**Minutes of the Regular**

**Meeting of the 2019 Council of the**

**City of Linden, held Tuesday,**

**February 19, 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, February 19, 2019 at 7:25 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:

**ROLL CALL**

Councilwoman Lisa Ormon

Councilman Barry Javick

“ Alfred Mohammed

“ Peter Brown

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. Medina moved for approval of the regular meeting minutes of January 15, 2019 and the Re-Organization Meeting of January 2, 2019. The motion was seconded by Mr. Strano and was unanimously ordered approved by a roll call vote.

**PRESENTATIONS**

Woman of Excellence

Sandra Jackson

President Yamakaitis called upon herself, Mayor Armstead, Mrs. Tattoli, Mrs. Zack and Mrs. Jackson to come forward for a presentation. Mayor Armstead spoke about what it takes to run a successful organization, and how Mrs. Jackson meets those qualifications. President Yamakaitis then read the resolution honoring Mrs. Jackson as a Woman of Excellence. It was noted that Mrs. Jackson was also honored by the County of Union, as a Woman of Excellence. Mrs. Jackson thanked Mrs. Tattoli and Mrs. Zack for nominating her, Mayor Armstead and Chief Dooley for supporting the nomination and then spoke about the importance of being committed to your community, especially its youth.

90th Birthday Celebration

Rosa Lee Porter

President Yamakaitis asked Mrs. Porter, Mayor Armstead and Mr. Mohammed to come forward to make a presentation. Mayor Armstead spoke about Mrs. Porter, noting there relationship, when he was her councilperson. Mr. Mohammed spoke about Mrs. Porter, and their relationship. He then read the resolution honoring Mrs. Porter for her 90th Birthday.

Police Department

Saul and Lanette Laboy

William Strzepka and Mango Dasilva

President Yamakaitis called upon Mayor Armstead and Chief Hart to make the above presentations. Mayor Armstead noted that tonight we are honoring individuals who stepped up, in a time of crisis and provided assistance to the Police Department. The first individuals who were being honored was Saul and Lanette Laboy. The Mayor read the resolution honoring these individuals as Good Neighbors, and presented it to them. Next Mayor Armstead noted the reasons that William Strzepka and Mango Dasilva were being honored, and read the resolution honoring them. He then presented each with a copy. Chief Hart noted that when the police and the community work together great things get done. He spoke about the importance of community policing and community outreach.

**ORDINANCES ON HEARING**

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

further consideration respecting an ordinance entitled:

* 1. **An ordinance to amend and supplement Chapter XIV, Fire Prevention and Protection of an Ordinance entitled, “An ordinance adopting and enacting the revised general ordinances of the City of Linden, 1999” passed November 23, 1999 and approved November 24, 1999, and as amended and supplemented. (Adopting the International Fire Code NJ 2015)**

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.

Craig Halloran, 120 Donaldson Place. Mr. Halloran asked why the City was adopting a code from 2015, and isn’t there a newer code that could be adopted. Chief Dooley responded and provided an explanation. He responded to other concerns raised by Mr. Halloran.

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

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

further consideration respecting an ordinance entitled:

* 1. **An ordinance to amend and supplement Chapter VII, Traffic, of an ordinance entitled, “An ordinance adopting and enacting the revised general ordinances of the City of Linden , 1999,” passed November 23, 1999 and approved November 24, 1999, and as amended and supplemented.**

**Section 1. That Chapter VII, Traffic, shall be and the same is hereby amended as follows:**

**Chapter VII, Traffic**

**7-33 HANDICAPPED PARKING REGULATIONS**

**7-33.1A Handicapped Parking On-Street**

**Name of Street Spaces**

**DELETE:**

1. **Chandler Avenue 1**

**2609 Grasselli Avenue 1**

**(for 108 Buchanan Street)**

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

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

further consideration respecting an ordinance entitled:

**63-3 An ordinance to amend and supplement Chapter VII, Traffic, of an ordinance entitled, “An ordinance adopting and enacting the revised general ordinances of the City of Linden , 1999,” passed November 23, 1999 and approved November 24, 1999, and as amended and supplemented.**

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

Name of Street Side Location

ADD:

E. Gibbons St South From a point 280 feet east of east curbline of

North Wood Avenue and continuing 120 feet in easterly direction.

Karen Terrace North From west curbline of North Stiles Street for a

Distance of 526 feet to east curbline of Debra Dr.

Donna Ct/Karen Terr. West side of From a point 290 feet south of south curbline of

Intersection Debra Drive continuing in a south/southeastern

Direction for a distance of 153 feet ending the

South curbline of Karen Terrace.

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

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

further consideration respecting an ordinance entitled:

* 1. **An ordinance to amend and supplement Chapter VII, Traffic, of an ordinance entitled, “An ordinance adopting and enacting the revised general ordinances of the City of Linden , 1999,” passed November 23, 1999 and approved November 24, 1999, and as amended and supplemented.**

**Section 1. That Chapter VII, Traffic, shall be and the same is hereby amended as follows:**

**7-33 Handicapped Parking Regulations**

**7-33.1A Handicapped Parking On-Street**

**Name of Street No. Of Spaces**

**ADD:**

**1100 Passaic Ave 1**

**306 East Price St (2nd Floor) 1**

**517 Moore Place (2nd Floor) 1**

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

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

further consideration respecting an ordinance entitled:

* 1. **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-1**

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.

Craig Halloran, 120 Donaldson Place. Mr. Halloran noted that there is a salary ordinance being brought, seemingly at every meeting, and asked why. Mr. Roth and Mr. Bodek provided a response.

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

* 1. **An ordinance of the City of Linden creating a new chapter entitled, “Sale of Electronic Smoke Devices” (The purpose of this ordinance is to license establishments that sell electronic smoking devices, establish a fee for said license, and dedicate the funds to certain programs.)**

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, 1633 Lenape Rd. Ms. Malik asked why is the City doing this, in the first place, and what are the programs that would be befitting from the funds. Mr. Antonelli responded.

Hans Herberg, 1501 Westover Rd. Mr. Herberg asked where the money would be going to. Mr. Antonelli provided a response, noting it would be used for anti-smoking type programs. Mr. Brown also responded and referred Mr. Herberg to a website that would provide further information.

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

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

further consideration respecting an ordinance entitled:

* 1. **An ordinance to adopt an amendment to the Redevelopment Plan entitled “1001 West Elizabeth Avenue Redevelopment Plan – Block 423, Lot 4.02,” pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (increasing the number of units to 402 residential units, as previously agreed upon)**

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.

President Yamakaitis noted that the Ordinance needed to be held to the March, meeting, and explained the reasons why. Mrs. Ormon moved that the hearing be tabled to the March 19, 2019 meeting. The motion was seconded by Mr. Brown and on a roll call vote the foregoing motion to table the ordinance was unanimously ordered approved.

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

further consideration respecting an ordinance entitled:

**63-8 An ordinance authorizing the execution of a lease agreement between the City of Linden and**

**the Police Athletic League for the facility at 400 Maple Avenue, Linden, for a term of ten (10) years at the nominal consideration of $1.00 per year.**

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. Javick moved that the hearing be tabled to the March 19, 2019 meeting. The motion was seconded by Mrs. Ormon and on a roll call vote the foregoing ordinance was ordered approved by all voting yes with the exception of Mr. Roman and Mrs. Hickey who voted no.

**CONSENT ITEMS**

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

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

2019 Taxes $25,611,539.10

2018 Taxes $457,774.62

2017 Garbage Fee Balance $0.00

Municipal Lien Redemption $0.00

Duplicate Tax Sale Certificate $0.00

Tax Search $0.00

Lien Redemption Request Fee $0.00

Year End Penalty $7,383.45

Returned Check Fee Paid $20.00

Returned Sewer Clean out ($0.00)

Returned Sewer Interest ($0.00)

Returned Check 2018 ($0.00)

Returned Check Interest ($0.00)

Returned Online Payments 2019 Taxes ($1,761.35)

Returned Online Interest ($0.00)

Adv. Before Tax Sale $0.00

State Audit Payment $0.00

Premium $0.00

Sewer Clean out charge $2,254.25

DPW Reso payments $650.00

Interest $28,398.57

Total $26,106,258.64

**Tax Sale** Requesting the refund of the premium paid at the 2018 tax sale on the

following blocks & lots.

**Block Lot Redemption Date Cert# Premium**

5 12 1/28/19 17-00003 $900.00

263 3 1/9/19 17-00204 $800.00

563 5 1/31/19 17-00347 $700.00

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: Fig as Custodian for Fig NJ18, LLC, Secured Party, P.O. Box 54472, New Orleans, LA 70154, charging same to account #9-01-55-276-999-956.

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

**Block Lot Redemption Date CTF# Amount**

178 9 1/28/19 17-00145 $900.00

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

**Tax Sale** Requesting the refund of the premium paid at the 2017 on the following

block & lot.

**Block Lot Redemption Date CTF# Amount**

396 33 1/28/19 16-00262 $1,600.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,600.00 payable to: FWDSL & Associates, LP, Attention: Jared Cucci, 17 W. Cliff Street, Somerville, NJ 08876 charging same to account #-9-01-55-276-999-956.

**Tax Sale** Requesting the refund of the premium paid at the 2018 tax sale on the

following block & lot.

**Block Lot Redemption Date CTF# Amount**

419 25 CB006 1/16/19 17-00275 $9,200.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $9,200.00 payable to: Phoenix Funding, Inc, 1148 Springfield Avenue, Mountainside, NJ 07092 charging same to account #-9-01-55-276-999-956.

**Overpayment** Block 74 Lot 12, Former Owner: Ozemoya Sefiatu

Current Owner: 1157 Passaic Ave, LLC - 1157 Passaic Ave

The above referenced old owner’s Mortgage Company and the new owner’s title agency have paid the 2018 4th quarter property taxes creating this overpayment and the Old owner’s mortgage company is entitled a refund in the amount of $ 1,961.48.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,961.48 payable to: Lereta, LLC, Returns & Refunds, 1123 Park View Drive, Covina, CA 91724 charging same to # 9-01-55-288-999-904.

**Refund** Block 91 Lot 4, 1109 Union Street

After reviewing a lien account, due to the lien holder paying a tax quarter in error, and should have not been processed and returned. The lien holder is entitled to a refund of the incorrect payment, MTAG Cust Fig Cap Invest NJ 13.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,405.73 payable to: MTAG Cust Fig Cap Invest NJ 13, P.O. Box 54472, New Orleans, LA 70154, charging same to account #-9-01-55-288-999-904.

**Refund** Block 178 Lot 23, Former Owner: Samuel Ortiz & Galdys Flores

Current Owner: Alexander & Francia Bejarano, 1128 Walnut Street

The above referenced old owner’s Mortgage Company and the new owner’s title agency have paid the 2018 4th quarter property taxes creating this overpayment and the Old owner’s mortgage company is entitled a refund in the amount of $ 1,461.36.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,461.36 payable to: Lereta, LLC, Returns & Refunds, 1123 Park View Drive, Covina, CA 91724 charging same to # 9-01-55-288-999-904.

**Refund** Block 233 Lot 23, Jerry B. & Elana F. Altzman

35 Edgewood Road, 2018 1st qtr. overpayment

The above referenced owner’s mortgage company and the owner have paid the 2018 1st quarter property taxes creating this overpayment and the owner is entitled a refund in the amount of $2,325.26.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $2,325.26, payable to: Jerry B. & Elana F. Altzman, 35 Edgewood Road, Linden, NJ 07036-, charging same to # 9-01-55-288-999-904.

**Overpayment** Block 236 Lot 3, Joel F. Baum

1507 N. Wood Avenue, 2018 3rd & 4th qtr. overpayment

The above referenced owner’s mortgage company and the owner have paid the 2018 3rd & 4th quarter property taxes creating this overpayment and the owner is entitled a refund in the amount of $6,744.00.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $6,744.00, payable to: Joel F. Baum, 1507 N. Wood Avenue, Linden, NJ 07036-, charging same to # 9-01-55-288-999-904.

**Overpayment** Block 244 Lot 13.01, Derick & Michelle Thompson

26 W. Elm Street, 2018 3rd qtr. overpayment

The above referenced owner’s mortgage company and the owner have paid the 2018 3rd quarter property taxes creating this overpayment and the owner is entitled a refund in the amount of $389.77.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $389.77, payable to: Derick & Michelle Thompson, 26 W. Elm Street, Linden, NJ 07036-, charging same to # 9-01-55-288-999-904.

**Refund** Block 252 Lot 19, Hany Hanalla & Lorrain Said

210 W. Price Street, 2018 4th qtr. overpayment

The above referenced owner’s mortgage company and the owner’s Title agency have paid the 2018 4th quarter property taxes creating this overpayment and the owner is entitled a refund in the amount of $3,016.79.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $3,016.79, payable to: Hany Hanalla & Lorrain Said, 210 W. Price Street, Linden, NJ 07036-, charging same to # 9-01-55-288-999-904.

**Refund** Block 285 Lot 1, Old Owner: Xavier Bacilio

New Owner: Federal National Mort, 401 Knopf Street

The above referenced old owners Mortgage Company and the new owner’s mortgage company have paid the 2018 1st & 2nd quarter property taxes creating this overpayment and the old owner’s mortgage company is entitled a refund in the amount of $5,498.21.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $5,498.21, payable to Core Logic Tax Services, LLC, Attention: Centralized Refunds, 3001 Hackberry Road, Irving TX 75063-0156 charging same to account #-9-01-55-288-999-904.

**Refund** Block 327 Lot 6, Louis & Lisa Tami - 318 Birchwood Road

2018 4th qtr. overpayment

The above referenced owner’s mortgage company and the owner’s attorney have paid the 2018 4th quarter property taxes creating this overpayment and the owner is entitled a refund in the amount of $2,583.98.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $2,583.98, payable to: Louis & Lisa Tami, 318 Birchwood Road, Linden, NJ 07036-, charging same to # 9-01-55-288-999-904.

**Refund** Block 356 Lot 20, Old Owner: Carol Holick

New Owner: Jean Paul Donoso, 347 N. Stiles Street

The above referenced old owners Mortgage Company and the new owner’s title agency company have paid the 2018 4th quarter property taxes creating this overpayment and the old owner’s mortgage company is entitled a refund in the amount of $1,761.08.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,761.08, payable to Core Logic Tax Services, LLC, Attention: Centralized Refunds, 3001 Hackberry Road, Irving TX 75063-0156 charging same to account #-9-01-55-288-999-904.

**Refund** Block 417 Lot 24.07, Syed Nabeel Ahsan

1125 N. Stiles Street - 2018 3rd & 4th qtr. overpayment

The above referenced owner’s mortgage company and the owner have paid the 2018 3rd & 4th quarter property taxes creating this overpayment and the owner is entitled a refund in the amount of $5,174.98.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $5,174.98, payable to: Syed Nabeel Ahsan, 1125 N. Stiles Street, Linden, NJ 07036, charging same to # 9-01-55-288-999-904.

**Refund** Block 464 Lot 12, International House of Prayer

233 W. Linden Avenue, 2018 1st, 2nd & 3rd credits

The above referenced owner has paid the 2018 1st, 2nd and part of the 2018 3rd quarter original billing. This property has become tax exempt and will no longer be billed property taxes. The owner is now entitled a refund in the amount of $5,860.09.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $5,860.09, payable to International House of Prayer, 950 Raritan Road, Cranford, NJ 07016 charging same to account #-9-01-55-288-999-904.

**(\*\*\*) Personnel:**

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

**Department** **Employee** **Title** **Date**

Public Property Corey Coplan Asst. Supervisor Rec. Maintenance March 1, 2019

Public Works Kenneth Bahrenburg Sanitation Truck Driver April 1, 2019

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

1. Requesting approval of the following refunds:

Aetna, Inc. is entitled to a refund in the amount of $30.93 for service that was provided on 10/2/2018. Therefore, it would be in order for the council to authorize the treasurer to issue a check payable to: Aetna, Inc. Po Box 14079 Lexington, KY 40512-4079 charging same to 9-01-08-629-011.

Anne Torruella is entitled to a refund in the amount of $25.00 for service that was provided on 11/28/2014. Therefore, it would be in order for the council to authorize the treasurer to issue a check payable to: Anne Torruella 228 Demorest Avenue Avenel, NJ 07001 charging same to 9-01-08-629-011.

Horizon BC BS of NJ is entitled to a refund in the amount of $87.02 for service that was provided on 11/20/2018. Therefore, it would be in order for the council to authorize the treasurer to issue a check payable to: Horizon BC BS of NJ PO Box 820 Newark, NJ 07101 charging same to 9-01-08-629-011.

Haroon Khugyani is entitled to a refund of $90.00 for a Certificate of Smoke

Detector and Carbon Monoxide Alarm Compliance that was already completed and paid for by the previous bank owner. Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $90.00 payable to: Haroon Khugyani 704 Plaza Drive Woodbridge, NJ 07095 charging same to 9-01-09-699-069.

VGC Homes LLC is entitled to a refund of $50.00 for a Certificate of Smoke Detector and Carbon Monoxide Alarm Compliance that was already completed and paid for by the previous bank owner. Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $50.00 payable to: VGC Homes, LLC 67 Elmora Avenue Elizabeth, NJ 07202 charging same to 9-01-55-401-999-918.

**(\*\*\*) Board of Health:**

1. Advising that fifty-seven (57) Certificates of Occupancy were issued during the month of December, 2018.

**(\*\*\*) CITY CLERK’S OFFICE:**

1. Requesting approval of the following bingo/raffle applications which have been submitted to the Clerk’s Office.

**Application Organization Raffle Fee**

RA-1906 Highland Ave PTA 50/50 $20.00

RA-1907 Highland Ave PTA Tricky Tray $20.00

**(6) LINDEN POST OFFICE, UNION POSTAL BRANCH 2876:**

The Linden Postal Union Branch 2876 with the City as co-sponsors is requesting

approval to hang a banner across Wood Avenue from April 22, 2019 through

May 4, 2019 to advertise their Food Drive. The certificate of insurance and hold harmless agreement with be provided by the City.

Diane Wilverding, 150E. Morris Ave. Ms. Wilverding asked why a tax refund was being provided for the property at 233 West Linden Ave., The International House of Prayer, was being made. Mr. Antonelli responded.

Mr. Javick moved for the approval of Consent Items #1 through #6. The motion was seconded by Mr. Strano and was ordered approved by all voting yes with the exception of Mr. Roman who abstained.

**COMMITTEE REPORTS**

President Yamakaitis stated that tonight she was going to do something a little different, and have the council reports starting in reverse order, beginning with the Tenth Ward.

**TENTH WARD**

Mrs. Hickey stated that she did not realize she was being called first. She speculated that she was being called first so that she could not respond to the comments made by others. She began by thanking everyone for a very successful casino night, at the Linden Housing Authority, and spoke about how amazing it was. She congratulated Sandy Jackson, and spoke about the amazing things that Mrs. Jackson does for the City.

Mrs. Hickey noted that she had just received a phone call about the bad weather that is expected, tomorrow, and for all to anticipate the possibly to early dismissals by the schools. She provided her contact information. She acknowledged some of her residents that were in the audience tonight, and apologized for what she termed inappropriate behavior that took place this evening.

**NINTH WARD**

Mr. Medina noted that he had a short report this evening. He began with his Ninth Ward report. He noted that he is getting complaints about individuals not picking up dog waste. He hoped to work with the community to identify the individuals involved. Next he noted that it seems like every day there is a major accident on St. Georges Ave. He spoke about several locations and asked folks to take it down a notch with the speeding. He talked about one of the causes of these accidents. He thanked the DPW, Police, and ambulance crews that respond to these accidents. He concluded by noting some of the other issues he was fielding, and provided his contact information.

**SEVENTH WARD**

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

1. Department of Community Services:
   1. Accepting the resignation in good standing of Otis Hill, Laborer (tier 2) effective February 26, 2019.
   2. Promotion of Christopher Ott to Truck Driver (tier 2) at the rate of $21/hr effective February 20, 2019.
   3. Promotion of Christopher Horvath to Senior Diesel Mechanic (tier2) at the rate of $26.50/hr effective February 20, 2019.
   4. Permission to post the position of (3) Diesel Mechanics open to all Union County residents and all contiguous counties.
   5. Permission to post the position of HVAC Mechanic open to all Union County residents.
2. Public Property/Recreation Services:
   1. The promotion of Brian Samer to General Supervisor/Building Services at the annual salary of $113,217.00 effective February 20, 2019.
   2. Approval of the Seasonal List (list on file in the City Clerk’s Office)
   3. Permission to post the position of Director of Parks/Recreation statewide with the salary range of $95,000-$125,000.
3. Engineering
   1. Extending the unpaid internship of Nathan Amazon from January 7, 2019 – June 20, 2019
4. Police Department:
   1. Permission to hire Michael Roxbury as a Computer Service Technician at the annual salary of $37,500 effective February 25, 2019 pending the successful completion of all pre-employment requirements.
   2. Permission to hire (4) Police Officer Recruits from the attached list pending successful completion of all pre-employment requirements at the annual salary of $40,000.00 effective February 25, 2019.
   3. The termination of Marquita Thompson, probationary Public Safety Telecommunicator effective February 5, 2019.
5. Social Services:

**a.** The hiring of Athena Thompson as Clerk 1 full-time at the annual salary of $34,548 effective March 4, 2019, pending the successful completion of all pre-employment requirements.

1. Treasury:

a. The change in compensation method for Lucy Miranda to full time 35 hours per week effective February 20, 2019.

1. Personnel:
2. FMLA/NJFLA:

Employee #909082 - FMLA 1/21/19 – 3/21/19

Employee #107875 – FMLA 12/10/18 – 1/1/2019

Employee # 909085 - Intermitttent FMLA 1/22/19-7/22/19 Employee #909225 – FMLA 1/9/19-2/27/19

Mr. Strano moved for the approval of the Personnel Report. The motion was seconded by Mrs. Ormon and was ordered approved by all voting yes with the exception of Ms. Cosby who abstained and Mrs. Hickey who was excused from the room. Ms. Cosby stated, during her vote, that she was never ever voting on a personnel report until the Personnel Committee is fair to the residents of Linden.

Mr. Strano stated that he had a report, from DPW, noted that last month there was a fire at the municipal garage, and reported on the steps that were taken to continue to maintain and repair city vehicles. He commended the Director, Frank Dann, for dealing with this situation. He informed all that the work on the roof of the salt dome is completed, and it is up and running. Mr. Strano talked about the repair of potholes, and the need to report potholes. He then gave the report of the engineering committee, including the receipt of a grant, freight impact grant, to deal with the truck traffic that would be generated by the new warehouse facilities being built in Tremely Point, and provided details on the kickoff meeting. He noted the work that would be done with the grant money.

Mr. Strano announced that the NJDOT will be doing a corridor upgrade, for US Route 1&9, through Elizabeth and Linden. He explained goals of the upgrades being made.

**SIXTH WARD**

Mr. Roman noted that he was chair of the Negotiations Committee, and they are ongoing. He then noted various areas, in the ward, where pothole repairs are being done. He informed all that the syncing of the Wood Ave traffic lights took place on February 5th. He talked about the need to replace these traffic lights, with ones that contain all of the modern bells and whistles, such as GPS, so that they will not fall out of sync in the near future, noting the age of the current lights. The replacement request would be made to the County of Union. He thanked all involved for their help with this project.

Mr. Roman reported that a number of trees were removed, in the ward, and thanked DPW. He asked residents if they had a tree that was of concern, to report it to him. He asked if any Sixth Ward resident wants a new tree to also let him know. He went on to address the new ordinance regarding residential parking permits, and the reasons for it. Mr. Roman stated that there a number of issues, regarding this ordinance, that still need to be addressed. The requirement, for the permits, is having the desired effect of getting cars of individuals using the train station, off of the streets and into the train parking lot.

Mr. Roman thanked DPW for the job they did in plowing the Sixth Ward. He announced that he will be hosting his third Sixth Ward meeting, and provided details on it. He provided his contact information.

**FIFTH WARD**

Ms. Cosby noted that at last month’s meeting two street lights were approved for an area of St. George Ave that is very dark. She explained that she has been informed that the installation of those two lights would not take place until April, and asked all to exercise caution in those areas. She went on to inform all that there was a meeting, with Roselle, and since St. George Ave is a state highway, they are working on a joint request to install a traffic light in that area, in light of the fact that there have been three deaths in that area.

Ms. Cosby explained that the Fifth Ward Black History program was scaled back, as Mr. Brown indicated that he wanted to do a city wide program, a concept that she supported. She talked about the essay contest that was held, and the prizes that were issued by the Rhashonna Cosby Civic Association.

Ms. Cosby informed all that the Housing Authority has announced that housing applications are now available. She explained that there were a number of rules to be followed, and that the applications would place individuals on the waiting list for openings in the housing being run by the Authority. She detailed how to obtain the applications, including her contact information. Ms. Cosby then announced that those interested in participating in the Hooked on Fishing, not Drugs, program registration is now open, and provided details on the program. She then announced several events that individuals may be interested in.

Ms. Cosby spoke about the Mayor’s and Police Chief’s recognition of citizens, and spoke about the neighbor’s appreciation of that recognition. . She urged Fifth Ward residents to visit her website to obtain further details about the Fifth Ward. She then provided her contact information.

**FOURTH WARD**

Mr. Mohammed gave the report of the City Clerk’s office for 2018. A total of $48,687.56 was collected from all sources. Next he gave the report of the City Clerk’s office for the month of January, 2019. The total of City revenue collected was $4,855.50. The City Clerk’s Licensing Division collected $4,371.00 for the month of January, 2019. In December, 2018 the Licensing Division collected $8,664.00.

Mr. Mohammed noted that the Department of Public Works was doing a fantastic job in the Fourth Ward. Next Mr. Mohammed noted that this meeting was a governmental operation and asked people to come in here with respect. He urged them to govern themselves accordingly, and to use free expression, not free insanity.

**THIRD WARD**

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

1. The payment of bills totaling $2,225,821.17. 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 January at the rate of 2.75%.

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

Mr. Brown stated that he was going to make a general comment, related to his family. Mr. Brown then spoke about his son and health issues that the son has faced related to his birth. He then talked about people, some of them on this dais who are harassing him and his family, and action will be taken against them. He noted that we can disagree, but do not have to be disagreeable. Mr. Brown went on to speak about the harassment of his friends, that is occurring and that he is working with the Prosecutors office, and the Attorney General’s office, to have it addressed. He continued, talking about posting, on social media, what was said and posted, and that it has to stop, it will not be tolerated any longer. President Yamakaitis note that there are members of her family that have taken legal action.

**SECOND WARD**

Mr. Javick reported that the Fire Prevention Bureau collect $5,186.66 for the month of January, 2019. The ambulance reimbursement system collected a total of $58,145.29 for the year to date. Next he provided an update, on redevelopment projects, going on in the Second Ward. He noted that the former JTG Scaffolding site was being cleaned out, in preparation for demolition. He described the project, for this site and informed all that the former United Lacquer site is currently being demolished and described what would be built there. Mr. Javick noted that the transit village is being expanded and future prospects are phenomenal. He went onto to speak of change, coming to the downtown, through the Uptown Linden organization. He predicted that with the economy continuing to grow, that there is no reason that real estate values, in Linden, will continue to grow. He provided his contact information.

**FIRST WARD**

Mrs. Ormon noted that she does chair the Traffic Committee. She assured the residents that request from last year, and the year before have been carried over to this year. Pending issues will be reviewed, with the Chief of Police and the Police Department prioritizing and determining what is taken care of first. She added that residents, throughout the City, who have concerns, should contact their council person, and not the Committee. She detailed the process. She also asked that these issues not be reported on Facebook, as it may not be seen.

Mrs. Ormon spoke next about the Linden Cultural and Heritage Committee and detailed upcoming events that the Committee would be sponsoring. She talked about the new Art Center, on Wood Ave, and the Committee’s ever expanding scope. Next Mrs. Ormon spoke about the Revenue and Real Estate Committee, and detailed a number of project that are under way, and the progress that is being made.

Mrs. Ormon then talked about Wales Park. She explained what happened, the lengthy process that was involved, why it was lengthy, and the rebuilding of the park. She stated that it was hoped that there would be a grand re-opening this spring. Mrs. Ormon added that one of the rebuilt park will now contain a section for special needs children with motor skill issues.

Mrs. Ormon asked First Ward residents to please either report potholes, on the City’s website, or to her directly. They should not be reported on Facebook. Next she reported on paving projects that will be done in the First Ward, this year. She talked about the process for determining what streets get paved. Mrs. Ormon announced that a Community meeting would be held, on March 28th, and announced several other planned activities for the First Ward. She concluded by urging residents to come out to the meetings, as that is where they will receive the best information.

**MAYOR’S REPORT**

Mayor Armstead noted that later in the evening a resolution would be considered regarding a property at West Price St. He explained that a developer was proposing an eighty (80) unit apartment complex for this site. He will be meeting with the Planner, in the near future, regarding this development, but thought it to be a good project for this site. The Mayor also spoke about the former JTG Scaffolding site, and that demolition should begin within a month or so.

Mayor Armstead spoke about a student from School #1, who has cancer, and a fundraiser that would be held for the benefit of the family. He provided details on the event, and how to support it.

**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.**

**Mr. Brown moved to remove Resolution #2019-77 from consideration. The motion was seconded by Ms. Cosby and was unanimously ordered approved.**

**Diane Wilverding asked to remove resolutions 2019-100, and 98.**

**Virginia Malik asked to remove resolutions #2019-81, 85, 86, 92, 94, 98, 100, 101, 104, 108, 112, and 114.**

**John Principato asked to remove resolutions #2019-75, 81, 85, 98, 100, 104 and 115.**

**Hans Herberg asked to remove resolutions #2019-94, 98 and 100.**

**Craig Halloran asked to remove resolutions #2019-85, 87, 92, 94, 101, 102, 106, 108, 111, and 115.**

**John Roman asked to remove resolutions #2019-112 and 115.**

**Gretchen Hickey asked to remove resolutions #2019-112.**

**Rhashonna Cosby asked to remove resolutions #2019-100 and 115.**

**Mr. Brown moved for the approval of Resolutions #2019-75 through #118 with the exception of Resolutions #2019-75, #2019-81, #2019-85, #2019-86, #2019-87, #2019-92, #2019-94, #2019-98, #2019-100, #2019-101, #2019-102, #2019-104, #2019-106, #2019-108, #2019-111, #2019-112, #2019-114 and #2019-115. The motion was seconded by Ms. Cosby and was ordered approved by all voting yes with the exception of Ms. Cosby who voted no on Resolutions #2019-86, #2019-97, #2019-102, #2019-107 and Mrs. Hickey who voted no on Resolution #2019-82.**

**Resolution: 2019-75**

**RESOLUTION DECLARING SURPLUS FOR SALE OR DISPOSITION NOT NEEDED FOR GOVERNMENT USE**

**WHEREAS, N.J.S.A 40A:11-36 provides for the sale/disposal of surplus property not needed for government use; and**

**WHEREAS, the City of Linden desires to sell certain surplus property or dispose; and**

**WHEREAS, the items listed below are being declared surplus and not needed for municipal purpose; and**

**Police Department**

2000 FORD EXP. 1FMPU16LXYLC00304

2000 FORD EXP. 1FMRU1669YLC14438

2004 FORD CROWN VIC. 2FAFP71W95X100940

2003 FORD CROWN VIC. 2FAFP71W73X209426

1999 FORD EXP. 1FMPU16LXYLA21423

2007 FORD CROWN VIC. 2FAFP71VX8X123915

2008 FORD CROWN VIC. 2FAHP71V68X179469

2006 FORD CROWN VIC. 2FAHP71W97X108743

2005 FORD CROWN VIC. 2FAFP71W45X149320

2004 FREIGHTLINER SWPR.

**RESOLUTION: 2019-76**

**RESOLUTION AUTHORIZING A SHARED SERVICES**

**AGREEMENT WITH THE BOARD OF EDUCATION OF THE CITY OF LINDEN AND AFTER-SCHOOL ALL-STARS**

**WHEREAS**, the City of Linden (“City”) has agreed to provide transportation services to the After-School All-Stars program, who is administering a program for school aged children in conjunction with the Linden Board of Education; 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, attached, subject to further modification by the parties, for transportation services for calendar year 2019; and

**BE IT FURTHER RESOLVED** that a duly executed copy of this Resolution be forwarded to the LFL; and

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

**John Principato, 1706 Westover Rd. Mr. Principato changed his mind about speaking on this resolution.**

**See the vote after Resolution 2019-87.**

**RESOLUTION:2019-76**

**RESOLUTION AUTHORIZING A SHARED SERVICES**

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**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, attached, subject to further modification by the parties, for transportation services for calendar year 2019; and

**BE IT FURTHER RESOLVED** that a duly executed copy of this Resolution be forwarded to the LFL; and

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

**RESOLUTION: 2019-77**

**RESOLUTION** **AWARDING A CONTRACT WITH ROBERT RENAUD, ESQ. OF THE FIRM PALUMBO RENAUD & DEAPPOLONIO, LLC, AS SPECIAL TAX COUNSEL TO INCLUDE OTHER VARIOUS TAX APPEALS FOR 2019**

**WHEREAS**, the City Council has a need to retain the services of Special Tax Counsel for tax appeals where Skoloff & Wolfe, P.C. have a conflict for 2019; 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**, Robert Renaud, Esq., of Palumbo, Renaud & Deappolonio, LLC 190 North Avenue East, Cranford, New Jersey submitted a qualification to the City and has qualified for the aforesaid services for 2019; and

**WHEREAS,** it is necessary to provide for funds for said purpose in an amount not to exceed $10,000.00; and

**WHEREAS**, the Chief Financial Officer or his designee has certified to the availability of funds for this purpose, to be charged to Account No. 9-01-20-156-117-271; **NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that the agreement for Professional Services awarded to Robert Renaud, Esq., Palumbo, Renaud & Deappolonio, LLC, 190 North Avenue East, Cranford, New Jersey, is hereby awarded in an amount not to exceed of $10,000.00; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary amended contract documents between Robert Renaud, Esq. 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 said amendatory agreement consistent with Robert Renaud, Esq. to effectuate the foregoing; and

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

Resolution 2019-77 was removed from consideration by Council.

**RESOLUTION: 2019-78**

**RESOLUTION AUTHORIZING THE CITY OF LINDEN TO PROCESS AN INVOLUNTARY DISABILITY RETIREMENT APPLICATION FOR KENNETH BAHRENBURG EFFECTIVE APRIL 1, 2019**

WHEREAS, the City of Linden has employed a Sanitation Truck Driver in its Department of Community Services, Division of Public Works; and

WHEREAS, this Sanitation Truck Driver is an active member of the PERS and

WHEREAS, this Sanitation Truck Driver has 17 years 3 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 Sanitation Truck Driver 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 Sanitation Truck Driver; and

WHEREAS, this Council and the Director of the Department of Community Services 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 Director of Community Services 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 Sanitation Truck Driver; 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:2019-79**

**RESOLUTION APPROVING THE DONATION OF ONE 2004 CHEVROLET SUBURBAN TO THE CITY OF LINDEN**

**WHEREAS,** the County of Union wishes to donate one (1) 2004 Chevrolet Suburban to the City of Linden OEM; and

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

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF LINDEN** that the City of Linden shall accept 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.

**RESOLUTION:2019-80**

**RESOLUTION AUTHORIZING A DONATION TO THE WINFIELD POLICE DEPARTMENT**

**WHEREAS**, City of Linden, 301 N. Wood Avenue, Linden, New Jersey wishes to donate a 2007 Ford Van, Model E350, with 137,863 miles to the Winfield Police Department; and;

**WHEREAS**, the 2007 Ford Van has little to no value to the City of Linden and is no longer needed by the City of Linden; and

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF LINDEN** that the City of Linden is authorized to make this 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: 2019-81**

**RESOLUTION AUTHORIZING THE CITY OF LINDEN TAX COLLECTOR**

**TO HOLD A TAX SALE**

**WHEREAS,** a property known as Block 54, Lot 1 & Block 54 Lot 1 X, also known as 701Cranford Avenue is the subject of a P.I.L.O.T agreement dated December 19, 1995, between the City of Linden and Morning Star S/C Urban Renewal and,

**WHEREAS,** the City of Linden Municipal Treasurer and Tax Collector reports that the tax amounts listed below have not been collected through said P.I.L.O.T. agreement and.

**WHERAS,** the Municipal Treasurer and Tax Collector have properly noticed all required parties per said agreement and,

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN,** in the County of Union and State of New Jersey on this \_\_\_\_\_ day of \_\_\_\_, 2019 as follows:

The City of Linden Tax Collector is hereby authorized and directed to hold a tax sale per N.J.S.A. 54: 5-1 for Block-54 Lot-1 X in the amounts listed below plus additional costs and fees:

2011 $19,890.30

2012 $20,516.15

2013 $21,347.00

2014 $22,138.30

2015 $22,577.11

Total $106,468.86

John Principato, 1706 Westover Rd. Mr. Principato asked if this was an apartment complex, and if it was privately owned. Mr. Antonelli responded, explained the resolution and that it authorized a tax sale.

Virginia Malik, 1633 Lenape Road. Ms. Malik asked if this property did not have a PILOT, what the taxes would be. Mr. Antonelli stated that he did not know. Mr. Frangella responded that it would be double.

**See the vote after Resolution 2019-87.**

**RESOLUTION:2019-82**

**RESOLUTION AUTHORIZING A SHARED SERVICES**

**AGREEMENT WITH THE HOUSING AUTHORITY FOR THE CITY OF LINDEN FOR FUEL SERVICE**

**WHEREAS**, the City of Linden (“City”) desires to sell and the Housing Authority for the City of Linden (“LHA”) desires to buy fuel for LHA vehicles; 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, attached, subject to further modification by the parties, with the LHA for the aforementioned fuel services for calendar year 2019; and

**BE IT FURTHER RESOLVED** that a duly executed copy of this Resolution be forwarded to Ann J. Ferguson, Executive Director of the LHA; and

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

**RESOLUTION: 2019-83**

**RESOLUTION AUTHORIZING A SHARED SERVICES**

**AGREEMENT WITH LINDEN FREE LIBRARY FOR FUEL SERVICE**

**WHEREAS**, the City of Linden (“City”) desires to sell and the Linden Free Library (“LFL”) desires to buy fuel for LFL vehicles; 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, attached, subject to further modification by the parties, with the LFL for the aforementioned fuel services for calendar year 2019; and

**BE IT FURTHER RESOLVED** that a duly executed copy of this Resolution be forwarded to the LFL; and

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

**RESOLUTION:2019-84**

**RESOLUTION AUTHORIZING A SHARED SERVICES**

**AGREEMENT WITH LINDEN ROSELLE SEWERAGE AUTHORITY FOR FUEL SERVICE**

**WHEREAS**, the City of Linden (“City”) desires to sell and the Linden Roselle Sewerage Authority (“LRSA”) desires to buy fuel for LSRA vehicles; 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, attached, subject to further modification by the parties, with the LSRA for the aforementioned fuel services for calendar year 2019; and

**BE IT FURTHER RESOLVED** that a duly executed copy of this Resolution be forwarded to David Brown, Executive Director of the LSRA; and

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

**RESOLUTION: 2019-85**

**RESOLUTION SUPPORTING REDEVELOPMENT STUDY AT 1123 HUSSA**

**STREET, CITY OF LINDEN, NEW JERSEY (THE PROPERTY)**

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

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

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

**NOW, THEREFORE, BE IT RESOLVED,** that the City of Linden is committed to the redevelopment of the Property for the purpose of residential housing, and finds that a realistic opportunity exists for the redevelopment of the Property within a three-year period after the completion of the remediation of this site either through the planned redevelopment project, or through alternate redevelopment.

Virginia Malik, 1633 Lenape Rd. Ms. Malik asked who is purchasing this site. Mr. Antonelli responded that the resolution is to apply for a grant to find out, what environmental issues exist at the site and the cost to remediate them. Mayor Armstead identified the site, and what is going to be done, adding that the City is applying on behalf of a private individual, and there is no cost to the City.

John Principato, 1706 Westover Rd. Mr. Principato stated that he remembers the site to be an old paint factory, and is highly contaminated. He asked fi the property, next door, would also be tested.

Craig Halloran, 120 Donaldson Pl. Mr. Halloran stated that he was not familiar with the site, and asked who is cleaning it up and at what cost.

**See the vote after Resolution 2019-87.**

**RESOLUTION: 2019-86**

**RESOLUTION APPROVING A SIDEBAR AGREEMENT BETWEEN THE**

**CITY AND TEAMSTERS LOCAL 125**

**WHEREAS**, the City and Teamsters Local 125 have a collective negotiations agreement which has expired; and

**WHEREAS**, the City and Teamsters Local 125 have determined to enter into a sidebar agreement which shall amend certain provisions to the collective negotiations agreement and the 2018 MOU between the parties.

**NOW THEREFORE BE IT RESOLVED** that the City and Teamsters Local 125 have agreed to enter into a sidebar agreement, as attached, amending the collective negotiations agreement and the language of the 2018 MOU regarding wages and shall amend the successor agreement as provided.

**BE IT FURTHER RESOLVE** that this Council authorizes the Mayor and the City Clerk to execute the attached sidebar agreement.

**BE IT FURTHER RESOLVED** that this resolution shall take effect immediately and authorizes the City’s CFO to make payment as permitted by law.

Virginia Malik, 1633 Lenape Rd. Ms. Malik asked what is the basis for the MOU, and why for 2018. Mr. Roth explained the basis, that it provided parity, for this bargaining unit, with other units, as Local 125 was the first to settle the 2018 contract. This MOU provides for the adjustment that their first MOU called for. He responded to various follow up questions that Ms. Malik asked.

**See the vote after Resolution 2019-87.**

**RESOLUTION: 2019-87**

**RESOLUTION APPOINTING EDWARD COOPER, AS CHIEF PUBLIC DEFENDER**

**WHEREAS**, there is a need to appoint a Chief Public Defender; and

**WHEREAS**, the term of the Chief Public defender shall commence on January 1, 2019 and terminate on December 31, 2019; and

**WHEREAS**, Jill Anne Lazare, was duly appointed to the position of Chief Public Defender on January 15, 2019, but has submitted a letter of resignation thereby creating a vacancy; and

**WHEREAS,** due to the qualifications required for the position, and due to the qualifications and experience of **EDWARD COOPER, ESQ.** a residency waiver is herein granted; and

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that **EDWARD COOPER, ESQ.**, an Attorney at Law of the State of New Jersey, is appointed to serve as Chief Public Defender for the remainder of the term ending December 31, 2019 and until his successor is appointed and qualifies for a salary $30,000.00.

Craig Halloran, 120 Donaldson Pl. Mr. Halloran asked if Ms. Lazare still works for the City. Mr. Antonelli responded no.

Mr. Brown moved for approval of Resolutions 2019-75, 81, 85, 86 and 87. The motion was seconded by Mrs. Ormon and was ordered approved by a roll call vote, with Ms. Cosby abstaining on resolution 2019-86.

**Resolution: 2019-88**

**RESOLUTION APPROVING THE AWARD OF A LEASE TO T&L CATERING, INC. FOR A PORTION OF THE PROPERTY KNOWN AS 12 NORTH STILES STREET, ALSO KNOWN AS BLOCK 321, LOT 4 IN THE CITY OF LINDEN**

**WHEREAS,** sealed bids were received by the Purchasing Agent on January 29, 2019 for the lease of a portion of 12 North Stiles Street, Block 321 Lot 4 in the City of Linden; and

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

**WHEREAS**, T&L Catering, Inc. was the highest bidder at their bid of $2,605.00 per month for a term of 36 months; and

**WHEREAS,** the Local Public Lands and Buildings Law (N.J.S.A. 40A:12-1 et seq.) requires that Council pass a Resolution authorizing the award of such lease;

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

1. A lease is awarded to T&L Catering, Inc. at their bid of $2,605.00 per month for 36 months. This Resolution is expressly contingent upon the negotiation and execution of the necessary lease documents between T&L Catering, Inc. and the City of Linden in the form and substance as approved by the City Law Department.

2. The Mayor is hereby authorized to execute all documents to effectuate the purposes herein above expressed, and the City Clerk is hereby authorized and directed to attest thereto and to affix the seal of the City to such documents.

**RESOLUTION: 2019-89**

**RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH BROOKFIELD PROPERTIES AT NO COST TO THE CITY OF LINDEN FOR THE POLICE MOTORCYCLE TRAINING PROGRAM**

**WHEREAS,** the City of Linden has a need to conduct its Linden Police Motorcycle Training Program; and

**WHEREAS,** Brookfield Properties has given permission to the City of Linden, at no cost, to conduct the Linden Police Motorcycle Training Program;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** authorizes the Mayor and City Clerk to sign an agreement with Brookfield Properties so the City of Linden may conduct its annual Police Motorcycle Training Program.

**RESOLUTION:2019-90**

**RESOLUTION RESCINDING RESOLUTION # 2018-424 AUTHORIZING THE CITY OF LINDEN TAX COLLECTOR TO HOLD A TAX SALE**

**WHEREAS,** a property known as Block 54, Lot 1 & Block 54 Lot 1 X, also known as 701Cranford Avenue is the subject of a P.I.L.O.T agreement dated December 19, 1995, between the City of Linden and Morning Star S/C Urban Renewal and,

**WHEREAS,** the City of Linden Municipal Treasurer and Tax Collector reports that the tax amounts listed below have not been collected through said P.I.L.O.T. agreement and.

**WHERAS,** the Municipal Treasurer and Tax Collector have properly noticed all required parties per said agreement and,

**WHERAS**, the Tax Sale Scheduled for February 8, 2019 needs to be cancelled as there are calculation changes that need to be considered.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN,** in the County of Union and State of New Jersey on this \_\_\_\_\_ day of \_\_\_\_, 2019 as follows:

The City of Linden Tax Collector is hereby authorized and directed to hold a tax sale per N.J.S.A. 54: 5-1 for Block-54 Lot-1 X in the amounts listed below plus additional costs and fees:

2011 $15,770.45

2012 $16,266.67

2013 $16,925.43

2014 $17,552.83

2015 $17,900.75

2016 $18,610.85

2017 $63,529.91

Total $166,556.89

**RESOLUTION:2019-91**

**RESOLUTION DECLARING CERTAIN ITEMS SURPLUS/SCRAP AND AUTHORIZING THEIR SALE OR DISPOSITION**

**WHEREAS,**  N.J.S.A. 40A:11-36 provides for the sale/disposal of surplus property not needed for Non Public Safety government use; and

**WHEREAS,** the City of Linden desires to sell or dispose of certain surplus property; and **WHEREAS,** the item listed below is being declared surplus and not needed for municipal purpose;

Dell Monitors (9), Dell Optiplex GX 280 S/T JKLBB71, Optiplex 780 S/T 3TJZ8P1, S/T 5JW1XB1, S/T 1PP2B21, FGW68Y1. Dell V305w printer, Kyocera Ecosys FS 3640MFP, S/T 4Y70PH1, 5ZG09C1

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** that pursuant to N.J.S.A. 40A:11-36 that the Purchasing Agent is hereby authorized to sell at public auction or dispose of, as appropriate, the attached items; and

**BE IT FURTHER RESOLVED** that the Purchasing Agent is hereby authorized to confirm the sale/disposal of said item as scrap.

**RESOLUTION: 2019-92**

**RESOLUTION APPROVING THE AWARD OF A CONTRACT AND AUTHORIZING AECOM TO PERFORM PORT AUTHORITY ENGINEERING SERVICES FOR 2019**

**WHEREAS**, it is necessary to an engineer who has the relevant knowledge, expertise and professional resources to assist the city with its efforts to create and operate a municipal port authority; 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**, Aecom Technical Services, Inc. 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**, the Finance Director has certified to the availability of funds for this purpose, to be charged to Account No. 9-01-20-165-124-259 ;

**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 Aecom Technical Services, Inc., 30 Knightsbridge Road, Suite 520, Piscataway, New Jersey 08854; and

**BE IT FURTHER RESOLVED** the terms of said agreement shall be for a period of one year in the amount of $10,000.00 2019 budget and the remaining $70,000.00 to be paid from grant monies when and if the City receives them; and

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

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

Virginia Malik, 1633 Lenape Rd. Ms. Malik asked what the services are, and where is the port located. Mr. Antonelli responded with an explanation, and also answered additional questions from Ms. Malik.

Craig Halloran, 120 Donaldson Place. Mr. Halloran stated that his questions were answered.

**See the vote after resolution 2019-100.**

**RESOLUTION: 2019-93**

**RESOLUTION AUTHORIZING THE FILING OF A MUNICIPAL**

**RECYCLING GRANT APPLICATION** **FORM WITH THE NEW JERSEY DEPARTMENT OF** **ENVIRONMENTAL PROTECTION AND ENERGY**, **OFFICE OF RECYCLING**

**WHEREAS,** the City of Linden has adopted an Ordinance providing for the collection of newspapers by the City of Linden on August 17, 1982 and approved August 18, 1982; and

**WHEREAS,** said Ordinance and amendments thereto requiring the recycling of glass containers and aluminum cans have actually been implemented under the direction of the Superintendent of Public Works within the City of Linden; and

**WHEREAS,** it is the intent and spirit of the Recycling Act P.L. 1981, c. 278 to use the tonnage grants to develop new municipal recycling programs and to continue and expand existing programs;

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

**LINDEN** that the Public Works Department of the City of Linden is hereby authorized to apply for a Municipal Recycling Grant as authorized by the New Jersey Department of Environmental Protection and Energy, Office of Recycling; and

**BE IT FURTHER RESOLVED** that the Mayor, City Clerk and authorized personnel from the Public Works Department shall be permitted to sign any documents necessary to implement the application in order to obtain the grant for the year 2018; and

**BE IT FURTHER RESOLVED** that a copy of the Ordinance providing for the recycling of glass containers, aluminum cans and used newspapers by the City of Linden is attached hereto and made a part of this Resolution.

**RESOLUTION: 2019-94**

**RESOLUTION APPROVING A CONTRACT TO CME ASSOCIATES FOR THE SAMPLING AND ANALYSIS OF WELLS AND PIEZOMETERS, AIR PERMITTING AND REPORTING LEACHATE MONITORING AND ACO COMPLIANCE SERVICES AT THE LINDEN LANDFILL FOR THE YEAR 2019**

**WHEREAS**, there exists a need for consulting services for various services at the City of Linden Landfill: 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**, CME Associates, 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**, the Chief Financial Officer has certified to the availability of funds for this purpose, to be charged to Account No. C-04-55-907-665-919;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** that a contract for Professional Services be and hereby is awarded to CME Associates, 3759 Highway 1 South, Suite 100, Monmouth Junction, New Jersey 08852, at a fee not to exceed $181,048.00 in accordance with their proposal dated January 9, 2019; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary contract agreements between CME Associates and the City of Linden; and

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk be and hereby are empowered and directed to execute a contract with CME Associates to effectuate the foregoing; and

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

Virginia Malik 1633 Lenape Rd. Ms. Malik asked when the total expenditure would be capped. Mr. Pantina responded explaining the ongoing work that is required to be done at the closed landfill.

Craig Halloran 120 Donaldson Pl. Mr. Halloran spoke about CME doing the testing, last year, and explained an issue regarding the leachate that had been discussed at a Sewerage Authority meeting.

Hans Herberg, 1501 Westover Rd. Mr. Herberg asked if CME is the permanent contractor, for this, or has there been any other bidders. Mr. Antonelli explained that it was a professional services contract, which does not have to be bid He provided details on the RFQ process and noted CME’s long history in advising the City on the landfill issues. Mr. Roman noted what he had learned, when he chaired the Landfill Committee last year, and spoke about the landfill and procuring a solar farm, for the landfill to help offset the ongoing closure cost.

**See the vote after resolution 2019-100.**

**RESOLUTION: 2019-95**

**RESOLUTION AUTHORIZING A CHANGE IN THE CUSTODIAN OF THE PETTY CASH FUND IN THE DEPARTMENT OF COUMMUNITY SERVICES, DIVISION OF BUILDINGS AND GROUNDS**

**WHEREAS,** Alfred MacDonald was custodian of the Recreation Department Petty Cash Fund; and

**WHEREAS,** by Ordinance 62-85, the Department of Community Services was established, which includes the Division of Buildings and Grounds; and

**WHEREAS,** in accordance with N.J.S.A. 40:5-21, the City of Linden is changing the custodian of the petty cash fund in the Department of Community Services, Division of Buildings and Grounds to Anthony Coplan; and

**WHEREAS,** Anthony Coplan is bonded in the amount of $1,000,000.00 by virtue of a surety bond.

**NOW, THEREFORE, BE IT RESOLVED** that the City of Linden, County of Union hereby authorizes such action and two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

**RESOLUTION: 2019-96**

**RESOLUTION AWARDING A CONTRACT TO EPG BROKERAGE FOR VOYA FINANCIAL RETIREMENT PLANNING SPECIALIST SERVICES FOR 2019**

**WHEREAS,** there exists a need for the provision of Retirement Planning Specialist Services for the City of Linden’s Deferred Compensation Plan for the period of January 1, 2019 through December 31, 2019; and

**WHEREAS,** pursuant to N.J.S.A. 19:44A-20 et seq., this Council determined to implement a “fair and open process” for the procurement of such services; and

**WHEREAS,** a “Request for Proposals” (RFP) was issued on October 10, 2018 and responses were received on November 1, 2018; and

**WHEREAS,** having considered the recommendation of the Finance Committee, this Council has determined that a contract for said services be awarded to EPG Brokerage; and

**WHEREAS,** EPG Brokerage, 333 Thornall Street Suite 9B Edison, NJ 08837 , has agreed to provide the necessary services as outlined above at no cost to the City; and

**WHEREAS,** N.J.S.A. 40A:11-5(1) authorizes Council to award a contract without competitive public bidding if the subject matter consists of an exception to such requirements as set forth therein; and

**WHEREAS,** the consulting and related services to be provided herein constitute an exception to the public bidding requirements of the Local Public Contracts Law under N.J.S.A. 40A::11-5(1)(m);

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** a contract is hereby awarded to EPG Brokerage, pursuant to a fair and open process, and to provide the necessary services as outlined above at no cost to the City; and

**BE IT FURTHER RESOLVED** that the Mayor is hereby authorized to execute said contract upon further approval by the Law Department for the aforesaid service.

**RESOLUTION: 2019-97**

**CITY OF LINDEN RAT RESOLUTION**

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

1/3/2019 Unity Bank Workers Comp 12/24-12/30 $15,860.87

1/3/2019 Vision Service Plan January Vision Claims $4,444.78

1/3/2019 Express Scripts/Medco Prescription Claims 12/25-12/28 $39,880.02

1/9/2019 Unity Bank Workers Comp 12/31-1/6 $9,677.18

1/10/2019 Treasurer State of NJ Debt Payment – Theatre $20,209.53

1/11/2019 US Bank NA Admin Fee – S Wood Ave 04 $3,131.25

1/11/2019 US Bank NA Admin Fee – Morningstar 07 $3,537.50

1/11/2019 Payroll Payroll - Current $2,095,863.11

1/11/2019 Payroll Payroll - Trust $52,371.63

1/11/2019 Payroll Payroll - Grants $4,996.54

1/11/2019 Payroll Payroll - Unemployment $2,023.29

1/16/2019 Unity Bank Workers Comp 1/7-1/13 $16,811.27

1/17/2019 Elavon, Inc. Jan. Merchant Fee Garage Sale $54.99

1/17/2019 Express Scripts/Medco Prescription Claims 12/29-1/11 $72,827.72

172426 1/23/2019 Muller Bohlin Assoc., Inc. Consulting Funding Grants $8,250.00

172427 1/23/2019 Postmaster P.O. Box 100 $1,480.00

1/24/2019 Treasurer State of NJ Debt Payment – Multipark 04 $5,882.79

172428 1/25/2019 Somerset Un. Cons. Dist. Memorial Park Porous Pavement $695.00

1/25/2019 Unity Bank Workers Comp 1/14-1/20 $5,891.53

1/25/2019 Payroll Payroll - Current $1,695,555.25

1/25/2019 Payroll Payroll - Trust $67,801.28

1/25/2019 Payroll Payroll - Grants $10,164.46

1/25/2019 Payroll Payroll - Capital $490.28

1/25/2019 Payroll Payroll - Unemployment $1,687.28

1/28/2019 SHBP Retirees January Health Premium $402,550.43

1/28/2019 SHBP Active November Health Premium $641,076.64

1/29/2019 NJ State Health Benefits Health Claims $1,043,627.07

1/30/2019 Vision Service Plan February Vision Claims $4,477.26

1/30/2019 Treasurer State of NJ Debt Payment – Multipark 09 $5,563.84

1/30/2019 US Bank NA Debt Payment – NJEIT 2006A $9,166.63

1/30/2019 M&T Bank Debt Payment – UCIA PAL 03 $16,045.63

1/30/2019 Unity Bank Workers Comp 1/21-1/27 $20,544.71

1/30/2019 US Bank NA Debt Payment – NJEIT 2005A $22,697.55

1/30/2019 US Bank NA Debt Payment – NJEIT 2009A $31,660.00

1/30/2019 US Bank NA Debt Payment – NJEIT 2004A $64,449.19

1/31/2019 Express Scripts/Medco Prescription Claims 1/12-1/25 $67,503.04

1/31/2019 TD Wealth Management Debt - UCIA Linden Airport 2010B $972,042.91

**RESOLUTION: ­­­­2019-98**

**RESOLUTION** **AWARDING A CONTRACT WITH P.R. STRATEGIES**

**FOR PUBLIC RELATIONS SERVICES WITH THE CITY OF LINDEN**

**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,** P. R. Strategies, 3611 Park Avenue, Union City, NJ 07087submitted a qualification to the City and has qualified for the aforesaid services for 2019; and

**WHEREAS,** it is necessary to award a contract for said purpose in an amount not to exceed $17,000.00; and

**WHEREAS**, the Chief Financial Officer or his designee has certified to the availability of funds for this purpose, to be charged to Account No. 9-01-20-110-105-255

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** hereby awards a contract for Professional Services to P.R. Strategies in an amount not to exceed $17,000.00;

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk be and hereby are empowered and directed to execute said agreement with P.R. Strategies to effectuate the foregoing; and

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

See comments after Resolution 2019-100.

**See the vote after resolution 2019-100.**

**Resolution: 2019-99**

**RESOLUTION QUALFIYING CERTAIN PROFESSIONALS PURSUANT TO A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A 19:44a-20.4**

**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,** Resolution 2018-368 was passed previously, but qualified the professionals for the calendar 2018, and thus, this Resolution amends Resolution 2018-368, to qualify certain professionals as listed below for the calendar year 2019;

**SPECIAL COUNSEL PORT AUTHORITY**

Florio and Kenny L.L.P.

5 Marine View Plaza

Hoboken, NJ 07030

Decotiis, FitzPatrick, Cole & Giblin, LLP

500 Frank W. Burr Boulevard Suite 31

Teaneck, NJ 07666

Rainone Coughlin Minchello, LLC

1 Woobridge Center

Woodbridge, NJ 07095

McManimon Scotland Baumann

75 Livingston Avenue suite 201

Roseland, NJ 07068-5408

Waters, McPherson, McNeill

300 Lighting Way

Secaucus, NJ 07096

Eric Bernstein & Associates, LLC

34 Mountain Blvd

Warren, NJ 07059

Inglesino, Weber, Wyciskala & Taylor

600 Parsippany Road

Parsippany, NJ 07054

**ENGINEERING SERVICES PORT AUTHORITY**

LS Engineering Associates Corporation

150 River Road, Bldg E, Suite E2

Montville, NJ 07045

Consulting Municipal Engineers

3141 Bordontown Avenue

Parlin, NJ 08859

Bowell Engineering

330 Philips Avenue

South Hackensack, NJ 07606

Aecom Technical Services, Inc.

30 Knightsbridge Road

Suite 520

Piscataway, NJ 08854

**SPECIAL COUNSEL SERVICES FOR AVIATION MATTERS**

Inglesino, Weber, Wyciskala & Taylor

600 Parsippany Road

Parsippany, NJ 07054

**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: 2019-100**

**RESOLUTION APPROVING A CONTRACT**

**WITH TELIAPP CORPORATION FOR MARKETING SERVICES IN THE CITY OF LINDEN**

**WHEREAS**, there exists a need for marketing services 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**, Teliapp Corporation 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**, the Chief Financial Officer or his designee has certified to the availability of funds for this purpose, to be charged to Account No. 9-01-20-131-113-244;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** that a contract for Professional Services be and hereby is awarded to Teliapp Corporation at a fee not to exceed $17,000.00 in accordance with their proposal dated, November 1, 2018; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary contract agreements between Teliapp Corporation 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 Teliapp Corporation effectuate the foregoing; and

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

Diane Wilverding, 150 East Morris Ave. Ms. Wilverding noted her comments were for resolutions 2019-98 and 100. She then stated that this comes up twice a year, and why the City need two companies does. Mrs. Zack responded stating that one does PR and the other markets the City.

Virginia Malik 1633 Lenape Rd. (both resolution 2019-98 and 100) Ms. Malik asked what does the PR firm do. Mayor Armstead responded and explained what the PR firm does and what the marketing services firm does. Ms. Malik then asked about the role of the Chief of Staff, in the Mayor’s office, and how that ties in. Mayor Armstead explained the duties and responsibilities of the Chief of Staff.

Hans Herberg, 1501 Westover Rd. (both resolution 2019-98 and 100) Mr. Herberg asked about who does the digital media, what the firms are going to be used for and how is it going to benefit the residents. Mayor Armstead responded.

John Principato 1706 Westover Rd. (both resolution 2019-98 and 100) Mr. Principato stated that we had the same thing last year, and it came up twice. He also asked if a cap can be placed on the amount spent so that it does not come back up. Mr. Antonelli explained how the payment of bills works, and what would happen if the company would run out of funds, that it would be up to the Council to decide if they were providing additional funding. Mr. Principato asked the Mayor to guarantee that these firms would not go over the $17,000.00 being provided. Mr. Antonelli responded that it was an unfair request as it is up to the Council, not the Mayor to decide.

Mr. Roman noted that last year, the contract for PR Strategies had doubled, adding that he would take the Mayor’s word that they would not go over this year. He then discussed is conversations with Teliapp, and was excited about what they would do for the City. He also discussed the work, last year that had been done by C2, in this role.

Mr. Brown noted that the City of Linden has a $109 million budget, and what part of it these cost represents. He talked about the need for these services, how they would benefit the City, and how the City is trying to get information out to its residents.

Ms. Cosby stated that only certain information is getting out there, explaining what she meant, and her concerns. She stated that the contracts are not for all of us, but are for certain people in the City.

President Yamakaitis called Ms. Cosby out of order. Ms. Cosby objected. Mr. Antonelli stated that it is decision of the Council President, and it has to be followed.

Mr. Brown moved for approval of Resolutions 2019-92, 94, 98, 99 and 100. The motion was seconded by Mr. Javick and was approved by a roll call vote, with Mr. Brown and Ms. Cosby voting no to 2019-100; Mr. Roman and Mrs. Hickey voting no to 2019-98; and Ms. Cosby abstaining on Resolution 2019-98.

**RESOLUTION: 2019-101**

**RESOLUTION**

**TEMPORARY CAPITAL BUDGET FOR 2019**

**WHEREAS,** the City of Linden desires to introduce the 2019 Temporary Capital budget of said municipality.

**NOW, THEREFORE, BE IT RESOLVED** that the Council of the City of Linden introduces the 2019 Temporary Capital Budget follows:

**Section 1.** The 2019 Temporary Capital Budget of the City of Linden is hereby introduced to read as follows:

**METHOD OF FINANCING**

**Est. Budget Capital Grant Debt**

**Project Costs Approp. Impr. Fund in Aid Authorized**

Sport Utility Vehicles for Police $302,500.00 $302,500.00 $15,125.00 $0.00 $287,375.00

Dept. & Related Equipment/

Accessories

Transport Van for Police Dept. $66,000.00 $66,000.00 $3,300.00 $62,700.00

& Related Equipment/Accessories

IT Computer Upgrades for $435,875.00 $435,875.00 $21,794.00 $ 414,081.00

Public Safety

**Section 2.** The Clerk be and is authorized and directed to file a certified copy of this resolution with the Division of Local Government Services, Department of Community Affairs, State of New Jersey, within three days after the adoption of these projects for 2019 Capital Budget, to be included in the 2019 Capital Budget as adopted.

Virginia Malik, 1633 Lenape Rd. Ms. Malik noted that last year there was lots of discussion on the purchase of SUV’s and cars. She asked if the cars, in the 2018 budget were purchased, and why are they purchasing additional cars in 2019, inquiring how many total cars the City is buying. Mrs. Zack responded, five (5) additional cars and explained how the number was arrived at. Ms. Malik asked who would be driving them. Chief Hart provided a response. Next Ms. Malik asked about the IT computer upgrades, and what happened to the money approved last year. Mrs. Zack responded.

Craig Halloran, 120 Donaldson Place. Mr. Halloran stated that his questions were answered.

**See the vote after resolution 2019-108.**

**RESOLUTION: 2019-102**

**A RESOLUTION APPOINTING RALPH STRANO A MEMBER OF THE LINDEN-ROSELLE SEWERAGE AUTHORITY**

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

Section 1. That pursuant to the Ordinance entitled “ORDINANCE CREATING THE LINDEN ROSELLE SEWERAGE AUTHORITY”, approved December 3, 1947, a certified copy whereof was duly filed by the City Clerk in the Office of the Secretary of the State of New Jersey, **RALPH STRANO,** residing in Linden, New Jersey, be and he hereby is appointed a member of the Linden Roselle Sewerage Authority to serve the unexpired term, which term commenced on January 1, 2019 and terminates on December 31, 2023, and until his successor has been appointed and qualifies, to exercise and perform all the rights, powers and duties provided in the Ordinance hereinbefore mentioned, and in N.J.S.A. 40:14A-1 et seq., and the amendments and supplements thereto.

Section 2. That upon the appointment of Ralph Strano as full member of the Linden Roselle Sewerage Authority, his seat as an alternate member shall be vacant.

Section 3. . That the City Clerk of the City of Linden shall certify a copy of this Resolution and cause it to be filed in the Office of the Secretary of the State of New Jersey.

Craig Halloran, 120 Donaldson Place. Mr. Halloran asked if the Mayor was stepping down. Mr. Antonelli responded no.

**See the vote after resolution 2019-108.**

**RESOLUTION: 2019-103**

**RESOLUTION APPROVING A CONTRACT WITH BRINKERHOFF ENVIRONMENTAL SERVICES, INC. FOR ENVIRONMENTAL SERVICES REGARDING REMOVAL OF AN UNDERGROUND TANK AT 301 N. WOOD AVENUE IN THE CITY OF LINDEN**

**WHEREAS,** there exists a need for environmental services at 301 N. Wood Avenue; 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**, Brinkerhoff Environmental Services, Inc. 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**, the Chief Financial Officer or her designee has certified to the availability of funds for this purpose, to be charged to Account No. C-04-55-901-666-919.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** that a contract for Professional Services be and hereby is awarded to Brinkerhoff Environmental Services, Inc., 1805 Atlantic Avenue, Manasquan, New Jersey 08736, at a fee not to exceed $14,420.00, in accordance with their proposal dated February 11, 2019; and

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

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

**RESOLUTION: 2019-104**

**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 252, LOTS 11 AND 12 (A/K/A 40-46 WEST PRICE STREET) AND BLOCK 253, LOTS 40 AND 41 (A/K/A 30-37 WEST PRICE STREET) SHOULD BE DESIGNATED AS AN AREA IN NEED OF REDEVELOPMENT (NON-CONDEMNATION), PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A*. 40A:12A-1, *et seq.***

**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 252, Lots 11 and 12 (a/k/a 40-46 West Price Street) and Block 253, Lots 40 and 41 (collectively, 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 (non-condemnation).

Section 7. This Resolution shall take effect immediately.

John Principato, 1706 Westover Rd. Mr. Principato stated that the Mayor had spoken on this earlier. He stated that he knows the developer, and the developer has an apartment complex across the street that was built without a long term tax exemption. Mr. Principato stated that he has had enough with long term tax exemptions, and let the developers do what they need to do and pay their taxes. He further stated let them develop their properties, without long term tax exemptions, and they will be fine.

Virginia Malik, 1633 Lenape Rd. Ms. Malik asked who initiated this resolution. Mr. Antonelli responded with an explanation. Ms. Malik then stated that she was confused as to the role of the Planning Board. Mr. Antonelli then provided further explanations as the role and task that the Planning Board preforms.

**See the vote after resolution 2019-108.**

**RESOLUTION: 2019-105**

RESOLUTION TO ACCEPT GRANT FUNDING FROM THE SAFE AND SECURE COMMUNITIES GRANT TO SUPPORT THE SALARIES OF LINDEN POLICE

Whereas, The City of Linden agrees to accept the funding award from the Safe and Secure Communities Grant Program for $60,000.00 to carry out a project to support the salary cost for two officers of the Linden Police Force.

BE IT THEREFORE RESOLVED:

1. That the City of Linden does hereby authorize the acceptance of Subaward, 19-2009 for the Subaward period of January 4, 2019 to January 3, 2020;
2. Authorizes that executive of the grant agreement; and also, does further authorize the expenditure of funds pursuant to the terms of the agreement between The City of Linden and the Safe and Secure Communities Grant Program; and
3. Commits to matching the fund request, by supplying the fringe benefits and additional salary costs, totaling $125,907.46 out of a total project cost of $185,907.46.

BE IT FURTHER RESOLVED, that the Mayor and Clerk are authorized to sign the application, and that they are successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith.

**RESOLUTION: 2019-106**

**RESOLUTION AWARDED TO RLK TOWING FOR SERVICES OF SCRAPPING OBSOLETE VEHICLES AND/OR HEAVY MATERIALS FOR PUBLIC WORKS/MUNICIPAL GARAGE DEPARTMENTS SOLICIATED BY QUOTATIONS**

**WHEREAS**, the City of Linden wishes to retain quotes for highest prices of scrap metal 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,**  RLK Towing, 51 Seymour Avenue, Woodbridge, NJ 07095 was solicited for quotations; and

**WHEREAS,** RLK Towing provided the highest most advantageous quote, price and others factors considered; and

**NOW THEREFORE BE IT RESOLVED**  RLK Towing be awarded a contract for the scrapping of vehicles/heavy equipment at the high quote of $4.50 per hundred pound and towing.

**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, 120 Donaldson Place. Mr. Halloran asked where does the money go and how is it being used. Mrs. Zack responded that we are getting rid of old equipment, and any funds received go into the general budget.

**See the vote after resolution 2019-108.**

**RESOLUTION: 2019-107**

**A RESOLUTION APPOINTING JAMES MOORE AS AN ALTERNATE MEMBER OF THE LINDEN-ROSELLE SEWERAGE AUTHORITY TO FILL THE UNEXPIRED TERM OF**

**RALPH STRANO**

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

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

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

**RESOLUTION: 2019-108**

**AMENDING A CONTRACT WITH THE NEW JERSEY AUDUBON SOCIETY**

**AS STEWARD OF THE LINDEN LANDFILL**

**WHEREAS,** pursuant to a certain administrative Consent Order between the City of Linden and Department of environmental Protection the City of Linden solicited bids for services relating to the administration of the Linden Landfill and associated greenway areas, including the Hawkrise Sanctuary(the Linden Greenway Project); and

**WHEREAS,** the New Jersey Audubon Society is not for profit New Jersey corporation originally founded in 1897, having a mission that includes providing environmental education and fostering a conservation ethic among New Jersey’s citizens, and which carries out its mission through education programs and information services; and

**WHEREAS,** pursuant to the Administrative Consent Order the New Jersey Audubon Society has been previously been approved by the City of Linden, after the solicitation of Request for Qualification, to provide such services as outlined in the Administrative Consent Order, and the City of Linden authorized retaining the New Jersey Audubon Society to provide such services pursuant to a Resolution which was adopted by City Council on September 18, 2007; and

**WHEREAS,** the New Jersey Audubon Society is ready, willing and able to provide environmental program resources for the benefit of the City of Linden and its residents; and

**WHEREAS,** the City, in compliance with the Administrative Consent Order, is required to provide such programs and resources to the Citizens of the City of Linden, deems it in the best interest of the City of Linden to amend the agreement entered into with the New Jersey Audubon Society on March 18, 2008 to create a comprehensive environmental education and structured presence at the Linden Gateway Project; and

**WHEREAS,** in a proposal dated February 11, 2019, the New Jersey Audubon Society has submitted a request for additional funds for Tasks 1-6 in the amount of $23,280.00; and

**WHEREAS,** the Chief Financial Officer or her designee has certified as to the availability of funds for this purpose which will be charged to account/line item No. C-04-55-907-665-919 and;

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

1. The City of Linden and the New Jersey Audubon Society shall enter into a Memorandum of Understanding, in such form as approved by the Law Department to provide such services as required under the Administrative Consent Order.
2. The Mayor, City Clerk, or their designees, are hereby authorized and directed to execute such Memorandum of Understanding and to affix the corporate seal thereon.
3. This Resolution shall take effect immediately.

Craig Halloran, 120 Donaldson Place. Mr. Halloran asked what the tasks are and why are they worth $26,000.00. Mrs. Zack responded and stated that she will provide Mr. Halloran a detailed scope for the work.

Virginia Malik, 1633 Lenape Rd. Ms. Malik asked if this was annual action. Mrs. Zack responded yes.

Mr. Brown moved for approval of Resolutions 2019-101, 102, 104, 106 and 108. The motion was seconded by Mr. Roman and was unanimously ordered approved by a roll call vote.

**RESOLUTION: 2019-109**

**RESOLUTION AUTHORIZING AN AMENDMENT TO THE CONTRACT WITH DLS CONTRACTING, INC. FOR THE RESURFACING OF McCANDLESS STREET, LINCOLN STREET, HUSSA STREET, W. BALTIMORE AVENUE, DILL AVENUE, BOWER STREET, CLINTON STREET AND E. MORRIS AVENUE IN THE CITY OF LINDEN**

**WHEREAS**, the City Council of the City of Linden passed a Resolution No. 2018-287 on July 17, 2018 approving an award of a contract to DLS Contracting, Inc., for the resurfacing of McCandless Street, Lincoln Street, Hussa Street, W. Baltimore Avenue, Dill Avenue, Bower Street, Clinton Street and E. Morris Avenue in the City of Linden in the amount of $691,610.00; and

**WHEREAS**, a change order in the amount of $6,774.15 is required to complete the project; and

**WHEREAS**, inclusive of these additional funds the total expenditures for said contract is $698,384.15; and

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

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** that the agreement awarded to DLS Contracting, Inc., 271 US Highway 46, Suite D-205, Fairfield, New Jersey 07004 is hereby amended to increase the contract by the additional sum of $6,774.15, for a total contract of $698,384.15; and

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

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk be and hereby are empowered and directed to execute an amendatory agreement with DLS Contracting, Inc.; and

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

**RESOLUTION: 2019-110**

**RESOLUTION RECOGNIZING SANDRA JACKSON IN APPRECIATION FOR**

**HER OUTSTANDING PUBLIC SERVICE AND FOR BEING**

**CHOSEN AS 2019 WOMEN OF EXCELLENCE**

**WHEREAS,** it is a priority of the Mayor and Council of the City of Linden to recruit and retain qualified, conscientious and motivated individuals to serve the community. Sandra Jackson has been employed with the City of Linden since July 1, 2006. She started her career with the City as a 911 Dispatcher in our Police Department and is currently employed with our Fire Department as a Communications Clerk; and

**WHEREAS,** one element of pursuing this priority is communicating with volunteers that their service to the community is valued and appreciated. Such communication contributes to increased morale and job performance. The Mayor and Council of the City of Linden want to recognize such individuals for their commitment to the City and its citizens; and

**WHEREAS,** Sandra “Sandy” Jackson volunteers numerous hours and exhibits outstanding community spirit in her service to the City of Linden. Her compassion and selflessness to those in need make working with her a pleasure. Sandy has been involved with the Linden Parent Teacher’s Association, President of the Linden High School NJROTC Parent Club, Vice President of the Mayor’s Youth Commission, she organizes the Back Pack to School Event, Breakfast with Santa, Kids to Park Day, Project Graduation and serves as Linden’s Coordinator to the Municipal Alliance; and

**WHEREAS,** on Friday, March 29, 2019 Sandra Jackson will be recognized by the Union County Commission on the Status of Woman and will receive the County of Union 2019 Women of Excellence Award at a dinner to be held at the Gran Centurions in Clark, New Jersey; and

**NOW THEREFORE BE IT RESOLVED** the Mayor and City Council wishes to express their gratitude and thanks to for her dedication and commitment to the City of Linden and its residents; and

**BE IT FURTHER RESOLVED that** a copy of this resolution be placed in the minutes of the City Council of the City of Linden and a copy hereof be presented to Sandra Jackson in permanent recognition of the foregoing.

**RESOLUTION: 2019-111**

**RESOLUTION APPROVING A CONTRACT WITH CME ASSOCIATES**

**FOR LICENSED SITE REMEDIATION PROFESSIONAL SERVICES AT 13 KNOPF STREET**

**WHEREAS**, there exists a need for Licensed Site Remediation Professional (LSRP) services for 13 Knopf Street; and

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

**WHEREAS**, CME Associates, 3141 Bordentown Avenue, Parlin, New Jersey 08859 submitted a qualification to the City and has qualified for the aforesaid service 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**, the Chief Financial Officer or his designee has certified to the availability of funds for this purpose, to charged to Account No. C-04-55-901-666-919;

**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 CME Associates, 3141 Bordentown Avenue, Parlin, New Jersey 08859 at a fee not to exceed $62,950.00 in accordance with their proposal dated February 11, 2019; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents between CME Associates and the City of Linden; and

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk be and hereby are empowered and directed to execute a contract with CME Associates to effectuate the foregoing; and

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

Craig Halloran, 120 Donaldson Place. Mr. Halloran asked what CME has to do with this site. Mr. Dann stated he would meet with Mr. Halloran, after the meeting, and provided an explanation.

**See the vote after resolution 2019-112.**

**RESOLUTION: 2019-112**

**RESOLUTION OF THE CITY OF LINDEN, COUNTY OF UNION, NEW JERSEY DESIGNATING A REDEVELOPER AND AUTHORIZING THE EXECUTION OF A REDEVELOPMENT AGREEMENT RELATING TO THE PROPERTY COMMONLY KNOWN AS BLOCK 580, LOT 31.09 (A/K/A 1700 SOUTH STILES STREET) ON THE TAX MAPS OF THE CITY**

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

**WHEREAS**, on May 9, 1994, the City Council adopted a resolution which designated the Block 580, Lot 31.09 on the tax maps of the City (a/k/a 1700 South Stiles Street) (the “**Property**”) as an area in need of redevelopment; and

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

**WHEREAS,** pursuant to *N.J.S.A.* 40A:l2A-4, the City Council has designated the City to act as the “**Redevelopment Entity**” (as such term is defined at *N.J.S.A.* 40A:12A-3) for the Redevelopment Area and to exercise the powers contained in the Act to facilitate the development of the Project (as defined herein); and

**WHEREAS**, 1700 South Stiles Street Urban Renewal, LLC (the “**Redeveloper**”) has made application to be designated as the redeveloper for the Property, for which Redeveloper proposes to purchase the Property from the City, and Redeveloper has provided information consisting of documentation evidencing financial responsibility and capability with respect to the Project (as defined herein), estimated total development costs, and estimated time schedule for commencement and completion of construction; and

**WHEREAS**, the City has determined that the Entity meets all necessary criteria, including financial capabilities, experience, expertise and project concept descriptions, and, as a result, has determined enter into a redevelopment agreement to designate the Entity as the exclusive redeveloper as to the Property; and

**WHEREAS**, Redeveloper has agreed to develop a project consistent with the Redevelopment Plan, to construct twenty seven (27) residential, market rate apartments with approximately fifty-four (54) surface parking spaces (the “**Project**”); and

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

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

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

Virginia Malik, 1633 Lenape Road. Ms. Malik asked what is intended to be built at this location. Mr. Polles (Special Redevelopment Counsel) responded, provided an explanation of the resolution and a history of the site.

Mrs. Hickey stated that, from the beginning, this project has been upsetting to her. It is not in the best interest of the residents. She stated that she has reviewed the contracts and never was told that the developer has to pay off tens of millions of dollars in liens. Mr. Polles interrupt and stated that he never said pay off, but did say clear up. He explained what he meant. Mrs. Hickey noted that this property was originally zoned Commercial, and Council, against the wishes of the Zoning Board, changed it to residential. Mrs. Hickey spoke about the price the developer obtained the property at, and that another, very good developer, from in town, who developed the former Big Stash’s site, and the beautiful apartment building that was built without a PILOT program. She added that the same developer came in and offered $700,000.00 for the Stiles St. property to Council, compared to the $300,000.00 that we were paid.

Mr. Brown stated that we keep talking about the same developer, who contributed to other people’s campaigns. He went to say we are talking about a developer who came here and presented a check. Mr. Brown stated talked about trying to do our best, noting several other projects, to develop the City. He then spoke about the role of the professionals and negotiations with the developers. He spoke about Linden having to compete with other Cities. He discussed the impact these projected have had on stabilizing property taxes in Linden.

Mr. Roman stated that he has been on the record as opposing this project. He reviewed a history of the project and the concerns and issues that he had with it. He noted that the RFP process was done, by statute, but it was hidden. He noted that this is the smallest PILOT (27 units) that he ever saw in the City of Linden for an apartment building. Mr. Roman stated that he has been and will continue to be on the record as opposing this project. Mr. Roman informed all that he thought the resolution contained a typo as to the date the RFP was issued. A brief discussion with the attorneys over the matter of when the RFP was issued and if it was issued in June 2017. Mr. Roman then asked how the developer submitted the RFP three months before the RFP went out. Mr. Polles was looking into it. While he was Mr. Antonelli noted that the property was not paying taxes, for a lot of years. He explained the PILOT and that it is not a tax exception. Mr. Poles informed all that he could not reconcile the discrepancy in the date, right now. The RFP was subject to a proposal. He provided a history of the proposals. Mr. Poles offered the opinion that the difference was not substantive, and the resolution could proceed for a vote by Council. He added that he would work with the City Attorney and the Purchasing Agent to resolve the difference in the date.

Mr. Brown moved for approval of Resolutions 2019-111 and 112. The motion was seconded by Mr. Javick and was ordered approved by a roll call vote, with all voting in favor except Ms. Cosby, Mr. Roman, Mr. Medina and Mrs. Hickey, who voted no.

**RESOLUTION: 2019-113**

**RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AMENDED AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR ADA IMPROVEMENTS ALONG ST. GEORGES AVENUE (ROUTE 27) IN THE CITY OF LINDEN**

**WHEREAS**, the City Council of the City of Linden passed a resolution on June 21, 2016, No. 2016-232 to execute an agreement with the New Jersey Department of Transportation (“NJDOT”) for ADA improvements along St. Georges Avenue (Route 27) in the City of Linden (City); and

**WHEREAS,** said project may require the construction of new and/or the protection, relocation and/or adjustment of facilities of the existing sewer system which is owned and operated by the City of Linden; and

**WHEREAS**, the NJDOT wishes to amend said agreement; and

**WHEREAS**, the City of Linden’s legal right to occupy public right-of-way, subject to the conditions imposed by the NJDOT, is in no way mitigated by said amended agreement; and

**WHEREAS**, the NJDOT will, at its sole cost and expense, contract for and cause to be constructed, all items indicated in the State’s contract plans and specifications for said project, related to existing and proposed facilities owned and operated by the City of Linden; and

**WHEREAS**, the NJDOT has submitted an amended agreement for said project, attached hereto as Exhibit A and made part of; and

**WHEREAS**,it is in the best interest of the City of Linden to enter into said amended agreement.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that the City authorizes said amended agreement with NJDOT, attached hereto as Exhibit A, for the aforementioned project and the Mayor hereby be authorized to sign said agreement between the City of Linden and the New Jersey Department of Transportation, as approved by the City Law Department, and the City Clerk is hereby authorized to attest to same and affix the City Seal thereon.

**RESOLUTION: 2019-114**

**RESOLUTION AWARDING A CONTRACT WITH MCMANIMON, SCOTLAND & BAUMANN AS SPECIAL REDEVELOPMENT COUNSEL TO REPRESENT THE CITY IN REDEVELOPMENT MATTERS AND OTHER MATTERS**

**WHEREAS,** the City of Linden has a need for to hire McManimon, Scotland & Baumann, LLC, as Special Redevelopment Counsel representing the City in various redevelopment matters and other matters pending 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**, McManimon, Scotland & Baumann, LLC submitted a qualification to the City and has qualified for the aforesaid services for 2019; and

**WHEREAS,** the Chief Financial Officer has certified to the availability of funds for this purpose, to be charged as follows: 9-01-20-155-123-255

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that they do hereby approve the additional amount not to exceed $50,000.00

for services rendered by McManimon, Scotland & Baumann, LLC.; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary amendatory contract documents between McManimon, Scotland & Baumann, LLC and the City of Linden; and

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk be and hereby are empowered and directed to execute an amendatory agreement for Professional Services consistent with the above; and

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

Virginia Malik, 1633 Lenape Rd. Ms. Malik, stated that she needs some education on this resolution. In response to her questions, Mr. Antonelli clarified that the McManimon, Scotland & Baumann firm represent the City.

**See the vote after resolution 2019-115.**

**RESOLUTION: 2019-115**

**RESOLUTION ADOPTING REVISED GUIDELINES FOR THE CONDUCT OF CITY COUNCIL AND CAUCUS MEETINGS**

**WHEREAS**, the Council has determined to establish certain practices for the operation of council meetings and has determined to amend its Guidelines accordingly; and

**WHEREAS**, the amendment of the Guidelines is in the best interest of promoting efficiency in both the City Council and Caucus meetings;

**NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL AS FOLLOWS:**

1. That that Guidelines for the Conduct of City Council and Caucus Meetings is hereby amended as attached hereto and made partof.

2. All resolutions or parts of resolutions which are inconsistent with the provisions of this resolution are hereby repealed to the extent of such inconsistency.

3. This Resolution shall take effect pursuant to law.

John Principato, 1706 Westover Rd. Mr. Principato asked what was changing in the rules in the revised guidelines. .Mr. Antonelli explained the changes, in detail. Mr. Principato spoke in opposition to the new time limits that were being imposed on the members of the public when they speak at Council meetings.

Craig Halloran, 120 Donaldson Pl. Mr. Halloran stated that he understood the changes. He added that members of the public get a list of resolutions, and if he wanted to remove, say fifteen, of them, he didn’t think that he could talk fast enough to get through all of them. He argued that he, should in a reasonable way, to discuss what he has to say.

Mr. Roman stated that he was getting a better understanding of the new rules, during the caucus meeting. He noted what members of the public could speak on, and for how long. He opinioned that under the new rules it will be harder for residents to say what they want. In speaking about the five minute limit for Council people to give their reports, he wasn’t sure if he could do his monthly report in five minutes. Mr. Roman stated that he understood the reasons for the changes, but disagreed with limiting the people’s right to speak.

Ms. Cosby stated that this being done to make meetings go faster. That had been stated multiple times. She noted that we get paid to be here, by the residents. She then objected to the five minute limit on reports by Council members. Ms. Cosby added that we are here to serve the public, and that she cannot say what she wants, in a report covering the whole month, in five minutes.

Mr. Mohammed stated that he would never shut Ms. Cosby down, but we do need to manage time. People should have the right to say what they need to, but within limits.

Mr. Brown spoke about the role that former Council President Bunk preformed, at these meetings, and how he ran the meetings. No one is trying to limit what anyone speaks about. Department heads and members of Council are able to talk at any time. All levels of government have time limits for when people speak. These changes are trying to bring order to the meetings, like there is in other municipalities and levels of government.

Mrs. Ormon stated that she agreed with shorting the time for Council reports, it is a good thing. She added that a lot of people, who watch the meetings, cannot keep their eyes open, as these meetings drag on too long. She urged residents to come to the Council work sessions to get their questions answered. The residents can get answers there and it is not a place to grandstand.

President Yamakaitis stated that the length of time of the average movie is two hours, not the four hours that council meetings take. She noted that other towns have limits on public speaking, and talked about the reasons for the limits. She then talked about the review of the agenda that takes place in the conference meetings. She concluded by stating that council is not trying to stifle anyone’s freedom of speech.

Mr. Brown moved for approval of resolutions 2019-114 and 115. The motion was seconded by Mr. Javick and was ordered approved by a roll call vote, with all voting yes except Ms. Cosby, Mr. Roman and Mrs. Hickey who voted no to resolution 2019-115.

**RESOLUTION: 2019-116**

**RESOLUTION HONORING ROSA LEE PORTER ON THE OCCASION**

**OF HER 90TH BIRTHDAY**

**WHEREAS,** February 7, 1929, will mark the 90th birthday of a person that has fulfilled her destiny, through service to her community; and

**WHEREAS,** Rosa Porterwas born in Edgecombe County, North Carolina to Fannie and Lee Stroud; and

**WHEREAS,** in 1948 Rosa metand married thelove of her life, the late Mr. Frank Porter and had six children who they raised together under Christian values; and

**WHEREAS,** Rosa worked for Simmons Mattress Company for over thirty years before retiring. She currently works the polls on election days and encourages young people to stay involved so they can make a difference in our community; and

**WHEREAS,** Rosa currently serves as a Mother at Morning Star Community Christian Center and still enjoys cooking her Sunday Dinners for her family and friends. Rosa’s Sunday Dinner consist of the original “Soul Food”; and

**WHEREAS,** it is proper and fitting that Rosa Lee Porter be recognized for having sought and found how to serve her community at the time of her 90th birthday.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the City of Linden that they recognize Rosa Lee Porterfor the amazing person she is, her service to the community of Linden and congratulate her on the occasion of her 90th birthday; and

**BE IT FURTHER RESOLVED** that this Resolution be entered in the minutes of the Council of the City of Linden, and a copy be presented to Rosa Porter in recognition of the foregoing.

**RESOLUTION: 2019-117**

**Resolution Recognizing Saul and Lanette Laboy as**

**Good Neighbors in the City of Linden**

**WHEREAS,** Nelson Mandela once said “Safety and security don't just happen, they are the result of collective consensus and public investment. We owe our children, the most vulnerable citizens in our society, a life free of violence and fear;” and

**WHEREAS,** many of our fellow citizens have adopted this philosophy, doing things, not for recognition but as a statement about the type of community they want to live in; and

**WHEREAS,** on December 9, 2018 the Linden Police Department responded to a call involving an armed suspect who attempted to rob a man at a local supermarket. Linden Police Officers located the suspect’s vehicle and pursued it until it was involved in a crash with another vehicle. The suspect then ran from the scene, kicked open a basement window and forced his way into a home on South Park Avenue, causing the residents who were in their home eating breakfast to flee into the bitter cold as the suspect barricaded himself inside; and

**WHEREAS,** neighbors Saul and Lanette Laboy aware of what had occurred, opened their home and provided support to the many first responders and victims of the incident. Saul and Lanette provided shelter, food and drinks for several hours until the suspect was finally taken into custody; and

**WHEREAS,** Saul and Lanette’s unselfish actions show their generosity and compassion to make Linden a better place. The Mayor and Council of the City of Linden wish to express their heartfelt appreciation to Saul and Lanette Laboy for her efforts; and

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the City of Linden that they hereby thank Saul and Lanette for their unsolicited efforts that made the area safer, for no other reason than the desire to have and maintain a safe community; and

**BE IT FURTHER RESOLVED,** that this Resolution be entered into the minutes of the Council of the City of Linden and that a copies be presented Saul and Lanette Laboy in permanent recognition of the foregoing.

**Resolution:2019-118**

**A RESOLUTION RECOGNIZING THE HEROIC ACTIONS TAKEN BY RESIDENTS WILLIAM STRZEPKA AND MANGO DASILVA TO HELP A CHILD IN DANGER**

**WHEREAS,** on February 4, 2019 at approximately 6:45 p.m. Officers were dispatched to an apartment building on reports of a child with their hand stuck in an elevator; and

**WHEREAS,** upon arrival, the Officer took a second elevator to the 6th floor to assist the child. Also inside the elevator were William Strzepka and Mango Dasilva; and

**WHEREAS,** the child was found to have three fingers stuck in the closed elevator doors. The Officer attempted to pull the doors open but was unsuccessful; and

**WHEREAS,** seeing that the child was in danger, William Strzepka and Mango Dasilva without hesitation helped the Officer pull the doors open to free the child’s hand; and

**WHEREAS,** their outstanding efforts to help a child in danger demonstrates their commitment to help someone in need and what it means to be part of a community; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the City of Linden that they hereby thank William Strzepka and Mango Dasilva for their heroic actions to help a child in danger. Their quick action to save this young child demonstrates bravery and character that make all Linden residents proud; and

**BE IT FURTHER RESOLVED,** that this Resolution be entered into the minutes of the Council of the City of Linden and that a copies be presented to William Strzepka and Mango Dasilva in permanent recognition of the foregoing.

President Yamakaitis had the Clerk read resolution 2019-119, which was not on the agenda, in its entirety.

**Resolution: 2019-119**

**RESOLUTION CREATING A MUNICIPAL COUNCIL INVESTIGATORY COMMITTEE PURSUANT TO N.J.S.A. 40:48-25**

**WHEREAS**, the City Council of the City of Linden has determined to utilize its statutory powers pursuant to N.J.S.A. 40:48-25 to form a Municipal Council Investigatory Committee (“MCIC”); and

**WHEREAS**, pursuant to statute, the MCIC has the power to investigate any activity of the municipality, which includes subpoena powers to assist in its investigation; and

**WHEREAS**, the City Council of the City of Linden is of the opinion that based upon information received and complied, that a certain former municipal Prosecutor, who was required to be present three days a week in Court, not including holidays, vacation or personal days, has taken more time off than what was permitted, and still received payment for services that were not rendered; and

**WHEREAS**, City Council has determined it is appropriate to appoint a MCIC to undertake a more detailed investigation of this matter and such other related matters that may come before MCIC as the investigation process; and

**WHEREAS**, the City Council desires to vest in said MCIC all powers set forth in N.J.S.A. 40:48-25, *et seq.*, and set forth in City Code, 2-5.3, including, without limitation, the power to issue subpoenas and to enforce same, and to solicit and obtain testimony and documents under oath.

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

1. The City Council hereby creates a MCIC to undertake a further investigation of matters and issues relating to payment for services that were not rendered by a certain former municipal Prosecutor.
2. The MCIC shall consist of the following members: Councilman Peter Brown, Councilman Ralph Strano and Councilman Alfred Mohammed.
3. The MCIC shall be vested with all powers set forth in N.J.S.A 40:48-25 and in City Code, 2-5.3, and all other applicable laws and regulations related thereto, including but not limited to the use of subpoena power.
4. The MCIC shall diligently pursue its investigation and prepare a Confidential Report setting forth the scope of the investigation, identifying the witnesses testifying before the MCIC, theshed documents reviewed, the facts as established as a result of said investigation, the conclusions as to whether there any violations or deviations from statutory, regulatory, or operating rules and standards applicable to municipal government.
5. The City Clerk is hereby directed to advise all municipal officers and Department Heads to cooperate with the MCIC and all such employees, officers and witnesses before the MCIC shall maintain confidentiality of their testimony and documents produced.

Mrs. Hickey stated that she has never received a copy of this resolution. She noted the existence of a number of police/investigatory agencies that could look into this matter and does not understand why this is needed. She thought that some of the members of the Committee, should be investigated themselves. She noted a number of issues that have come, before the Council, and stated that all she wanted to do was be a councilwoman to take care of help them. She noted that she has been abused over the years, and her husband’s business has been taken away and now we are paying double. She stated that this is not appropriate and questioned the Councilman’s motives in putting this up. She noted a number of actions, involving herself, and noted that they are being done to herself, and others, to place them in fear and intimidate them.

Mr. Roman stated that he has not seen the resolution, either. He spoke about the deadline, for submission of resolutions and ordinances for the council to consider at the regular meetings. Not a single person, on the dais has read it. He noted the members of the Committee, and asked Mr. Antonelli, if he had something that he wanted investigated, does he go to the Committee with it. Mr. Antonelli explained the language of the statute authorizing the Committee, and that a majority of Council would have to authorize the investigation. A discussion followed, between Mr. Roman and Mr. Antonelli, regarding the scope and authorization given the committee. Mr. Roman questioned the need for the committee, and why Mr. Brown proposed it.

John Principato 1706 Westover Rd. Mr. Principato asked who the head of the Committee was. President Yamakaitis responded that she appoints the chair from among the members of the Committee. Mr. Principato asked that the Council President identify the members of the Committee, which she did. He then asked what the experience, of those individuals was, in investigating others. He then noted his concerns about who was put on this committee and the reasons why.

Kelly Vlasic, 30 West Curtis St. Ms. Vlasic asked if the members of the Committee would be investigating this one incident. She asked questions to ascertain the scope of what the Committee was authorized to investigate, its role in future investigations, and if future investigations would be done by the same individuals. Mr. Antonelli and President Yamakaitis responded to her various questions. She expressed her opinions on what the qualifications of the members of the Committee. Mr. Antonelli responded.

Mr. Brown stated that this is a classic tactic, of attacking the person sponsoring the resolution and not addressing the issues raised in the resolution. President Yamakaitis cautioned Mr. Brown that this is a personnel matter. He urged people to follow the money, like campaign contributions. He noted that time, of the individual was not accounted for, and the legal issues that it generates. Mr. Brown stated that he has talked to the AG’s office, and this is a serious issue. He referenced minutes, in the Clerk’s office, and how time after time the need for attorneys to show up was discussed. He then detailed the amount of time that the individual allegedly did not work, and how it was an issue. He laid out the issues involved. Mr. Brown informed all that investigations committees have been formed in the past. He again referenced contacting the State, and the individuals there feel that this is a serious issue. He noted a State Senator, who in 2013, wasn’t showing up to work, and lost his pension. He also explained the Boxer Commission’s look at Linden and its attorneys. Mr. Brown stated facts don’t lie. He stated that he would leave the documents, containing the facts up here for the public to look at. He noted other issues related to this matter.

Ed Kominsky, 201 Maple Ave. Mr. Kominsky stated that this seems absolutely draconian what is being proposed here. He stated that some very good issues where being brought up, but this was better handled through the proper qualified channels, and noted them. He thought this action may impede a legitimate case. He thought that Mr. Brown’s description of what went on hinted at serious fraud, and urged all to be very careful and do it the right way.

Ms. Cosby noted that a few years ago she had requested an investigation committee, and detailed the issues that were to be investigated. This is all about management. The manager has to know what is employees are doing, they are getting paid to be the boss. She did not think that a super-committee needed to be created. It should be sent to the proper agencies. Ms. Cosby stated that she understood Mr. Brown’s frustration, as he has been saying this for a long time. She urged all to stop the witch hunt and get along with our business.

Mr. Brown moved for approval of Resolution 2019-119. The motion was seconded by Mr. Mohammed and was ordered approved by a roll call vote, with all voting in favor, except Ms. Cosby, Mr. Roman, Mr. Medina, and Mrs. Hickey, who voted no.

**ORDINANCES FOR INTRODUCTION**

**An Ordinance entitled:**

**63-9 An ordinance entitled, “An ordinance to establish a schedule of titles, salary ranges and regulations for maintaining the classification and salary standardization plan for all employees of the City of Linden,” passed August 15, 2995 and approved August 16, 1995. Schedule 4-NN-2 (various titles)**

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

Ordinance #63-9 was introduced by Mr. Brown and was read on first reading by the Clerk.

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

ordered approved with all voting yes with the exception of Ms. Cosby who abstained.

**An Ordinance entitled:**

**63-10 Bond Ordinance providing an appropriation of $435,875 for various public safety IT computer upgrades for the Police Department and authorizing the issuance of $414,081 bonds or notes of the city for financing part of the appropriation.**

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

Ordinance #63-10 was introduced by Mr. Brown and was read on first reading by the Clerk.

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

unanimously ordered approved.

**An Ordinance entitled:**

* 1. **Bond Ordinance providing an appropriation of $368,500 for the acquisition of various vehicles for the Police Department and authorizing the issuance of $350,075 bonds or notes of the City for financing part of the appropriation.**

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

Ordinance #63-11 was introduced by Mr. Brown and was read on first reading by the Clerk.

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

unanimously ordered approved.

**An Ordinance entitled:**

* 1. **An ordinance to further amend an ordinance entitled, an ordinance authorizing the City Clerk, Police Chief, Fire Chief, Director of Community Services, City Engineer, Municipal Treasurer, Construction Code Official, Director of Parks and Recreation to be paid for Holiday time in Lieu of appropriate time off, “Passed March 7, 1978 and approved March 8, 1978 and as amended and supplemented.”**

**DELETE: Public Works Superintendent**

**Superintendent of Public Property**

**ADD: Director of Public Property**

**Director of Parks and Recreation**

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

Ordinance #63-12 was introduced by Mr. Brown and was read on first reading by the Clerk.

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

unanimously ordered approved.

**An Ordinance entitled:**

**#63-13 An ordinance approving the application for a Long Term Tax Exemption and authorizing the execution of a Financial Agreement with Peak Park Urban Renewal, LLC. For property known as Block 496, Lots 3 and 4. (The project will include 14 town houses at Park Avenue and Bedle Place)**

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

John Principato, 1706 Westover Road. Mr. Principato stated that he does not agree with the granting of long term tax exemptions, and the City of Linden cannot give them anymore. He noted his reasons for his opposition of long term tax exemptions.

Ordinance #63-13 was introduced by Mrs. Ormon and was read on first reading by the Clerk.

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

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

Mr. Roman who abstained.

**PUBLIC COMMENT**

**PRESIDENT YAMAKAITIS ANNOUNCED COMMENTS FROM MEMBERS OF THE PUBLIC IN ATTENDANCE - CITY BUSINESS ONLY NO PERSONAL, POLITICAL OR DEROGATORY COMMENTS (not to exceed 5 minutes).**

Craig Halloran, 120 Donaldson Pl. Mr. Halloran spoke about a bill, on the Governor’s desk, called the rain tax. He explained what the till was about and what it taxed. He then asked if it taxed the rain runoff, from hard surfaces, did he have the right to rip up his sidewalks and driveway. Next he asked if anything was done to legislate the closing of schools on primary election days.

Kevin Konrad, 314 Ainsworth St. Mr. Konrad stated that he has been a concerned taxpayer, of Linden, for many years. He then spoke about the building by Meridia, and spoke about the deal that they were given when they first started in Linden, and detailed his understanding of it, and asked if any changes were made to it. He further asked if an audit, of their first building was done to see if the units are being used as they said they would be. He asked several questions about the new buildings they are putting. He added the construction of these buildings should benefit all of the Linden taxpayers and not just a few.

Ed Kaminsky, 201 Maple Ave. Mr. Kaminsky spoke about lighting improvements made to the train station area. He then detailed a number of complaints that he had with the train station and Wood Ave., calling them a mess. He also spoke about Beno’s pond and what he termed the disgusting condition of the pond and the area around it. He then spoke about specific issues concerning the condition of Wood Ave. Mr. Kaminsky was also critical of the City funding the program to help residents prepare for interviews for jobs, and noted his concerns. He spoke about Morningstar, and that every time there name has come up it is always something negative. He stated that the City needs to stop doing business with them. Lastly he spoke about the issue of a Port Authority of Linden, noted his concerns about the lack of accountability, and called it a dark organization.

John Kaczor, 23 W. Munsell Ave. Mr. Kaczor stated that the Mayor has once again taken one of his comments out of context and stated the reasons he believes the Mayor is doing this. He detailed the incident, and noted the Mayor’s blocking of people, on Facebook, because of it. He also accused Mrs. Ormon of taking one of his post out of context. He noted Mrs. Ormon’s blocking of individuals on social media. He details the incident. Mr. Kaczor further discussed the Mayor’s alleged blocking of people on various Facebook sites. He also alleged that the Mayor’s people were breaking Federal law by placing material in people’s mailboxes. He noted that he would continue to do to help the people of Linden.

Kelly Vlasic, 30 W. Curtis St. Ms. Vlasic spoke about various issues that she has a problem with in the City. She stated that she had an issue, in her ward, but she couldn’t reach her councilwoman as she was blocked. She spoke about individuals who do things who do good things for people, and don’t post them on Facebook. Ms. Vlasic then spoke about the age, condition, and capacity of the City’s sewer system and asked how 400 apartment units, on Elizabeth Ave., could be added to it. She noted issues related to the sewer system, by her house, and asked if this caring for the citizens of Linden.

Hans Herberg, 1501 Westover Rd. Mr. Herberg spoke about the reason pull out, of Amazon’s new facility, in New York City, and how it would be a good asset for Linden, possibility as a tenant in the new warehouses being built. He then spoke about individuals getting threats, which he labeled inappropriate. There is no need to attack family members. He stated that he understood Mr. Brown’s frustrations, and spoke about the need to respect each other.

John Principato, 1706 Westover Rd. Mr. Principato spoke about the individual who talked about being blocked on Facebook, and that the Investigative Committee should investigate the Facebook page, Linden, NJ, that is run by the Mayor, that blocks a bunch of the residents. He then addressed the issue of PILOT programs, when they would be appropriate and why they should be stopped. He noted Mr. Brown’s comments about the professionals, and how they have the best interest of the citizens. Mr. Principato pointed out some of the recommendations, they have made, regarding the sale of property and the PILOT programs and questioned their ability. He spoke about this being unethical behavior, and how the City is falling in line with that behavior. He detailed the transactions dealing with redevelopment, and how it should have been handled. Mr. Principato spoke about freedom of speach, and how Mr. Brown reacted to a video he posted. Freedom of speech was for all.

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

**COMMENTS FROM MEMBERS OF THE GOVERNING BODY**

Mr. Medina noted Mr. Kaminsky had spoken about Wilson Park earlier. He addressed the comments made and the maintenance work that is being done there, noting that the park is due for a major upgrade.

Mayor Armstead spoke about the change in the format of future meetings, noting that it is now 11:30 pm, and the meeting started at 7:00 pm. He thought that is a long time, and pointed out there is a caucus meeting, on the Monday night before this meeting. He recommended that people should come there and the reasons why. He began commenting on the investigative committee, and was out of time.

Mrs. Cosby noted that the Governing Body has one minute, at the end of the meeting we have one minute, and the public has five minutes, but we cannot answer you, because of the one minute rule. The public deserves a response. She stated that people can go to Rhashonna.com to be updated.

Mr. Roman thanked everyone who messaged him over the last few hours. He noted that it was a long time to be here, but he had no other place to be, as he had signed up to do this job. It is his job to represent 4,000 people of this city. He noted the Mayor’s comments about individuals coming to caucus and noted that the rules, just adopted, apply to caucus, too. He then spoke about manipulation.

Mr. Brown stated that actions speak louder than words, and that he would put his actions up against anyone’s words. He talked about the proper use of Facebook, and that he does not agree with the posting of pictures of guns on it.

Mrs. Ormon pointed out to Ms. Vlasic, her cell phone, and started a statement. There was an exchange between Mrs. Ormon and Ms. Vlasic. Mrs. Ormon provided her cell phone number to Ms. Vlasic, and stated that she did block Ms. Vlasic, on Facebook, and the reasons why.

President Yamakaitis thanked Mr. Herberg for his comments about respect. She stated that the disrespect needs to end. She urged the residents of Linden to call their Council members and tell them that these rules need to be implemented, ASAP. She call this a disgrace, and that residents can now see the people behind the posting. Families are off limits.

**ANNOUNCEMENTS**

**President Yamakaitis announced that the next Council Meetings will be as follows:**

**\*Council Conference meeting prior to the Council meeting:**

**Monday, March 18, 2019 at 6:00 pm in the Council Conference Room, City Hall, 301 N. Wood Ave.**

**Tuesday, March 19, 2019 at 5:00 pm in the Council Conference Room, City Hall, 301 N. Wood Ave.**

**\*Council Meeting: Tuesday, March 19, 2019 at 7:00 p.m. in the Council Chambers, City Hall, 301 N. Wood Ave.**

ADJOURNMENT

There being no further business to come before Council, Mr. Strano moved to adjourn the meeting. The motion was seconded by Mr. Roman, and was ordered approved by a roll call vote with all voting yes with the exception of Mr. Roman who voted no and Mr. Brown who abstained. The meeting was adjourned at 10:34 pm.

Respectfully submitted,

Joseph C. Bodek

City Clerk