenditures – Municipal 12,333,782.00

(g) Cash Deficit

Excluded from “CAPS”

1. Operations – Total Operations Excluded from “CAPS” 5,465,011.61

(C) Capital Improvements 500,000.00

(d) Municipal Debt Services 12,298,900.00

(e) Deferred Charges – Municipal 40,246.82

(m) Reserve for Uncollected Taxes (Included other Reserves if any) 4,138,400.00

Total Appropriations 110,463,333.40

Mr. Brown moved for approval of the 2019 Budget. The motion was seconded by Mr. Mohammed and was unanimously ordered approved.

President Yamakaitis noted that Congressman Payne was here this evening to speak regarding his activities. She invited the Congressman up to do his presentation. Congressman Payne spoke about his initiatives in congress, this year, his plans for future legislation, especially to help those in need. He urged those with issues to reach to his office, for assistance, and noted the locations of his various offices. At the conclusion of his presentation he was joined by Mayor Armstead and Mr. Brown. Mr. Brown noted that there was a presentation that supposed to occur, to the Congressman, honoring his father, Donald Payne Sr., which was delayed due to bad weather, and that presentation would take place this evening. Mayor Armstead welcomed Congressman Payne to Linden, and spoke of the long history of his family with that of the Congressman. Mayor Armstead read the resolution honoring the late Congressman Donald Payne Sr., and spoke of his many accomplishments. Congressman Payne thanked the Mayor and the members of Council for this honor. He spoke about his father as being a teacher, and his family’s dedication to education. He compared his career path to that of his fathers. President Yamakaitis thanked Congressman Payne for coming, and invited him to return at any time.

**SPECIAL IMPROVEMENT DISTRICT BUDGET**

President Yamakaitis called upon Michael Bono, the executive director of SID, to present the 2019 SID budget, which he did. At the conclusion he opened the floor for questions.

Ed Kaminski. Mr. Kaminski spoke about the positive experiences he had working with Mr. Bono, and the SID. He noted questions that he asks himself about organizations, such as the SID, and their mission. He then noted the questions that he asked business owners, regarding the SID, and noted their responses. He asked if the SID should be funding things like the redesign of Wood Ave and the Art house. He asked what the SID could do that the City cannot. Mr. Brown provided responses to the comments and questions.

John Principato. Mr. Principato stated that he thought the concept of fixing the downtown was a great one, but there needs to be benchmarks and guidelines. He provided examples of what he was talking about and made recommendations about what needs to be done.

Mr. Roman thanked Mr. Bono for his twenty-five years of service to the City. He asked who pays the special SID tax, the landlords or the tenants. He also questioned the salary increase given to Mr. Bono, and was he now a full time director of SID. He poised a number of other questions, regarding the budget, and how SID spent money. Mr. Bono and Mr. Brown provided responses.

Mrs. Hickey thanked Mr. Kaminski for his ideas. She spoke about Mr. Bono and the operations of the SID. Mrs. Hickey stated that she looked forward to January 1, 2020, when new people will come in and express their ideas. She offered suggestions as to what she would like to see occur.

Ms. Cosby thanked SID for what they do in and for the community. She asked that all members of Council receive the information on the events that SID sponsors.

Mayor Armstead stated that if someone had ideas they should not wait until January 1st, but put them forward now.

Mr. Brown spoke about the next programs that SID was looking into and the efforts to bring other organizations in, to help create a sense of community. Mr. Bono commented on the number of programs that SID funds.

President Yamakaitis spoke about the assistance that SID has given to the Historical Society, and thanked them for their help.

Mr. Brown moved for approval of the SID budget. The motion was seconded by Mrs. Ormon and was unanimously ordered approved by a roll call vote.

**ORDINANCE ON HEARING**

President of Council Michele Yamakaitis announced that this is the date designated for the hearing and

further consideration respecting an ordinance entitled:

**#63-14** Ordinance to establish a cap bank, pursuant to N.J.S.A. 40A:4-45.14, for the Calendar Year 2019.

President of Council Michele Yamakaitis 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 Michele Yamakaitis inquired if there were any written objections.

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

There being no persons to be heard, Mr. Brown moved for approval of Ordinance #63-14. The motion was seconded by Mrs. Ormon and was unanimously ordered approved on a roll call vote.

President of Council Michele Yamakaitis announced that this is the date designated for the hearing and

further consideration respecting an ordinance entitled:

**#63-15** An ordinance of the City Council of the City of Linden dedicating “Senator Joseph Suliga Way” pursuant to N.J.S.A. 40:67-1 et seq.

President of Council Michele Yamakaitis 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 Michele Yamakaitis inquired if there were any written objections.

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

There being no persons to be heard, Mr. Strano moved for approval of Ordinance #63-15. The motion was seconded by Mrs. Ormon and was unanimously ordered approved on a roll call vote.

President of Council Michele Yamakaitis announced that this is the date designated for the hearing and

further consideration respecting an ordinance entitled:

**#63-16** An ordinance to amend and supplement Chapter XXXI, Zoning, of an ordinance entitled, an “ordinance adopting and enacting the revised general ordinances of the City of Linden, 1999,” Passes November 23, 1999 and approved November 24, 1999 and as amended and supplemented.

**Revise 31-20.25 Prohibited Uses:**

**Add Section F:** The operation of retail marijuana stores or retail sales of

marijuana.

President of Council Michele Yamakaitis 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 Michele Yamakaitis inquired if there were any written objections.

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

Virginia Malik. Ms. Malik asked if this has anything to do with restricting the amount. She asked if some could expound on this ordinance. Mr. Roman stated that he would ban the retail sale and stores selling marijuana in Linden. He noted the differences from the ordinance that was introduced last year, but not approved.

Mrs. Hickey stated that if pot has yet to be legalized, why this ordinance was on the agenda. She added that once it was legalized, we would have to do this over again.

Mr. Brown talked about the number of other towns that have already adopted similar ordinances. He spoke about the difficulty, the State was having, in passing legislation to legalizing marijuana. He added that this would only effect the sale of recreational marijuana, and not medical marijuana.

There being no other persons to be heard, Mr. Brown moved for approval of Ordinance #63-16. The motion was seconded by Mr. Mohammed and was ordered approved on a roll call vote with all voting in favor with the exception of Mr. Roman and Mrs. Hickey who voted no.

President of Council Michele Yamakaitis announced that this is the date designated for the hearing and

further consideration respecting an ordinance entitled:

**#63-17** 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-NN-3

President of Council Michele Yamakaitis 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 Michele Yamakaitis inquired if there were any written objections.

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

John Principato. Mr. Principato asked what the purpose of this ordinance was, and why do we see ordinances, doing this, so much on the agenda. Mrs. Zack provided an explanation.

Ms. Cosby explained her concerns and noted her objection to giving perks to individuals. She added that she does not support this ordinance, and asked why we need to create titles that we never had before.

There being no other persons to be heard, Mr. Brown moved for approval of Ordinance #63-17. The motion was seconded by Mr. Strano and was ordered approved on a roll call vote with all voting in favor with the exception of Ms. Cosby and Mr. Roman who voted no.

President of Council Michele Yamakaitis announced that this is the date designated for the hearing and

further consideration respecting an ordinance entitled:

**#63-18** An ordinance amending Chapter VII, Section 10 entitled parking prohibited at all times on certain streets.

**7-10 Parking Prohibited at all times on certain Streets**

Name of Street Side Location

**ADD:**

W. Elizabeth Ave. South From a point 210 feet East of the East

Curbline of Donaldson Place and

Continuing 35 feet in easterly direction

President of Council Michele Yamakaitis 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 Michele Yamakaitis inquired if there were any written objections.

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

Ms. Cosby noted that all over the City there are issues with parking. She stated that she did not know what this was for specifically, adding that in her ward there are line of sight issues all over the ward. She stated that she requests stepped up enforcement, and nothing happens. If there was enforcement we wouldn’t have to do ordinances.

Mr. Roman stated that he wanted the record to show that there are no comments allowed on ordinances on first reading, and that she would not have been able to speak on this last month.

There being no persons to be heard, Mrs. Ormon moved for approval of Ordinance #63-18. The motion was seconded by Mr. Roman and was ordered approved on a roll call vote with all voting in favor with the exception of Ms. Cosby and Mrs. Hickey who voted no.

**CONSENT ITEMS**

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

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

2019 Taxes $1,178,156.26

2018 Taxes $381,235.67

2017 Taxes $250.00

Municipal Lien Redemption $0.00

Duplicate Tax Sale Certificate $0.00

Tax Search $0.00

Lien Redemption Request Fee $0.00

Year End Penalty $6,858.86

Returned Check Fee Paid $40.00

Returned Sewer Clean out ($0.00)

Returned Sewer Interest ($0.00)

Returned Check 2018 $0.00)

Returned Check 2019 ($5,309.37)

Returned Check Interest ($28.50)

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 $1,700.54

DPW Reso payments $0.00

Interest $49,309.51

Total $1,612,212.97

1. **Linden Halloween Parade Committee:**

Requesting permission to close Wood Avenue on Sunday, October 27, 2019 from Route 1&9 to Gibbons Street from 12noon to 6pm to hold the Annual Halloween Parade. The parade is scheduled to start at 2pm. Additionally authorizing the approval of a Hold Harmless Agreement with the Linden Board of Education for the use of two (2) Toro Work Carts for parade activity.

1. **Linden Cultural & Heritage Committee:**

Requesting permission to close Wood Avenue between Elizabeth Avenue and

East Curtis Street between the hours of 6am to 9pm on Saturday, September 28,

2019 with a rain date of Sunday, September 29, 2019 to hold the Annual

September to Remember Street Festival. Additionally requesting permission to hang banners advertising the event. (Banners to be placed on N. Wood Avenue from mid-August through the date of the festival)

1. **Linden Fire Department:**

Requesting permission to close Wood Avenue between Blancke Street and

Elm Street between the hours of 4pm and 9pm on Friday, October 4, 2019 to hold their Annual Fire Prevention and Life Safety Fair.

1. **Linden Cultural & Heritage Committee, Holiday Tree Lighting Ceremony:**

Requesting permission to close Wood Avenue between Elizabeth Avenue and

Elm Street between the hours of 4pm and 10pm on Friday, December 6, 2019 to hold the Annual City of Linden Holiday Tree Lighting.

1. **Linden Police Department:**

Requesting permission to close Wood Avenue between Blancke Street and Elm Street on Tuesday, August 6, 2019 to hold the Annual Linden’s Police Department’s National Night Out between the hours of 4:30 pm and 7:30pm.

**Mr. Mohammed moved for the approval of Consent Items #1 through #6. The motion was seconded by Ms. Cosby and was unanimously ordered approved on a roll call vote.**

**COMMITTEE REPORTS**

**First Ward**

Mrs. Ormon thanked her colleagues and the department heads for wearing Autism Awareness Ribbons, this evening, explaining the reasons. Next she spoke about the tentative date for the upcoming grand opening of the Super Fresh store. Mrs. Ormon provided an update on the reconstruction of Wales Park, and that she was hoping for a grand opening to be held in June. She also spoke about the new equipment that was being installed, including equipment for handicapped children.

Mrs. Ormon announced that a Community Yard Sale would be held in the First and Second Wards, and provided details on the event, including how to register for it. She then provided updates on the Gesner St paving projects and other paving projects in the First Ward. Next Mrs. Ormon reported on the First Annual Tea Party, hosted by the Cultural and Heritage Committee in honor of Women’s History Month. She recognized several individual for their role in this event. She concluded by wishing all a blessed Passover and a Happy Easter.

**Second Ward**

Mr. Javick gave the report of the Fire Committee. The Fire Prevention Bureau collected a total of $7550.32 for the month of March. The ambulance billing collected a total of $68,370.87 also for the month of March, bringing the year to date total to $184,764.14. He then spoke on the joint First and Second Ward community yard sale.

Mr. Javick informed all that since the rollout of the residential parking permits, in the Second Ward, there has been an increase in request for commuter permit parking, at the train station. He noted the positive effects of the program. Mr. Javick noted that the revitalization of Elizabeth Ave has begun with the demolition of the buildings at the old JTG scaffolding and United Lacquer sites, to allow for 600 new units of apartment and retail space to be built.

Mr. Javick spoke about the increase in speeding that is occurring in the Second Ward on the streets running from Wood Ave to Stiles St. He noted that the police are monitoring the situation and would be making recommendations for slowing down the offenders. He also noted that he was the liaison to the Shade Tree Commission, and requested that residents do not trim City trees, and explained the process for getting a tree trimmed properly. He also spoke on the issue of placing mulch around trees. Mr. Javick also announced that the NJ DEP was giving away free tree seedlings, and how to obtain them. He concluded by providing his contact information.

**Third Ward**

Mr. Brown gave the report of the Recreation Committee. He announced that Day Camp registration is now open for all children, noting who was eligible and where people can register. He also noted that the Recreation Department was looking for summer camp counselors and how to apply.

Mr. Brown next gave the report of the Construction Code and Street Lighting Committee, noting the following request for street lighting.

Mr. Brown moved for the approval of the installation of a Street Light on Pole #64237 located at 912 Maple Avenue. The motion was seconded by Mr. Mohammed and was unanimously ordered approved.

Mr. Brown moved for the approval of the installation of a Street Light on Pole #62459 located at 234 Elmwood Terrace. The motion was seconded by Mrs. Ormon and was unanimously ordered approved.

Mr. Brown moved for the approval of the installation of a Street Light Installation at Melnyk Park. The motion was seconded by Mr. Mohammed and was unanimously ordered approved.

**Mr. Brown gave the following report of the Finance Committee:**

1. The payment of bills totaling $ 1,574,211.71. 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 March at the rate of 2.75%.

Mr. Brown moved for the approval of the Finance Report. The motion was seconded by Mr. Mohammed and was ordered approved on a roll call vote with all in favor with the exception of Ms. Cosby who voted no.

**Fourth Ward**

Mr. Mohammed apologized to the Council for the comments when the Mayor was giving his redevelopment report during the budget presentation. He commended his friends in the Jewish and Christian community on Passover and Easter.

Mr. Mohammed gave the report of the City Clerk Office, next. The office collected a total of $4,082.58 in fees, to the City, for the month of March. The City Clerk’s Licensing Division collected a total of $9375.00 for the month of March. Mr. Mohammed noted that all is well in the Fourth Ward. He spoke a recent water main break, in the Fourth Ward, and its replacement.

**Fifth Ward**

Ms. Cosby thanked all who reached out to her with their condolences and kindnesses last month. She then spoke about her being the liaison to the Linden Environmental Commission and explained the purpose of the Commission. She noted the loss of the membership of the Commission and asked for volunteers to serve. She explained how to volunteer. Next she spoke about the changes in the Fifth Ward polling places, and noted the comments from the residents of the towers in support of moving the polling places out of the senior housing buildings. She also explained the reasons for the move.

Ms. Cosby spoke about the issue of the condition of Cranford Ave, and the efforts to obtain the funding to get it repaired. She noted that it is shared with the Eighth Ward, and President Yamakaitis assistance. Next she spoke about the pedestrian/auto accidents that have happened along St. Georges Ave, and the cooperation between the Mayors and Police of Linden and Roselle to get the state to install push to stop crosswalks in the area.

Ms. Cosby provided information on various community meetings and the matters that would be discussed. She then talked about the implementation of the new council rules, and her concerns. She also spoke about the five minute limit on Council reports.

**Sixth Ward**

Mr. Roman wished all a happy Easter and Passover. He reported on the Second Annual 6th Ward cleanup and when it would be occurring. He spoke about issues pertaining to traffic on Clinton St. and Woodlawn Avenues, noting that the police are cracking down on large trucks traveling these roads and the issuing of tickets, with a fine of $1000.00, for being on these roads. He added that he was waiting for traffic studies to be done on several streets in the ward.

Mr. Roman talked about the issue of overgrowth, on the Conrail property, on Smith St. He provided updates to the Legacy Square project, and noted proposed changes to the development plans. He also asked Sixth Ward residents to call him if they have sidewalks in need of repair/replacement and provided his contact information. Mr. Roman then provided an update on the spray park being built, by Union County, in Wheeler Park. He described the new park and its amenities, and talked about other plans, by the County, for the Park.

Mr. Roman then spoke about the demolition of the buildings, on South Wood Ave, for the construction of the new apartment building by Meridia. He talked about the problem of the lack of asbestos abatement when the buildings were demolished. He noted the fines that were issues, by the state, in this matter, and provided details on the lack of abatement. He read from various State reports, regarding the findings of the inspectors, and displayed pictures of what went on, noting his disgust with the situation. Mr. Roman made recommendations on how to avoid this situation, in the future, with other developments, and changes to State laws.

**Seventh Ward**

**Mr. Strano gave the following report of the Personnel Committee:**

**1. Construction Code:**

**a. Permission to post for Part Time Uniform Construction Code Building Inspector at a range of $30-$40/hr, not to exceed 19.5 hours per week, open to all Union County residents.**

**2. Police Department:**

**a. Amending the hire date of the following new Public Safety Telecommunicator Trainees to 4/10/19.**

**Shannon Murphy**

**Jessica Montgomery**

**Joseph Condora, Jr.**

**Cynthia Rivera**

**Diana Chisvetti**

**Danielle Vanderhost**

**3. Social Services:**

**a. Accepting the resignation in good standing of Athena Robinson, Clerk 1 effective 3/19/19.**

**4. Engineering:**

**a. The increase in hours of per-diem Public Works Inspectors from 19.5 hours per week to not to exceed 28 hours effective April 1, 2019.**

**b. The hiring of Robert Greeley III as Engineering Summer Intern effective May 22 , 2019 through August 31, 2019 at the rate of $10.00/hr, pending successful completion of all pre- employment requirements.**

**5. Community Services:**

**Public Works:**

**a. The hiring of Nicholas Gryzbowski and Jason Pettaway as Laborer 1 (tier 2) at the wage of $15.00/hr effective April 29, 2019, pending the successful completion of all pre- employment requirements.**

**b. Approval of Seasonal (list on file in the Clerk’s office)**

**c. Permission to post for 2 Full time Laborer 1 (tier 2) at wage of $15/hr, open to all Linden residents.**

**d. Permission to repost for 2 Full time Diesel Mechanic (tier 2) at the range of $21.00 hr- $31.00/hr, open to Union County and all contiguous county residents.**

**e. Permission to post for 1 Full time Mechanic Helper (tier 2) at the range of $17-$29/hr. open to Union County and all contiguous county residents.**

**f. The termination of Marcus Mouzon, Laborer 1 (tier 2) effective April 12, 2019.**

**g. Permission to post a part time clerk 1 (tier 2) at the rate of $18.98/hr.**

**Buildings and Grounds**

**a. The hiring of Bryan Bowser as HAVC mechanic (tier 2) at the rate of $31.50 effective May 1, 2019, pending the successful completion of all pre-employment requirements.**

**6. Department of Parks and Recreation:**

**a. The hiring of Stacey DaSilva as Clerk 1 full time at the annual salary of $34,548 effective April 29, 2019, pending the successful completion of all pre-employment requirements.**

**b. Accepting the resignation in good standing of Masimo Rapisarda, Laborer 1 (tier 2) effective April 16, 2019.**

**c. Approval of Seasonal (list on file in the Clerk’s office)**

**d. Permission to post for 2 full time Laborers (tier 2) at the wage of $15/hr, open to all Linden residents.**

**6. City Clerk:**

**a. Permission to post for Part time Clerk 1, open to all Linden residents due to pending resignation at the rate of $18.98/hr.**

**7.** **The following personnel changes are being considered due to the individuals that are presently working out of their New Jersey Civil Service titles, therefore the change in titles must be commensurate with the work they are presently performing on a daily basis. The following personnel actions are hereby approved and to be incorporated into the 2019 Municipal Budget. The following actions are effective May 1, 2019.**

**a. Edward Fournier to Supervisor of Trades at the annual salary of $78,152**

**b. Gerald Bishop to Supervisor Bulding Services at the annual Salary of $78,152**

**c. Anthony Goncalves to Sign Maker 2 at the wage of $34.50 per hour**

**d Ronald Feuerschwenger to Painter at the wage of $25.60 per hour**

**e. Dwayne Jones to Building Maint. Worker 2 (tier 2) at the wage of $25.25 per hour**

**f. Anthony Sestito to Maint. Repairer/Welder (tier 2) at the wage of $18.00 per hour**

**g. Robin Larson to Administrative Secretary at the annual salary of $79,544**

**h. Igor Marhevka to Sr. Maint Repairer (tier 2) at the wage of $21.00 per hour**

**i. Laura Sasrack to Sr. Maintenance Repairer (tier 2) at the wage of $30.60 per hour**

**j. Willie McBride to Maintenance Repairer (tier 2) at the wage of $17.00 per hour**

**k. Philip Ransome to Laborer/Motor Broom Operator (tier 2) at the wage of $23.15 per hour**

**l. Genorace Robinson to Traffic Maintenance Worker (tier 2) at the wage of $19.15 per hour**

**m. Ralph Horsch to Carpenter (tier 2) at the wage of $21.10 per hour**

**n. Cybil Specht to Clerk 3 at the annual salary of $49,451**

**o. Matthew Czerwinski to Senior Maintenance Worker 2 Grounds (tier 2) at the wage of**

**$27.10 per hour**

**p. Mark MacDonald to Maintenance Worker 1 Grounds (tier 1) at the wage of $24.55 per hour**

**q. Joseph Chrobak to Supervising Engineer at the annual salary of $116,624**

**r. Steven Brodman to Principal Drafting Technician at the annual salary of $58,063**

**s. Sandra Jackson to Clerk 2 at the annual salary of $61,468**

**t. Daniela Berube to Clerk 2 at the annual salary of $55,232**

**u. Paula Salerno to Principal Account Clerk at the annual salary of $60,529**

**v. Daniel Sobelewski** **a salary adjustment to $39,548 due to increased job duties and responsibilities**

**w. Doreen Fritzsche a salary adjustment to $126,474 due to increased job duties and responsibilities**

**x. Rebecca Tatolli a salary adjustment to $61,313 due to increased job duties and responsibilities**

**y. LeeAnn White a salary adjustment to $42,925 due to increased job duties and responsibilities**

**z. Charles Miller to Clerk 2 at the annual salary of $45,901**

**aa. Joli Done to Clerk 2 at the annual salary of $37,782**

**bb. Jacqueline Williams to Clerk 2 at the annual salary of $42,282**

**cc. Philip Palma to Public Works Supervisor at the annual salary of $81,376**

**dd. Charles Dulko to Sanitation Inspector at the annual salary of $71,932**

**8. Personnel:**

**FMLA**

1. **Employee #91533 FMLA 3/13/19 to 05/06/2019**

Mr. Strano asked if there were questions from the public.

Virginia Malik. Ms. Malik asked about the increase in hours for inspectors, to 28 hours, and asked if they now would get pension and other benefits. Mr. Roth responded and explained the new state law. She then asked about item 7, parts x, w, and y, and why are they receiving salary adjustments.

John Principato. Mr. Principato noted that the Mayor’s Secretary is taking on increased job duties, she is not the only secretary in the Mayor’s office, and there is now a Chief of Staff in the office. He asked what the increased job duties are. He also noted that the position of Clerk 2 appeared in the report, a few times, with different salaries, and asked what the differences were. He also compared the rate of pay for the supervising city engineer and the purchasing agent. He also asked for the rate of pay for each of the purchasing agents. Mr. Principato noted that he thought there was a 2% cap on raises in the State of New Jersey. Mr. Roth provided a response to the questions.

Kelley Vlasic. Ms. Vlasic asked about the increase in job duties for Ms. Tattoli, noting that the new salary comes to about $1,100.00 per week. She asked what other secretaries, in the past, in the Mayor’s office made. She questioned other aspects of Ms. Tattoli’s raise. She questioned when the raises, in the Mayor’s office, where going to stop. Mr. Roth provided a response.

Ed Kaminski. Mr. Kaminski asked if the raises are retroactive. He noted these numbers are just salary, and there are pension cost and health care cost that also need to be paid. Mr. Roth responded that the raises are not retroactive, and addressed the other concerns raised.

Henry Mack. Mr. Mack what the total of all of these increases are. Mr. Roth estimated them to be around $150,000.00. Mr. Mack asked if that included the cost of pension and benefits. Mr. Roth noted that all of these positions are in the 2019 budget. Mr. Mack, stated that on behalf of the people, this whole discussion should be held, and taken into the backroom to be discussed further.

Dawn Matheis (212 Yale Terrace). Ms. Matheis noted that the $7,500 increase for Ms. Tattoli comes to around 14%. She added that a normal raise is around 2% to 3%. Even if that is doubled, it still does not come to 14%. She noted what she thought she was worth, and asked Council to hire her.

Mr. Strano moved for the approval of the Personnel Committee. The motion was seconded by Mr. Mohammed. President Yamakaitis asked for Mr. Antonelli to review the rules for discussion on the Personnel Report, by members of Council, which he did. President Yamakaitis asked that a roll call vote take place. The resolution was ordered approved by all voting yes with the exception of Ms. Cosby who abstained on all with the exception of items 7 W, X, and Y to which she voted no. Mr. Roman who voted no on items 7 V and X. Mr. Medina who voted no on items 7W and Mrs. Hickey who voted no on item 7X.

Mr. Strano continued with his ward report. He provided an update on the Quite Zone and some issues that have been occurring with the signs and signals there. He noted that he did a springtime surveillance of potholes, in the Seventh Ward, and reported them to DPW for repair. He asked that if he missed any, to contact him and he will make sure they are reported. He provided his contact information. He provided an update on the replacement of the guardrail on Lower Road.

Mr. Strano reported on the porous paving project, taking place in the Seventh Ward, and explained how porous paving works. Next he noted that he has requested that the installation of sidewalks be included in the paving project for S. Stiles St. He spoke about the lack of sidewalks, and how badly sidewalks are needed and why. Mr. Strano announced the upcoming free rabies clinks, and provided, the dates, times and locations of the clink. He wished all a happy Easter and Passover.

**Eighth Ward**

President Yamakaitis noted the vacant eighth ward council seat, and that as the former Eighth Ward councilperson she would give an eighth ward report. She provided details on the upcoming community yard sale. She also provided her contact information for Eighth Ward residents that had a question oro concern. President Yamakaitis provided updates on various paving projects being done in the Eighth Ward. She also informed all that bids were being taken for the paving of Cranford Ave and Park Ave.

**Ninth Ward**

Mr. Medina noted that he was sick and not present at last night’s conference meeting. He noted that he wanted to justify his vote, explaining that a lot of the employees on the list are good, hardworking employees of the City. He noted that most of the report were positions that Mr. Dann asked for in his reorganization of his department, and were provided for in the 2019 budget.

Mr. Medina stated that his sidewalk list was almost ready for submission, but if anyone in the Ninth Ward has a sidewalk, damaged by a tree, to please give him a call, so it can be added to the list. He spoke about the great job that DPW was doing with the tree concerns in the Ninth Ward. He informed all that the new stop sticks were installed on N. Wood Ave, near the Dunk’n Donuts. He noted that he has requested safety improvements along Raritan and N. Wood Ave, and they are in the works. He added that he is working with the County to add crosswalks along N. Wood Ave. He spoke about the need.

Mr. Medina informed all that the Ninth and Tenth Wards would be having a meet and greet, in May, after Easter. Dates would be announced soon. He concluded by providing his contact information.

**Tenth Ward**

Mrs. Hickey asked any Tenth Ward residents, who are in need of trees to be trimmed, and sidewalks replaced to please message her. She provided her contact information. She then thanked DPW for the work that was being done in the ward, and reviewed the streets that will be paved. She confirmed the comments made by Ms. Cosby, regarding the moving of the Fifth Ward polling places, and the reasons that they were moved. Mrs. Hickey noted that this was Dispatchers week, and thank Linden Dispatchers, and dispatchers throughout the state for their service.

Mrs. Hickey she informed all about a boxing exhibition that was being run by the Maddalun family, provided details on the event, spoke about what a great program it was, and stated that she hoped that the Mayor would donate some of the funds that were left over from the Diamond Gloves Event, to it. Mrs. Hickey stated that she was shocked by the report, given by Mr. Roman, regarding the improper removal of asbestos at the redevelopment site in the Sixth Ward. She indicated that she would be voting no to all future redevelopment programs.

Mrs. Hickey spoke about the Personnel Report, and noted the number of items on it, and that she had never saw a report like this before. She spoke about the upcoming primary election and stated that she hoped that none of these employees sell their souls and urged employees not to be intimidated in that election Mrs. Hickey spoke about a good friend of hers, who is also her campaign treasurer, who is a Clerk 2, that she is a good employee who is reliable and still remains a Clerk 2. She concluded by wishing all a happy Easter and Passover.

**MAYOR’S REPORT**

Mayor Armstead wished all a happy Passover and Easter. He announced a number of various upcoming events, and talked about the need to have an all-inclusive community. He spoke about the upcoming grand opening of the new Super Fresh supermarket. The Mayor then recognized Linden 911 Dispatchers for National Telecommunicators Week.

Mayor Armstead spoke about the budget that was adopted this evening, and for the second year in a row, it contained a tax decrease. He noted that in addition to the tax decrease, last year, the garbage tax had also been eliminated. He proudly announced that Linden was the only municipality in Union County to have lowered its taxes. Next he spoke about his endorsing of candidates, for the Board of Education, in return for a commitment to make Linden more affordable, and that the this year, the Board of Education would also not have a tax increase. He explained his reasons as to why reducing taxes was an important issue to him.

Mayor Armstead spoke about the relocation of the Fifth Ward polling places, from the senior buildings, to the school, and offered to provide help to those who had difficulty in getting to the new polling place. He then spoke about the Diamond Glove event, that the city had run, and the money that was left. He noted that the City collects a fee for every wedding that he performs, and how that money, and the money left from the Diamond Gloved is used, for items such as scholarships.

President Yamakaitis noted that the City had recently held its First Annual Municipal Government Day. She described the events, of the day, and gave credit to a number of individuals, including Mrs. Zack and other department heads, for organizing the event. She also thanked Mrs. Zack, Mr. Brown, and the members of the Finance Committee, for their hard work in bringing in a zero tax increase budget. She talked about the Personnel report, and how the money being spent is well worth it and why. She noted some of the reasons for a zero tax increase.

**RESOLUTIONS**

**Mrs. Yamakaitis stated that 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.**

**Ms. Cosby moved for the approval of Resolutions #2019-162 through #2019-187 with the exception of Resolutions #2019-164, #2019-169, #2019-174, #2019-181, #2019-184 and #2019-187 . The motion was seconded by Mr. Roman and was ordered approved by all voting yes with the exception of Ms. Cosby who voted no on Resolution #2019-165 and abstained on Resolutions #2019-167, #2019-177 and #2019-186. Mr. Roman abstained on Resolution #2019-177.**

**Resolutions #2019-169 and #2019-181 were removed at the request of Mr. Halloran.**

**Resolutions #2019-164 and #2019-187 were removed at the request of Ms. Malik.**

**Resolution #2019-184 was removed at the request of Mr. Brown.**

**Resolution #2019-174 was removed at the request of Mr. Principato.**

**RESOLUTION: 2019-162**

**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; 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 9-01-28-370-198-208; and

**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; 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: 2019-163**

**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. 9-01-28-370-198-209; 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, 2019 and terminating December 31, 2019;

**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, 2019 and terminating December 31, 2019, as approved by the Law Department.

2. The Linden Pop Warner Football Program shall provide an audit/financial statement and or similar document for 2018 to the City, before monies can be released, and an audit financial statement for the end of 2018 in compliance with the City of Linden policies.

3. This Resolution shall take effect immediately.

**RESOLUTION: 2019-164**

**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. 9-01-40-700-104-208; and

**WHEREAS,** the term of the contract will be for a period of one (1) year commencing January 1, 2019 and terminating December 31, 2019, at a fee not to exceed $60,000.00.

**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, 2019 and terminating December 31, 2019, not to exceed $60,000.00.

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

1. This Resolution shall take effect immediately.

Virginia Malik. See the comments after Resolution 2019-187.

**RESOLUTION: 2019-165**

**CITY OF LINDEN RAT RESOLUTION**

**WHEREAS,** there were certain payments made by the Municipal Treasurer during the month of March 2019 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:

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

3/5/2019 Elavon, Inc. February Merchant Fee – Garage Sale $54.99

3/7/2019 Unity Bank Workers Comp 2/25 – 3/3 $29,256.86

3/8/2019 Payroll Current Payroll 3/12/19 $1,877,557.87

3/8/2019 Payroll Trust Payroll 3/12/19 $88,792.88

3/8/2019 Payroll Grant Payroll 3/12/19 $5,776.36

3/8/2019 Payroll Capital Payroll 3/12/19 $360.50

3/8/2019 Payroll Unemployment Payroll 3/12/19 $1,772.08

3/13/2019 Unity Bank Workers Comp 3/4 - 3/10 $9,765.23

3/13/2019 Express Scripts/Medco Prescription Claims 2/23 – 3/8 $58,405.77

3/13/2019 Depository Trust Co. GO Bonds 2015 Debt Principal $800,000.00

3/13/2019 Depository Trust Co. GO Bonds 2015 Debt Interest $49,000.00

3/13/2019 SHBP Retirees March Health Premium $404,844.94

3/13/2019 SHBP Active January Health Premium $615,573.32

3/19/2019 Delta Dental of NJ City March Premium $39,463.21

3/19/2019 Delta Dental of NJ Sewerage March Premium $3,126.94

3/19/2019 Delta Dental of NJ Housing March Premium $1,298.88

3/19/2019 Delta Dental of NJ Library March Premium $948.88

3/20/2019 Unity Bank Workers Comp 3/11 – 3/17 $128,185.40

3/22/2019 Payroll Current Payroll 3/26/19 $1,716,751.97

3/22/2019 Payroll Trust Payroll 3/26/19 $86,820.63

3/22/2019 Payroll Grant Payroll 3/26/19 $5,382.32

3/22/2019 Payroll Unemployment Payroll 3/26/19 $1,428.29

3/25/2019 Delta Dental of NJ City April Premium $38,947.53

3/25/2019 Delta Dental of NJ Sewerage April Premium $3,126.94

3/25/2019 Delta Dental of NJ Housing April Premium $1,298.88

3/25/2019 Delta Dental of NJ Library April Premium $948.88

172953 3/26/2019 Charles Avery Return Escrow Balance $13,677.49

172954 3/26/2019 Carolynne Baykowski Women’s History Reimbursement $751.50

172955 3/26/2019 Sheri Humphrey Women’s History Reimbursement $1,640.00

172956 3/26/2019 NJ Motor Vehicle Comm. Title for New Ford Fusion $60.00

172957 3/26/2019 RKC Security Systems Basement Project $6,842.00

172958 3/26/2019 Stafford Fec Partners Deposit for Funplex 7/12/2019 $1,010.00

175959 3/26/2019 Oscar Ames Overpayment Refund $760.00

3/27/2019 Unity Bank Workers Comp 3/18 – 3/24 $19,690.21

3/27/2019 Express Scripts/Medco Prescription Claims 3/9 – 3/22 $69,990.66

3/28/2019 Depository Trust Co. GO Bonds 2018 Debt Principal $900,000.00

3/28/2019 Depository Trust Co. GO Bonds 2018 Debt Interest $394,975.00

3/28/2019 US Bank Refunding Pension Bond 2003 Debt $301,762.50

3/28/2019 US Bank Morningstar 2007 Debt Payment $79,947.50

3/28/2019 Webster Bank Landfill Bond 2016 Debt Payment $199,374.25

**RESOLUTION: 2019-166**

**RESOLUTION WAIVING FEES FOR A COMMUNITY WIDE GARAGE SALE**

**TO BE HELD IN THE EIGHTH WARD**

WHEREAS, the City Council has determined to allow a community wide garage sale in the Eighth Ward on April 27, 2019 with a rain date of April 28, 2019; 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 Eighth Ward to be held on April 27, 2019 with a rain date on April 28, 2019;
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: 2019-167**

**RESOLUTION AUTHORIZING A DONATION TO OCCUPATIONAL CENTER OF UNION COUNTY**

**WHEREAS**, City of Linden, 301 N. Wood Avenue, Linden, New Jersey wishes to donate $7,000.00 to the Occupational Center of Union County; and

**WHEREAS**, the Occupational Center of Union County has submitted the appropriate paperwork and 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 9-01-27-360-194-208; and

**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; 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: 2019-168**

**RESOLUTION DECLARING MAY AS**

**PREECLAMPSIA AWARENESS MONTH**

**WHEREAS,** Preeclampsia, including HELLP syndrome and preclampsia, is a dangerous condition of pregnancy that can, in its severest form, lead to maternal and/or infant mortality or premature birth with significant health risks for the mother and baby; and,

**WHEREAS,** Preeclampsia has as many as 320,000 cases diagnosed in America every year with approximately 25% resulting in severe, life-threatening consequences to a pregnant woman and her baby; and,

**WHEREAS,** Public Education as to the signs and symptoms of preeclampsia, HELLP syndrome and eclampsia can help women recognize the condition and seek appropriate medical care; and,

**WHEREAS,** Prenatal Education should include recognition of those signs and symptoms such as spikes in maternal blood pressure, sudden swelling of face and hands, severe upper abdominal pain, blurred vision, persistent headaches, breathlessness; and,

**WHEREAS,** Many citizens of the City of Linden, have joined with the Preeclampsia Foundation to raise public awareness in order to minimize maternal and infant illness and death due to preeclampsia; and,

***NOW, THEREFORE BE IT RESOLVED BY*** Mayor Derek Armstead and the members of the Council of the City of Linden, that they do hereby declare that the month of May be recognized as **“Preeclampsia Awareness Month”**,and urge all Linden residents to support the Preeclampsia Foundation’s efforts to reduce maternal and infant illness and mortality due to preeclampsia and related hypertensive disorders of pregnancy.

**RESOLUTION: 2019-169**

**RESOLUTION FOR STATE CONTRACT PURCHASE OF SIX 2020 FORD POLICE INTERCEPTOR UTILITY SUV’S (2 WHICH WILL BE HYBRID) FROM WINNER FORD FOR THE POLICE DEPARTMENT**

**WHEREAS**, the City of Linden wishes to obtain six Ford police interceptor utilities (SUV’s) (4 gas, 2 hybrid) with options for Police Patrol Division 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, 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 $195,000; and,

4- 2020 SUV $31,000.00 each

2- 2020 SUV $34,729.00 each **HYBRID**

**WHEREAS**, the Chief Finance Officer has certified the availability of funds for

C-04-55-902-701-919 $163,000.00

9-01-26-301-159-277 $ 32,000.00

**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.

Craig Halloran. See Mr. Halloran’s comments after resolution 2019-181.

**RESOLUTION: 2019-170**

**RESOLUTION OF AWARD FOR DFFLM, LLC., T/A DITSCHMAN/FLEMINGTON FORD FOR PURCHASE OF ONE 10 PASSENGER POLICE TRANSPORT VAN THROUGH THE HUNTERDON COUNTY CO-OP FOR THE LINDEN POLICE DEPARTMENT**

**WHEREAS**, the City of Linden wishes to obtain services from an authorized vendor under the Hunterdon County Co-op Contract #14/15-Trans-1. Awarded to DFFLM, LLC., T/A Ditschman/Flemington Ford 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**, DFFLM LLC., T/A Ditschman/Flemington Ford, has been awarded Contract No. #14/15-Trans-1, for the provision of transport 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 $32,948.10 and,

**WHEREAS**, the Chief Finance Officer has certified the availability of funds for this contract, which will be charged to account number C-04-55-902-702-919 and,

**NOW THEREFORE BE IT RESOLVED** by the City of Linden that DFFLM, LLC., T/A Ditschman/Fleminton 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.

**RESOLUTION: 2019-171**

**RESOLUTION QUALIFYING CERTAIN PROFESSIONALS IN ACCORDANCE WITH N.J.S.A 40A:11-2(6)**

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

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

**WHEREAS,** pursuant to the fair and open process, and based upon review of the qualifications and recommendations therefore, certain professionals are qualified for certain positions for the calendar year 2019;

**ACTING PUBLIC DEFENDER**

Robert S. Bohrod

777 Walnut Avenue

Cranford, NJ 07016

The Dudley-Smith Law Firm, LLC

1155 W. Chestnut Street Suite 2A

Union, NJ 07083

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

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

**Resolution: 2019-172**

**RESOLUTION AMENDING AN AWARD OF CONTRACT TO**

**PASCACK DATA SERVICES FOR**

**COMPUTER CONSULTING SERVICES FOR THE POLICE DEPARTMENT**

**WHEREAS**, the Governing Body of the City of Linden has determined that there exists a need for additional computer consulting services; and

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

**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 Chief Financial Officer or his designee has certified as to the availability of finds for this purpose will be charged to account/line item

9-01-25-250-314-273 $9,000.00; and

**WHEREAS**, the Purchasing Agent has certified that this meets the statute and regulations governing the award of said contract;

**NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN**, that the contract for professional services be and hereby awarded to Pascack Data Services, 200 Central Avenue Suite 100 Hawthorne, NJ 07506 in accordance with their qualifications, in an amount not to exceed $9,000.00 for the period of January 1, 2019 through December 31, 2019. Original Contract amount of $50,200.00 (Public Safety). Reso. #2019-34

**BE IT FURTHER RESOLVED** that this Resolution expressly contingent upon the negotiation of the necessary contract documents between Pascack Data Services and the City of Linden; and

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk are hereby empowered and directed to execute a contact with Pascack Data Services to effectuate the foregoing; and;

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

**RESOLUTION: 2019-173**

**RESOLUTION AUTHORIZING THE CITY OF LINDEN TO ENTER INTO AN AGREEMENT WITH THE HUNTERDON COUNTY EDUCATIONAL SERVICES COMMISSION COOPERATIVE PRICING SYSTEM FOR THE PURCHASE OF WORK, MATERIALS AND SUPPLIES FOR 2019**

WHEREAS, N.J.S.A. 40A:11 - et seq authorizes contracting units to enter into cooperative pricing agreements; and

WHEREAS, Hunterdon County Educational Services Cooperative Pricing System has established a voluntary cooperative pricing system for the purchase of work, materials and supplies; and

WHEREAS, N.J.A.C. 5:34-7.1 et seq regulates the manner in which cooperative purchasing and more specifically, cooperative pricing systems are operated and conducted; and

WHEREAS, The City of Linden desires to become a member of the Hunterdon County Educational Services Cooperative Pricing System be effective April 2019, and each renewal at no cost to the City of Linden, thereafter of the system, unless The City of Linden elects to formally withdraw from the system; and

NOW THEREFORE BE IT RESOLVED, that the City Council authorizes the City of Linden to participate in the Hunterdon County Educational System and hereby authorizes the Mayor and City Clerk to sign, seal and execute a Cooperative Pricing Agreement with the Hunterdon County Educational System upon its approval by the Division of Local Government Services;

NOW THEREFORE BE IT FURTHER RESOLVED, that the City Council authorizes the Purchasing Agent to determine the work, materials, or supplies that the City of Linden will purchase through the Hunterdon County Educational Services Cooperative Pricing System Purchasing Agreement; and

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

**RESOLUTION: 2019-174**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDEN, COUNTY OF UNION, NEW JERSEY AUTHORIZING THE PLANNING BOARD TO INVESTIGATE WHETHER THE PROPERTY COMMONLY KNOWN ON THE CITY’S TAX MAPS AS BLOCK 513, LOT 1 (A/K/A 1201 SOUTH PARK AVENUE) SHOULD BE DESIGNATED AS AN AREA IN NEED OF REDEVELOPMENT, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A*. 40A:12A-1, *et seq.***

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

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

**WHEREAS,** the City Council believes it is in the best interest of the City that an investigation occur with respect to certain parcels within the City and therefore authorizes and directs the Planning Board to conduct an investigation of the property commonly known on the City tax maps as Block 513, Lot 1 (a/k/a 1201 South Park Avenue) (hereinafter the “**Study Area**”), to determine whether the Study Area meets the criteria set forth in the Redevelopment Law, specifically  *N.J.S.A.* 40A:12A-5, and should be designated as an area in need of redevelopment; and

**WHEREAS,** the redevelopment area determination requested hereunder authorizes the City and City Council to use all those powers provided by the Redevelopment Law for use in a redevelopment area, other than the power of eminent domain (hereinafter referred to as a “**Non-Condemnation Redevelopment Area**”).

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

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

Section 2. The Planning Board is hereby authorized and directed to conduct an investigation pursuant to *N.J.S.A.* 40A:12A-6 to determine whether the Study Area satisfies the criteria set forth in *N.J.S.A.* 40A:12A-5 to be designated as an area in need of redevelopment (non-condemnation).

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

Section 4. The Planning Board shall conduct a public hearing in accordance with the Redevelopment Law, specifically *N.J.S.A.* 40A:12A-6, after giving due notice of the proposed boundaries of the Study Area and the date of the hearing to any persons who are interested in or would be affected by a determination that the Study Area is an area in need of redevelopment. The notice of the hearing shall specifically state that the redevelopment area determination shall not authorize the City or City Council to exercise the power of eminent domain to acquire property in the delineated area, for the Study Area is being investigated as a possible Non-Condemnation Redevelopment Area.

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

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

Section 7. This Resolution shall take effect immediately.

John Principato. Mr. Principato asked who owns the property. The response was that the City owns it. He then asked how long the City owns it, and how large the property was. Mr. Patina responded to the questions that Mr. Principato asked, and stated that he would have obtain the answers and provide it to Mr. Principato. Mr. Principato thought that when resolutions, like this, are on the agenda, that information pertaining to the property should be made available at the meeting. Mr. Antonelli explained the purpose of the resolution, and that it is the first step in a process. Mr. Strano asked if it was improper to comment further on this. Mr. Antonelli responded and did not think it improper, and again referred to the process that was taking place.

**RESOLUTION: 2019-175**

**RESOLUTION AUTHORIZATING A MEMORANDUM OF UNDERSTANDING BETWEEN THE AMERICAN RED CROSS AND THE CITY OF LINDEN**

**WHEREAS**, the City of Linden (“City”) wishes to enter into a Memorandum of Understanding (“MOU”) with the American Red Cross (“ARC”); and

**WHEREAS**, the MOU defines a working relationship between the City and the ARC to provide a framework for cooperation and support, and to assist individuals, families and communities who have been or could be impacted by a disaster or an emergency; and

**WHEREAS**, it is in the City’s best interest for the health, safety and welfare of its citizens to enter into this MOU.

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

1. The Mayor and City Clerk is hereby authorized to execute an MOU between the City and the ARC, a copy of which is attached and subject to approval by the Law Department, which may include minor changes.
2. This Resolution shall take effect pursuant to law.

**RESOLUTION: 2019-176**

# Resolution Supporting the

*2019 UDrive. UText. UPay.*

*Distracted Driving Crackdown*

April 1 - 21, 2019

**Whereas**, distracted driving is a serious, life-threatening practice that is preventable; and

**Whereas**, distracted driving can result in injuries and deaths to all road users (motorists, pedestrians and bicyclists); and

**Whereas**, distracted driving occurs when drivers divert their attention away from the task of driving to focus on another activity instead; and

**Whereas**, in 2015 alone distracted driving-related crashes resulted in 3,477 deaths and 391,000 injuries on our nation’s roads; and

**Whereas**, in New Jersey distracted driving was listed as a contributing circumstance in nearly 750,000 crashes between 2011-2015; and

**Whereas**, the State of New Jersey will participate in the nationwide *Distracted Driving 2018 Crackdown* from April 1 - 21, 2018 in an effort to raise awareness and decrease driver distraction through a combination of enforcement and education; and

**Whereas**, the national slogan for the campaign is *UDrive. UText. UPay*; and

**Whereas**, a reduction in distracted driving in New Jersey will save lives on our roadways;

**Therefore**, **be it resolved,** that the Mayor and Council of the City of Linden declares it’s support for the *Distracted Driving 2019 Crackdown* both locally and nationally from April 1 - 21, 2019 and pledges to increase awareness of the dangers of distracted driving.

**RESOLUTION: 2019-177**

**Resolution in Support of Path to Progress Recommendations made by New Jersey Economic and Fiscal Policy Workgroup**

**WHEREAS,** New Jersey faces a daunting fiscal crisis; and

**WHEREAS**, for two decades, while county and municipal governments made the proper pension payments, New Jersey governors from both parties severely underfunded the pension system for teachers and State government workers; and

**WHEREAS**, while local government pension systems are funded at the national average, the State’s unfunded liability for pensions and retiree health benefits now tops $150 billion – four times the size of the State budget; and

**WHEREAS**, actuaries project the State will have to increase its pension contribution from $3.2 billion in this year's budget to $6.7 billion to reach the Actuarially Required Contribution (ARC) by FY 2023; and

**WHEREAS**, health care costs continue to rise, and New Jersey and its local governments cannot sustain the unparalleled platinum-level benefits that they provide to their employees; and

**WHEREAS**, municipalities cannot address other major cost drivers, such as career-end sick leave payouts in excess of $100,000, without relief from State government; and

**WHEREAS**, the State must bring pension and health care costs under control before they crowd out all other important spending needs, such as reinvestment in NJ Transit, making higher education more affordable and properly funding state aid to school districts to hold down property taxes.

**NOW, THEREFORE BE IT RESOLVED** that the governing body of the City of Linden expresses its support for the recommendations of the Path to Progress report issued by the New Jersey Economic and Fiscal Policy Workgroup; and

**BE IT FURTHER RESOLVED,** that a copy of this Resolution is forwarded to Assembly persons James Kennedy and Linda Carter, Senator Nicholas Scutari, Senate President Sweeney, Assembly Speaker Coughlin, Senator Paul Sarlo, Senator Steve Oroho, Assembly Majority Leader Greenwald, Assemblywoman Eliana Pintor-Marin, Senator Tony Bucco, Senator Troy Singleton, Senator Dawn Addiego, the Governor of State of New Jersey, the New Jersey Association of Counties, and the New Jersey State League of Municipalities.

**RESOLUTION**: **2019-178**

**RESOLUTION APPOINTING ANGIE TSIRKAS AS A REAL ESTATE MEMBER OF THE LINDEN DISTRICT MANAGEMENT CORPORATION (SID) TO FILL AN UNEXPIRED TERM**

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

That **ANGIE TSIRKAS,**  representative of the owner of Real Estate in the Linden District Management Corporation (SID) area , in the County of Union and State of New Jersey, be and he hereby is appointed a real estate member of the Board of Trustees of the City of Linden District Management Corporation, according to an ordinance entitled, "AN ORDINANCE TO CREATE A SPECIAL IMPROVEMENT DISTRICT WITHIN THE CITY OF LINDEN AND TO ESTABLISH THE CITY OF LINDEN DISTRICT MANAGEMENT CORPORATION PURSUANT TO N.J.S.A. 40:56-65, ET SEQ.", Ordinance No. 31-63, adopted on October 19, 1994, to fill the unexpired term of Cynthia Weaver which commenced January 1, 2017 and expires December 31, 2019, and until her successor is appointed and qualifies.

**RESOLUTION**: **2019-179**

**RESOLUTION RESCINDING RESOLUTION 2019-154 APPOINTING ALAIN JULIEN AS A MERCHANT MEMBER OF THE LINDEN DISTRICT MANAGEMENT CORPORATION (SID) AND APPOINTING JOSHUA WEISS AS A MERCHANT MEMBER**

**WHEHEAS,** the Council of the City of Linden adopted Resolution 2019-154, appointing Alain Julien as a Merchant member of the Linden District Management Corporation; and

**WHEREAS,** Alain Julien is unable to attend the meeting of SID.

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

1. Rescind Resolution 2019-154 appointing Alain Julien as a Merchant member of SID; and
2. That **JOSHUA WEISS,**  a merchant in the Linden District Management Corporation (SID) area , in the County of Union and State of New Jersey, be and he hereby is appointed a real estate member of the Board of Trustees of the City of Linden District Management Corporation, according to an ordinance entitled, "AN ORDINANCE TO CREATE A SPECIAL IMPROVEMENT DISTRICT WITHIN THE CITY OF LINDEN AND TO ESTABLISH THE CITY OF LINDEN DISTRICT MANAGEMENT CORPORATION PURSUANT TO N.J.S.A. 40:56-65, ET SEQ.", Ordinance No. 31-63, adopted on October 19, 1994, to serve a three (3) term, commencing January 1, 2019 and expiring December 31, 2021, and until his successor is appointed and qualifies.

**RESOLUTION: 2019-180**

**RESOLUTION AUTHORIZING A SHARED SERVICES**

**AGREEMENT WITH THE COUNTY OF UNION FOR THE USE OF THE WATER TENDER APPARATUS**

**WHEREAS**, the City of Linden wishes to enter into a Shared Services Agreement with the County of Union, which would permit use by the City of Linden, of the County of Union’s Water Tender Apparatus; and

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that the Mayor and City Clerk be and hereby are directed and authorized to enter into a Shared Services Agreement, a copy of which is attached; and

**BE IT FURTHER RESOLVED** that a duly executed copy of this Resolution be sent to the County of Union; and

**BE IT FURTHER RESOLVED** that this Resolution be published and take effect pursuant to law.

**RESOLUTION: 2019-181**

**RESOLUTION AUTHORIZING THE USE OF STATE CONTRACT A81330 FOR SECURITY EQUIPMENT AND SUPPLIES FOR POLICE VEHICLES FROM GENERAL SALES ADMINISTRATION, T/A MAJOR POLICE SUPPLY**

**WHEREAS**, the City of Linden wishes to obtain security equipment and supplies to outfit police vehicles (transport van, 5 suv’s) from an authorized vendor under the State of New Jersey contract A81330 awarded to General Sales Administration t/a Major Police Supply, 47 N. Dell Avenue, Kenvil, NJ 07847 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**, General Sales Administration t/a Major Police Supply has been awarded Contract No A81330 for the provision of Police and Homeland Security Equipment and Supplies; 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 $73,239.52 and,

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

C-04-55-902-702-919 $8,023.96

C-04-55-902-701-919 $65,215.56

**NOW THEREFORE BE IT RESOLVED** by the City of Linden that General Sales Administration t/a Major Police Supply 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.

Craig Halloran. Mr. Halloran stated that his comments pertained to Resolutions #2019-169 and #2019-181. He asked about the total cost of the vehicles, including the equipment. Chief Hart provided a response. Mr. Halloran asked if the City had the equipment and staff to handle the hybrid vehicles. Mr. Dann responded that they will be sent to the dealer for maintenance or repair.

**Resolution: 2019-182**

**RESOLUTION FOR TRANSPORTATION AND DISPOSAL OF STOCKPILE AT SOUTH WOOD AVENUE FOR DISPOSAL SYSTEMS, INC.**

**WHEREAS**, the City of Linden wishes to dispose of stockpile at South Wood Avenue for the City of Linden; and

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

**WHEREAS,** Disposal Systems, Inc., PO Box 6696, Freehold, NJ 07728 was solicited for quotations; and

**WHEREAS,**  Disposal Systems, Inc. provided the most advantageous quote, price and others factors considered in the amount of $48.00/ton (based off 750 tons) for a price not to exceed $36,000.00; and

**WHEREAS**, the Chief Finance Officer has certified the availability of funds for this award, which will be charged to C-040-55-901-623-919;

**NOW THEREFORE BE IT RESOLVED** Disposal Systems, Inc. be awarded a contract to dispose and transport stockpile at the low quote of $36,000.00.

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

**RESOLUTION: 2019-183**

**RESOLUTION AUTHORIZING THE CITY OF LINDEN**

**TO PROCESS AN INVOLUNTARY DISABILITY**

**RETIREMENT APPLICATION FOR IWONA CHIMILEWSKA**

WHEREAS, the City of Linden has employed a Clerk 1 assigned to Municipal Court; and

WHEREAS, this Clerk 1 is an active member of the PERS; and

WHEREAS, this Clerk 1 has years months of PERS service credit, meeting the minimum service credit requirement of at least ten (10) years for PERS members; and

WHEREAS, the City is of the opinion that this Clerk 1 is totally and permanently disabled and can no longer perform the assigned duties based on the documentation supplied by professionals retained by the City; and

WHEREAS, the City of Linden is unable to provide an alternative to the PERS covered position with duties capable of being performed by said Clerk 1; and

WHEREAS, this Council and the Municipal Court Administrator have consented to the processing of this Involuntary Disability Retirement Application.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Linden, accepts the recommendation of its Municipal Court Administrator and Personnel Division, and hereby authorizes the staff of the Personnel Division and any other necessary personnel to take all actions necessary to process an Involuntary Disability Retirement Application for this Clerk 1; and

BE IT FURTHER RESOLVED that certified copies of this Resolution shall be forwarded to all parties involved in the administration of this action.

**RESOLUTION 2019-184**

**RESOLUTION URGING THE LEGISLATURE TO INCREASE THE PROPERTY TAX DEDUCTION FOR SENIOR CITIZENS AND VETERANS**

**WHEREAS,** New Jersey qualified Senior Citizens and Veterans currently enjoy a $250.00 per year deduction from their taxes; and

**WHEREAS**, the $250.00 deduction for Senior Citizens has not been increased since in addition to the income threshold which has not been increased as well;

**WHEREAS**, the $250.00 deduction for Veterans has not been increased since 2002; and

**WHEREAS**, the City of Linden calls upon the Legislature to sponsor legislation and/or commence the process for a constitutional amendment that would increase the deduction to Senior Citizens and Veterans to $1000 per year and increasing the minimum income requirement to $20,000. ; and

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

1. The City of Linden urges upon the Legislature to sponsor legislation and/or commence the process for a constitutional amendment that would increase the property tax deduction for Senior Citizens and Veterans to $1000 per year and to increase the minimum income requirement to $20,000; and
2. A copy of this resolution shall be forwarded to the twenty-one municipalities in the County of Union, the Union County Board of Chosen Freeholders and all members of the Legislature.

I, JOSEPH C. BODEK, City Clerk of the City of Linden, in the County of Union, do hereby certify that the above is a true copy of RESOLUTION NO. 2019-184, passed at a REGULAR COUNCIL meeting of said City, held on the 16th day of April, 2019.

Mr. Brown explained the resolution and his reason for asking for the resolution.

**RESOLUTION: 2019-185**

**RESOLUTION APPROVING A CONTRACT WITH HARBOR CONSULTANTS, INC. FOR ENGINEERING SERVICES ASSOCIATED WITH THE CULVERT REPLACEMENT ON BLOCK 581, LOT 10 (RANGE ROAD) ALONG KING’S CREEK IN THE CITY OF LINDEN**

**WHEREAS**, there exists a need for the engineering design, bid documents/specifications, contract administration and construction observation services for the culvert replacement on Block 581, Lot 10 (Range Road) along King’s Creek 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**, Harbor Consultants, Inc., submitted a qualification to the City and has qualified for the aforesaid services for 2019; and

**WHEREAS**, pursuant to the Local Public Contract 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, which will be charged to Account No. C-04-55-901-604-919.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** that the agreement for Professional Services awarded to Harbor Consultants, Inc., 320 North Avenue East, Cranford, NJ 07016, at a fee not to exceed $52,700.00 in accordance with their proposal dated March 25, 2019; and revised April 8, 2019 ; and

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

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

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

**RESOLUTION:** **2019-186**

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

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

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

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

**WHEREAS**, Sockler Realty Group submitted a qualification to the City and has qualified for the aforesaid services for 2019; and

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

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

**WHEREAS**, funds will be made available for this purpose to be charged to Account No: 9-01-20-155-123-255;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that a contract for Professional Services be and hereby is awarded to Sockler Realty Group. at a fee not to exceed $1,500.00 and that the Mayor is authorized to commence negotiations with the property owner; and

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

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

**RESOLUTION: 2019-187**

**RESOLUTION APPOINTING SENIOR DEPUTY COORDINATOR AND DEPUTY COORDINATORS TO THE LINDEN OFFICE OF EMERGENCY MANAGEMENT**

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

That **EDWARD CHABAK** be and hereby is appointed as Senior Deputy

Coordinator, of the Linden Office of Emergency Management for a three year

term, commencing on May 1, 2019 and expiring on May 1, 2022, or until his

successor shall be appointed and qualified.

That the following individuals be and hereby are appointed as Deputy

Coordinators, of the Linden Office of Emergency Management for a three

year term, commencing on May 1, 2019 and expiring on May 1, 2022, or

until their successor(s) shall be appointed and qualified.

* **JOSEPH STIGLIANO**
* **RICHARD A. DAVIS**
* **WILLIAM HASKO**
* **JOSEPH BIRCH**

Virginia Malik. Ms. Malik, on Resolution 2019-164, that Alex Lospinoso, was given a salary as Chief of Staff for the Mayor. She asked, how much of the payment to LEDC was going to him for his salary there. Regarding Resolution 2019-187, she asked if there was any compensation to the OEM individuals. Mrs. Zack responded and provided a breakdown as to how the LEDC was spending the $60,000.00 in funding that the City was providing. Regarding the questions on OEM Mr. Antonelli noted that 4 of the 5 individuals get a stipend of $5,000.00, and why the fifth does not get it. Chief Hart noted which of the five persons employees of the City were.

**ORDINANCES FOR INTRODUCTION**

**An Ordinance entitled:**

**#63-19 Bond ordinance authorizing the resurfacing of various streets in and for the City of Linden, appropriating $2,200,000 therefore and authorizing the issuance of $2,090,000 bonds or notes to finance part of the cost thereof.**

Ordinance #63-19 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:**

**#63-20 Bond Ordinance authorizing an appropriation of $950,290 for the acquisition of various items of capital equipment for the Fire Department and authorizing the issuance of $902,775 bonds or notes of the City for financing part of the appropriation.**

Ordinance #63-20 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:**

**#63-21 An ordinance to amend and supplement Chapter XXXI, Zoning to implement the City’s Master Plan Reexamination Report.**

Ordinance #63-21 was introduced by Mr. Javick and was read on first reading by the Deputy Clerk.

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

unanimously ordered approved.

**An Ordinance entitled:**

**#63-22 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-NN—4**

Ordinance #63-22 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

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

**An Ordinance entitled:**

**#63-23 An ordinance approving the application for a long term tax exemption and authorizing the execution of a financial agreement with DC Storage Linden Urban Renewal, LLC. (Storage facility)**

Ordinance #63-23 was introduced by Mrs. Ormon and was read on first reading by the Deputy Clerk.

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

ordered approved by all voting in favor with the exception of Ms. Cosby and Mrs. Hickey who both voted no.

**An Ordinance entitled:**

**#63-24 An ordinance approving the application for a long term tax exemption and authorizing the execution of a financial agreement with DC Hospitality Linden Urban Renewal LLC. (hotel)**

Ordinance #63-24 was introduced by Mrs. Ormon and was read on first reading by the Deputy Clerk.

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

ordered approved by all voting in favor with the exception of Ms. Cosby and Mrs. Hickey who both voted no.

**PUBLIC COMMENT**

Hans Herberg, 1501 Westover Rd. Mr. Herberg thanked Council for a good meeting. He spoke about National Telecommunitors Week and Law Enforcement Week. He noted the upcoming Unity Tour, in which the Linden Police Department would be participating. He spoke of his concerns with the asbestos issues raised by Mr. Roman and stated his agreement, with Mr. Roman, on this issue. Mr. Herberg talked about the need for all to work together as a team, as life is too short. He wished all a happy Easter and Passover.

Craig Halloran, 120 Donaldson Place. Mr. Halloran stated that he was going to read from a letter that he sent to the Governor, and hoped that the points in it could be added to the resolution regarding senior and veteran property deductions. He read from the letter, in which asked the Governor not to sign the rain tax, with his reasoning why. Mr. Halloran thanked the governing body on their great work on the budget. He stated that he would provide a copy of the letter for the record.

Robert Scurto, 53 Tennant Road. Mr. Scurto noted that Mr. Roman brought up some interesting points, however he failed to mention that anyone exposed to asbestos should be examined. He added that Dr. Robertozzi should be informed so that the students get tested. He asked why, due to the asbestos, the requirement for a wet demolition wasn’t imposed by the City. He noted another demolition that also lacked a wet demolition, and asked who in the City failed to do their job. He asked the Mayor to look into it. Next he addressed Mr. Brown, who was in charge of the investigation into the lawyers. Mr. Scurto stated that a bunch of City Attorneys were fired, but wanted to know why the City Attorney was still here as he allowed them to do what they were doing. He then detailed some of his experiences with the City Attorney, in particular one dealing with an expungment order that could have been dealt with in five minutes that he hired outside counsel to deal with at a cost to the taxpayers. He went on to detail other complaints he had with the City Attorney, and law firms that represent the City.

Ed Kaminski, Maple Avenue. Mr. Kaminski stated he wanted to clear up a couple of his earlier comments. He stated that as regards Mr. Bono, he absolutely did not question Mr. Bono’s commitment or dedication, and there should be a spot for him and his crew as he works in the best interest of the City. Next Mr. Kaminski noted repairs that have been done to the train station and platform, and his appreciation of those repairs. He applauded Mr. Roman’s efforts to clean up his ward, and commented on the Investigative Committee, noting that if the allegations are true there should be a total house cleaning in the Law Department. Mr. Kaminski spoke to Mr. Brown about the exchange regarding the placement of books, at the train station, taken from the Linden Library. He noted his objections. Mr. Brown objected to Mr. Kaminski talking about his children, with Mr. Kaminski stating the money could have been better spent.

Donald Givens, Jr,. 1313 W. Baltimore Avenue. Mr. Givens that this was a good meeting. He went on to state that there is a dark cloud of racism hanging over Linden and the country. He asked the firefighters present to stand. He noted those that stood have been discriminated against. He provide examples of what he was talking about. He then spoke of the alleged racial slurs used by Chief Dooley, adding that he was not going to stop protesting until something is done about it.

Malcolm Alston, 138 Hillcrest Avenue. Mr. Alston noted that he was the President of the non-profit Vulcan pioneers of Plainfield NJ. He noted that he had reviewed a lot of the findings and stated that when behavior is not met with discipline you cultivate an atmosphere that you are allowing this to happen. He spoke of Chief Dooley, and that the Chief is an OEM coordinator, and his concerns if the chief was going to come in and take over his town.

Gary Tinney, New Haven, Conn. Mr. Tinney noted that he serves as the Northeast Regional Director of the International Association of Black Firefighters, and chairs their affirmative action committee. He stated that what he read pertaining to the behavior of the department and the chief’s behavior, and that the EEOC found no evidence to support the claim. He noted what the EEOC finding meant. Mr. Tinney thought that the hiring of the first female firefighter, five months ago was unacceptable. He stated that he despises the “N” word, and will not use it. This behavior, and this chief should not be allowed to behave this way, and spoke about a hostile work place being created where people feared for their safety. He referred to an alleged incident that recently happened during a live burn. He added that he would be reaching out to the Congressman that was here, to discuss this matter. He also offered his assistance in the helping to diversify the department.

Al Daniel Varsity Road, Newark. Mr. Daniel stated that he is President of the Vulcan Pioneers of New Jersey, and that the organization is supporting these firefighters. He spoke about Linden being a very well kept City, with a large black population. He was stunned by what is happened. He detailed his understanding of what occurred, and asked about the City policy for dealing with racial situations. Mr. Daniel related how he has seen situations, like this, dealt with. He spoke of the issue of diversity, and how this department does not reflect the makeup of the community. He pointed out that while there are black firefighters there are no black fire officers. He spoke about why this fire chief would allow this type of behavior.

Kelly Vlasic, 30 W. Curtis Street. Ms. Vlasic stated that she had issues that she wanted to touch base on. She noted the talk about social media and issues related to posting on social media. Ms. Vlasic next spoke about the attitude of elected officials and how she does not want to be any part of it. She went on to discuss the disrespect of council members for each other and the embarrassment of how members of the governing deal with the residents. Ms. Vlasic then talked about the Mayor, and how he wants a luxury SUV, confiscated by the Police Department, assigned to him, and how she felt about it. She went on to speak on the issue of all of the new apartment building going up, in Linden, and their effect on the town, noting her concerns, in particular, on the infrastructure. She concluded by expounding on her reasons for coming to the first council meeting.

John Kaczor, 23 W. Munsell Avenue. Mr. Kaczor spoke about the representation of the City that he grew up in. He noted that it is not ok to use the ‘n” word. He made statements and questioned how many children are living in the Meridia building, on South Wood Ave and their impact on the school district. He spoke about an incident in which he was personally attacked.

John Principato, 1706 Westover Road. Mr. Principato noted that he was a retired Linden Fire Lieutenant, and had worked with those gentlemen, and 99% of the firefighters would have each other’s back. He added that if he had said what it was alleged the chief had said, he would have been fired. He spoke about his situation, when he was employed, and the lack of backing, for him, by the union. He talked about the actions he would have taken, if he was the Mayor. Next Mr. Principato talked about Mr. Roth, and how he did not have the basic information to answer questions on the raises being given out. He stated that the Mayor, who he noted was a long time member of the Council, for the rise in taxes that brought them to where they are today. He posed a number of “what if” situations regarding the fire department. He continued on, after President Yamakaitis noted that he had exhausted his time. After she continued to ask him to stop, and he did not, she ruled him out of order, and asked a police officer to escort him out of the meeting.

Tim Williams, 381 Orchard Street. Mr. Williams noted that she came here to support Firefighters Bullock and Braxton. He stated that she was a member of the same church, as Mr. Bullock. He explained his reaction when Mr. Bullock came and stated what happened. She added that there were witnesses and talked about the use of the ‘n’ word. Mr. Williams spoke about how this needs to be fixed, and was critical of the lack of action by the City. She stated that these two men deserve better.

Henry Mack. Mr. Mack speaking by offering a prayer, then quoted from the Bible and preached to the members of the governing body.

**Mrs. Ormon moved to close the Public Comment. The motion was seconded by Mr. Mohammed and was unanimously ordered approved by roll call vote.**

**COMMENTS FROM MEMBERS OF THE**

**GOVERNING BODY**

Mr. Antonelli reminded members of Council that there were several comments this evening, from the public that deal with personnel matters. In addition there has been a tort claim filed by one of the firefighters. He asked that members of the governing body be mindful of that when making their comments.

Mrs. Hickey stated that she has been told that she is a straight shooter. She spoke about the alleged incident that a member of the audience spoke about, regarding an incident at a live burn. The thought of that incident occurring made her totally sick. This is not about one issue, but is about a lot of issues that should not be happening today. She stated that no training or education should involve the use of the ‘n” word. She thanked all for being here.

Mr. Roman stated that he could only speak his truth, and indicated to Mr. Scutro that if there was another issue that he would like to discuss with him, Mr. Roman would be more than happy to follow it up with the State. He responded to Ms. Valsic stating that he was against these PILOTS, noting that there are sixteen children in the Meridia building, adding that one of them cost the Board of Education $284,000.00. He offered a quote from Martin Luther King, noting it was a general comment for everything that is going on in this City.

Mr. Brown stated that he does not believe in using the “n” word. He noted that statement were made that nothing was done about the incident and that is not true. An investigation has been done. In order to move forward we need to look at how to address these issues, and eliminate some of the miscommunications that occurred. He spoke about the facts, regarding the comments made by a member of the public regarding his children. He talked about what he teaches his children, noted their ages, and asked Mr. Kaminski not to speak about them.

Mrs. Ormon spoke on the issue of the comment made regarding a child costing the Board of Education $280,000.00. She noted that the child is severely handicapped and the State of New Jersey mandates that every child gets an education. She noted that she has children with disability, and the one may cost a similar amount, to educate, over the next few years. She stated it was a shame, on anyone, to think it wrong to educate a child with disabilities.

Mayor Armstead acknowledge the firemen who came out in support of their colleagues. It was honorable and noble. He went to state that he would like to speak with these gentlemen, but a tort claim is involved, which limits what can be said. He noted that he is Linden first African-American Mayor, and there is a lot needs to be said there. He offered to sit and meet with them privately.

Ms. Cosby stated that if we were working together she would be contacted whenever a Fifth Ward resident reaches out to the Mayor’s office. It would prevent a lot of back and forth and wasted effort. She asked that if any Fifth Ward resident contacts the Mayor’s office, they Mayor’s office should advise her. Ms. Cosby noted that she is a wedding efficient, and can marry anyone, who wishes to be married in the City of Linden and will do it for free. Lastly she spoke about a newsletter containing an article on the moving of the polling places, in the Fifth Ward, and called the reasons, in the article, fake news.

President Yamakaitis announced the following Council Meetings:

\*Council Conference meeting prior to the Council meeting:

Tuesday, April 23, 2019 at 6:30 pm in the Council Conference Room, City Hall, 301 N. Wood Ave.

\*Council Meeting: Tuesday, April 23, 2019 at 7:00 p.m. in the Council Chambers, City Hall, 301 N. Wood Ave. (Scout in Government meeting)

There being no further business to come before the governing body, Mr. Mohammed 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 12:15 am.

Respectfully submitted,

Joseph C. Bodek

City Clerk