**Minutes of the Regular**

**Meeting of the 2018 Council of the**

**City of Linden, held Tuesday**

**April 23, 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 23, 2019 at 7:06 pm., prevailing time.

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

The Clerk rendered the opening prayer, after which the members of the Governing Body and the persons in attendance saluted the flag. After the Pledge to the flag, President Yamakaitis invited all of the scout groups present to stand, one by one, and recite their Scout oaths.

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:

**ROLL CALL**

Councilwoman Lisa Ormon

Councilman Barry Javick

Councilman Peter Brown

Councilman Alfred Mohammed

Councilwoman Rhashonna Cosby

Councilman John F. Roman

Councilman Ralph Strano

Vacant

Councilman Armando Medina

Councilwoman Gretchen Hickey

Council President Michele Yamakaitis

Mayor Derek Armstead

Council President announced that tonight is the annual participation by the Boy and Girl Souts in Linden City Government. Members of the Scouts will be taking the place of City officials. Tonight will be the 75th Annual Scout in Government. President Yamakaitis invited the scouts to come up on the dais and take their seats with the members of the Governing Body.

Mayor: Vincent Osiecki

Council President: MaryAnn L. Ellis

First Ward Councilperson: Andrew Dohn

Second Ward Councilperson: Lorenzo Joyner

Third Ward Councilperson: Luigi Lancelloti

Fourth Ward Councilperson: Adam Johnson

Fifth Ward Councilperson: Jessica Sidney Tuma

Sixth Ward Councilperson: Gabriel Costa

Seventh Ward Councilperson: Iliana Adragna

Eighth Ward Councilperson: Vacant

Ninth Ward Councilperson: Isabelle Adragna

Tenth Ward Councilperson: Alyssa Adragna

City Clerk: Cody Lagun

Fire Chief: Aaron Buccino

Police Chief: Jesse Monek

Engineer: Lucas Costa

**CONSENT AGENDA**

Scout President MaryAnn Ellis called upon Scout Clerk Cody Lagun to read the first consent item, which she did.

(\*\*\*) **Block 362 Lot 12**

1. **Former owner: Lee Weinberg**

**431 Livingston Road**

The above referenced former property owners are entitled to a refund due to a County Board Judgment reducing the assessment by 58,900 for 2018 creating a total overpayment of $794.98.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $794.98 payable to: Jacobus & Associates, LLC, 201 Littleton Road, 1st Floor, Morris Plains, NJ 07950, charging same to account #9-01-55-275-999-000.

Scout First Ward Councilperson Andrew Dohn moved for approval of the first consent item. The motion was seconded by Scout Councilperson Lorenzo Joyner and was unanimously ordered approved by a roll call vote.

Scout President MaryAnn Ellis called upon Scout Clerk Cody Lagun to read the second consent item, which she did.

**(\*\*\*)** Requesting the refund of the premium paid at the 2018 tax sale on the following blocks & lots.

**Block Lot Redemption Date CTF# Amount**

10 22 3/11/19 17-00010 $1,400.00

35 11 3/20/19 17-00032 $1,100.00

35 18 3/11/19 17-00034 $1,400.00

58 16 3/20/19 17-00046 $1,100.00

62 2 3/18/19 17-00048 $2,100.00

76 2 3/11/19 17-00057 $1,600.00

103 20 3/11/19 17-00079 $1,600.00

129 20 3/11/19 17-00105 $1,400.00

209 28 3/11/19 17-00169 $1,400.00

319 2 3/18/19 17-00231 $1,400.00

475 31 3/11/19 17-00302 $1,800.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $16,300.00 payable to: Actlien Holding, US Bank Cust, Actlien Holding, 50 South 16th Street, Suite 2050, Philadelphia, PA 19102, charging same to account #-9-01-55-276-999-956.

Scout Second Ward Councilperson Lorenzo Joyner moved for approval of the second consent item. The motion was seconded by Scout Councilperson Luigi Lancelloti and was ordered approved by a roll call vote, with all voting yes except the Scout Councilperson from the Tenth Ward who voted no.

Scout President MaryAnn Ellis called upon Scout Clerk Cody Lagun to read the third consent item, which she did.

**(\*\*\*)** Requesting the refund of the premium paid at the 2018 tax sale on the following block & lot.

**Block Lot Redemption Date CTF# Amount**

29 17 3/11/19 17-00025 $1,000.00

109 6 3/11/19 17-00088 $1,400.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $2,400.00 payable to: US Bank Cust for PC7, LLC Firstrust Bank, 50 South 16th Street, Suite #2050, Philadelphia, PA 19102, charging same to account #-9-01-55-276-999-956.

Scout Third Ward Councilperson Luigi Lancelloti moved for approval of the third consent item. The motion was seconded by Scout Councilperson Adam Johnson and was ordered approved by a roll call vote, with all voting in favor except for the Scout Councilpersons from the Sixth and Ninth Wards who voted no.

Scout President MaryAnn Ellis called upon Scout Clerk Cody Lagun to read the fourth consent item, which she did.

**(\*\*\*)** Requesting the refund of the premium paid at the 2014 tax sale on the following block & lot.

**Block Lot Redemption Date CTF# Amount**

61 6 3/27/19 13-00072 $100.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $100.00 payable to US Bank Cust BV Trst 2015-1, 50 South 16th Street, Suite #2050, Philadelphia, PA 19102, charging same to account #-9-01-55-276-999-956.

Scout Fourth Ward Councilperson Adam Johnson moved for approval of the fourth consent item. The motion was seconded by Scout Councilperson Jessica Sidney Tuma and was ordered unanimously ordered approved by a roll call vote,

Scout President MaryAnn Ellis called upon Scout Clerk Cody Lagun to read the fifth consent item, which she did.

**(\*\*\*)** Requesting the refund of the premium paid at the 2016 & 2018 tax sale on the following

**(5)** block & lot.

**Block Lot Redemption Date CTF# Amount**

103 12 4/3/19 17-00078 $6,200.00

107 14 3/21/19 17-00086 $1,300.00

144 19 2/22/19 15-00095 $1,200.00

167 6 3/11/19 17-00134 $1,300.00

389 1 3/11/19 17-00264 $1,200.00

473 7 3/11/19 17-00298 $1,100.00

477 5 3/20/19 17-00305 $1,300.00

526 11 3/11/19 15-00305 $1,300.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $14,900.00 payable to Trystone Capital Assets, LLC., 575 Route #-70, 2nd Floor, P.O. Box 1030, Brick, NJ 08723, charging same to account #-9-01-55-276-999-956.

Scout Fifth Ward Councilperson Jessica Sidney Tuma moved for approval of the fifth consent item. The motion was seconded by Scout Councilperson Gabriel Costa and was ordered unanimously ordered approved by a roll call vote.

Scout President MaryAnn Ellis called upon Scout Clerk Cody Lagun to read the sixth consent item, which she did.

**(\*\*\*)** Requesting the refund of the premium paid at the 2018 tax sale on the following blocks & lots.

**(6)**

**Block Lot Redemption Date Cert# Premium**

117 7 3/20/19 17-00093 $1,100.00

137 14.01 3/11/19 17-00112 $1,200.00

149 21 3/11/19 17-00126 $1,400.00

246 18 3/20/19 17-00195 $900.00

455 5 3/18/19 17-00291 $1,100.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $5,700.00 payable to: Fig as Custodian for Fig NJ18, LLC, Secured Party, P.O. Box 54472, New Orleans, LA 70154, charging same to account #9-01-55-276-999-956.

Scout Sixth Ward Councilperson Gabriel Costa moved for approval of the sixth consent item. The motion was seconded by Scout Councilperson Lliana Adragna and was unanimously ordered approved by a roll call vote.

Scout President MaryAnn Ellis called upon Scout Clerk Cody Lagun to read the seventh consent item, which she did.

**(\*\*\*)** Requesting the refund of the premium paid at the 2018 tax sale on the following blocks & lots.

**(7)**

**Block Lot Redemption Date CTF# Amount**

192 14 3/26/19 17-00154 $4,600.00

341 9 3/28/19 17-00238 $33,600.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $38,200.00 payable to: Lillian Zhang, 11 Walnut Street, Livingston, NJ 07039, charging same to account #9-01-55-276-999-956.

Scout Seventh Ward Councilperson Lliana Adragna moved for approval of the seventh consent item. The motion was seconded by Scout Councilperson Isabelle Adragna and ordered approved by a roll call vote, with all voting in favor except the Fifth Ward Councilperson, who abstained.

Scout President MaryAnn Ellis called upon Scout Clerk Cody Lagun to read the eighth consent item, which she did.

**(\*\*\*)** Requesting the refund of the premium paid at the 2018 tax sale on the following block & lot.

**(8)**

**Block Lot Redemption Date CTF# Amount**

209 44 3/26/19 17-00171 $31,100.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $31,100.00 payable to: Christiana T C/F, CE/1 Firsttrust, P.O. Box 5021, Philadelphia, PA 19111-5021, charging same to account #-9-01-55-276-999-956.

Scout Ninth Ward Councilperson Isabelle Adragna moved for approval of the eighth consent item. The motion was seconded by Scout Councilperson Alyssa Adragna and was ordered approved by a roll call vote, with the Councilpersons from the First, Fourth, and Sixth Wards voting no, and the Councilperson from the Fifth Ward abstaining.

Scout President MaryAnn Ellis called upon Scout Clerk Cody Lagun to read the ninth consent item, which she did.

**(\*\*\*)** Requesting the refund of the premium paid at the 2017 tax sale on the following block & lot.

**(9)**

**Block Lot Redemption Date CTF# Amount**

540 2 3/20/19 17-00327 $18,200.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $18,200.00 payable to FNA DZ, LLC FBO WSFS,120 N. La Salle Street, Suite #-1220, Chicago, IL 60602charging same to account #-9-01-55-276-999-956.

Scout Tenth Ward Councilperson Isabelle Alyssa Adragna moved for approval of the ninth consent item. The motion was seconded by Scout Councilperson Andrew Dohn and was ordered approved by a roll call vote, with all voting in favor except for the Councilpersons from the Second, Third, Fourth, and Fifth Wards, who voted no.

Scout President MaryAnn Ellis called upon Scout Clerk Cody Lagun to read the Tenth consent item, which she did.

**(\*\*\*)** Requesting the refund of the premium paid at the 2017 tax sale on the following block & lot.

**(10)**

**Block Lot Redemption Date CTF# Amount**

549 8.02 3/18/19 16-00347 $1,400.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,400.00 payable to: US Bank Cust for PC6, LLC Sterling National, 50 South 16th Street, Suite #2050, Philadelphia, PA 19102, charging same to account #-9-01-55-276-999-956.

Scout First Ward Councilperson Andrew Dohn moved for approval of the tenth consent item. The motion was seconded by Scout Councilperson Lorenzo Joyner and was ordered approved by a roll call vote, with all voting in favor, except for the Councilpersons from the Sixth, Seventh and ninth wards, who voted no.

Scout President MaryAnn Ellis called upon Scout Clerk Cody Lagun to read the eleventh consent item, which she did.

**(\*\*\*)** Requesting approval of the following Bingo and Raffle Applications:

**(11)** Application Number RA-1913 Linden High School PTSA 50/50

Application Number RA-1914 Linden High School PTSA Tricky Tray

Application Number RA-1915 Deerfield School #9 50/50

Scout Second Ward Councilperson Lorenzo Joyner moved for approval of the eleventh consent item. The motion was seconded by Scout Councilperson Luigi Lancelloti and was ordered approved by a roll call vote, with the Councilpersons from the Fourth and Tenth Wards voting no.

President Yamakaitis called upon the Scout Mayor, Vincent Osiecki, to say a few words about the day. Scout Mayor Osiecki, on behalf of himself and all the scouts, thanked Mayor Armstead and the members of the Council for allowing them to be here today.

President Yamakaitis then asked Mayor Armstead, Mrs. Ormon, and Mr. Mohammed to join her at the front of the dais to make some presentations. She began by acknowledging the scouts and their leaders for participating in the City of Linden’s 75th Scout in Government Day. She noted that Police Chief Dave Hart is an Eagle Scout, and then described the activities that the scouts participated in throughout the day. President Yamakaitis noted that the Linden City Democratic Club sponsored a pizza dinner for the scouts, before the meeting. She thanked the Scout leaders, and the scout’s parents, for all of their efforts with the scouts.

President Yamakaitis then called up each of the scouts, and their respective councilperson and/or department and presented the scouts with a certificate of participation in today’s proceedings. At the conclusion the Scouts were excused.

PRESENTATION TO CITY OF LINDEN EMPLOYEES

WITH THIRTY YEARS OF SERVICE

Joseph V. Caplette – Department of Public Works

Arlene N. Palmer – Board of Health

Andrew E. Perrella – Police Officer

Eddie Green - Municipal Garage

Mayor Armstead presented the employees, with thirty years of service, who were present, Ms. Palmer and Sergeant Perrella, with watches and thanked them for their service and dedication to the City. He spoke about each. President Yamakaitis thanked each of the employees on behalf of the Council for their service.

President Yamakaitis called upon Mr. Javick for the purpose of making a motion. Mr. Javick read the following motion:

The National Association of Letter Carriers “Stamp Out Hunger Food Drive” will be held on Saturday, May 11, 2019. The Linden Chapter is requesting permission to hold the event at Fire House #1, on South Wood Avenue, from 10:00 am to 4:00 pm, and authorize the participation of the Police and Fire Departments. All food collected will be donated to the LINC’s food pantry.

Mr. Javick moved for approval. The motion was seconded by Mrs. Ormon and was unanimously ordered approved by a roll call vote.

RESOLUTIONS

President Yamakaitis made the following announcement:

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 SPECIFIC RESOLUTION, THE COUNCIL WILL ENTERTAIN QUESTIONS ON IT.

No one requested that a resolution be removed.

**RESOLUTION: 2019-188**

**RESOLUTION AUTHORIZING ACTIONS TAKEN BY SCOUT**

**OFFICIALS TO BE ADOPTED AS OFFICIAL ACTIONS OF THE GOVERNING BODY**

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

That the actions taken by the Scout Officials at this meeting, all of which occurred in the presence, under the supervision, with the acquiescence and consent of the Council Persons attending this meeting, shall be and the same hereby are adopted as the official actions of the Governing Body as fully as though performed by such Body, and that same shall be and hereby are ratified and conformed in all respects.

**RESOLUTION: 2019-189**

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

**TO BE HELD IN THE FIRST AND SECOND WARD**

WHEREAS, the City Council has determined to allow a community wide garage sale in the First and Second Wards on June 1, 2019 with a rain date of June 2, 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 First and Second Wards to be held on June 1, 2019 with a rain date on June 2, 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**: **2019-190**

**RESOLUTION RESCINDING RESOLUTION 2019-178 APPOINTING ANGIE TSIRKAS, AS A REAL ESTATE MEMBER OF THE LINDEN DISTRICT MANAGEMENT CORPORATION (SID) AND APPOINTING THOMAS N. KASPER AS A REAL ESTATE MEMBER**

**WHEHEAS,** the Council of the City of Linden adopted Resolution 2019-178, appointing Angie Tsirkas, as a real estate member of the Linden District Management Corporation; and

**WHEREAS,** Angie Tsirkas is unable serve.

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

1. Rescind Resolution 2019-178 appointing Angie Tsirkas as a Real Estate member of SID; and
2. That **THOMAS N. KASPER,**  a real estate owner 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, which commenced January 1, 2017 and expires December 31, 2019, and until his successor is appointed and qualifies.

Mr. Roman moved for approval of resolutions #2019-188 through #2019-190. The motion was seconded by Mr. Strano and was unanimously ordered approved by a roll call vote.

PUBLIC COMMENT

There was no one wishing to speak.

COMMENTS BY MEMBERS OF THE GOVERNING BODY

Ms. Cosby thanked all of the scout who participated, today, and told an incidental story regarding her scout, and how it indicated how the children thought about what they were voting on, which was impressive.

Mrs. Ormon thanked the scouts, the scout leaders and the parents for their participation today. She added that when children are taught values, at a young age, they continue over into their older years. She spoke about her experiences as scout, and congratulated those who received their thirty year watches.

President Yamakaitis made the following announcements:

The following Council Meetings will be as follows:

Council Conference meeting, Monday, May 20, 2019 in the Council Conference Room, City Hall, 301 N. Wood Ave.

\*Council Conference meeting prior to the Council meeting:

Tuesday, May 21, 2019 at 6:00 pm in the Council Conference Room, City Hall, 301 N. Wood Ave.

\*Council Meeting: Tuesday, May 21, 2019 at 7:00 p.m. in the Council Chambers, City Hall, 301 N. Wood Ave.

There being no further business to come before Council, Mrs. Ormon moved to adjourn the meeting. The motion was seconded by Mr. Roman, and was unanimously ordered approved by a roll call vote. The meeting was adjourned at 7:57 PM.

Respectfully submitted,

Joseph C. Bodek

City Clerk