**Minutes of the Regular**

**Meeting of the 2019 Council of the**

**City of Linden, held Tuesday,**

**January 15, 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, January 15, 2019 at 7:05 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

Councilman Armando Medina

Councilwoman Gretchen Hickey

Council President Michele Yamakaitis

Mayor Derek Armstead

**APPROVAL OF MINUTES**

Mrs. Hickey moved for approval of the regular meeting minutes of December 18, 2018 and the Re-Organization Meeting of January 2, 2019. The motion was seconded by Mr. Medina and was unanimously ordered approved by a roll call vote.

**PROCLAMATION**

President Yamakaitis called upon Mayor Armstead to read a Proclamation.

Mayor Armstead read the following Proclamation:

City of Linden School Choice Week

WHEREAS, all children in Linden should have access to the highest-quality education possible; and

WHEREAS, Linden recognizes the important role that an effective education plays in preparing all students in Linden to be successful adults; and

WHEREAS, quality education is critically important to the economic vitality of Linden; and

WHEREAS, the City of Linden is home to a multitude of high quality public and nonpublic schools from which parents can choose for their children, in addition to families who educate their children in the home; and

WHEREAS, educational variety not only helps to diversify our economy, but also enhances the vibrancy of our community; and

WHEREAS, the City of Linden has many high-quality teaching professionals in all types of school settings who are committed to educating our children; and

WHEREAS, School Choice Week is celebrated across the country by millions of students, parents, educators, schools and organizations to raise awareness of the need for effective educational options;

NOW, THEREFORE, I, Derek Armstead do hereby recognize January 20-26, 2019 as Linden School Choice Week, and I call this observance to the attention of all of our citizens.

**ORDINANCES ON HEARING**

**NONE**

**CONSENT ITEMS**

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

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

2019 Taxes $1,073,147.51

2018 Taxes $956,637.76

2017 Taxes $198.51

2017 Garbage Fee Balance $0.00

Municipal Lien Redemption $0.00

Duplicate Tax Sale Certificate $0.00

Tax Search $10.00

Lien Redemption Request Fee $50.00

Year End Penalty $0.00

Returned Check Fee Paid $0.00

Returned Sewer Clean out ($0.00)

Returned Sewer Interest ($0.00)

Returned Check 2018 ($2,339.74)

Returned Check Interest ($96.72)

Returned Online Payment 2018 Taxes ($0.00)

Returned Online Payments 2019 Taxes ($0.00)

Returned Online Interest ($0.00)

Adv. Before Tax Sale $0.00

State Audit Payment $0.00

Premium $0.00

Sewer Clean out charge $2,925.36

DPW Reso payments $350.00

Interest $34,688.58

Total $2,065,571.26

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

**Block Lot Redemption Date CTF# Amount**

214 10 12/13/18 17-00180 $1,100.00

308 15 12/13/18 17-00229 $1,400.00

320 3 12/27/18 17-00234 $1,100.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $3,600.00 payable to: Actlien Holding, US Bank Cust, Actlien Holding, 50 South 16th Street, Suite 2050, Philadelphia, PA 19102, charging same to account #-9-01-55-276-999-956.

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

**Block Lot Redemption Date CTF# Amount**

289 18 1/2/19 16-00202 $13,800.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $13,800.00 payable to: Ripple Creek Investors of New Jersey, LLC, P.O. Box 144, LaFox, IL 60167 charging same to account #-9-01-55-276-999-956.

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

**Block Lot Redemption Date Cert# Premium**

359 10 12/27/18 17-00251 $800.00

550 1 12/13/18 17-00339 $1,000.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,800.00 payable to: Fig as Custodian for Fig NJ18, LLC, Secured Party, P.O. Box 54472, New Orleans, LA 70154, charging same to account #9-01-55-276-999-956.

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

**Block Lot Redemption Date CTF# Amount**

392 9 12/26/18 16-00259 $100.00

486 4 12/13/18 15-00284 $14,400.00

538 6 12/27/18 15-00310 $37,600.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $52,100.00 payable to: US Bank Cust for PC6, LLC Sterling National, 50 South 16th Street, Suite #2050, Philadelphia, PA 19102, charging same to account #-9-01-55-276-999-956.

**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**

475 25 12/26/18 17-00301 $1,000.00

562 17 12/13/18 17-00345 $900.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,900.00 payable to: US Bank Cust for PC7, LLC Firstrust Bank, 50 South 16th Street, Suite #2050, Philadelphia, PA 19102, charging same to account #-9-01-55-276-999-956.

**Credit Balance** Block 374 Lot 13, Robert Katz - 2018 Tax overpayment Refund

There now exists a credit balance on the above referenced block & lot due to the owner making payments towards the Sewer Clean out fee (104.76) & Sewer (331.86) online on the property taxes creating these overpayments, I am requesting that this overpayment in the amount of $ 331.86 be refunded and made payable to LRSA (Linden Roselle Sewerage Authority) to apply to the 2018 amounts due and $104.76 payable to City of Linden Tax Collector for the Sewer Clean out fee balances.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of following: $331.86 payable to: L.R.S.A., 5005 South Wood Avenue, P.O. Box 4118, Linden, NJ 07036, charging same to account #-9-01-55-288-999-904 and $104.76 payable to City of Linden Tax Collector, 301 N. Wood Avenue, Linden, NJ 07036 charging same to account # #9-01-55-288-999-904.

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

1. Requesting approval of the following refunds:
2. Horizon BCBS of NJ is entitled to a refund in the amount of $77.28 for service that was provided on 01/29/2016. Therefore, it would be in order for the council to authorize the treasurer to issue a check payable to: Horizon BCBC of NJ, PO Box 420, Newark, NJ 07101-0420 charging same to account 9-01-55-401-999-918.
3. Horizon BCBS of NJ is entitled to a refund in the amount of $665.82 for service that was provided on 9/12/2018. Therefore, it would be in order for the council to authorize the treasurer to issue a check payable to: Horizon BCBC of NJ, PO Box 420, Newark, NJ 07101-0420 charging same to account 9-01-55-401-999-918.

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

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

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

DPW Edward Parfit Supervisor of PW Jan. 1, 2019

Public Property Dwayne Cipas Electrician Jan. 1, 2019

Municipal Garage Llyod Roberts Senior Mechanic Feb. 1, 2019

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

1. Advising that Mayor Armstead has appointed the following individuals to serve on the Planning Board:

Michael Manganello to serve as a Class IV Member to replace Alex Lospinoso. His term shall be effective January 8, 2019 and terminate December 31, 2022.

Nicholas Pantina, as City Engineer to serve as a Class II Member. His term shall be effective January 14, 2019 and terminate January 13, 2022.

**(\*\*\*) 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-1900 PTSA Linden HS Tricky Tray $20.00

RA-1901 PTSA Linden HS Tricky Tray $20.00

RA-1902 PTSA Linden HS 50/50 $20.00

RA-1903 PTA Soehl MS Bingo $20.00

RA-1904 PTA Soehl MS 50/50 $20.00

RA-1905 PTA Soehl MS 50/50 $20.00

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

**COMMITTEE REPORTS**

**FIRST WARD**

Mrs. Ormon noted that the committee’s for 2019 were recently assigned and not all, as of yet, have met and regrouped. She noted her committee assignments for 2019.

Mrs. Ormon next gave her First Ward report. She spoke about the former Pathmark site, and that a grand opening, for the new Super Fresh going into the site, was planned for the spring. She then talked about the reconstruction of Wales Park, it’s reopening, and the need for a swing set for small children. Next, Mrs. Ormon spoke about street paving, in the First Ward and her approach to it. Next, she spoke about leaf removal, that Public Works had finished the regular collections, and that if a First Ward resident had a need for a pickup, to call her. Lastly she spoke about the creation of a First Ward Club.

**SECOND WARD**

Mr. Javick announced that he was the new chairperson of the Fire Committee. He then gave the report of the Fire Prevention Bureau, for December 2018 and the collections for the ambulance reimbursement collection, also for December, and announced the total collected for the year to date. He thanked Chief Dooley, and all those involved for the rapid response to the fire at the municipal garage.

Mr. Javick congratulated the winners of the holiday decorating contest, held by the Cultural and Heritage Committee. He spoke about the traffic around School #8, and noted that additional crossing guards have been assigned to the area. Mr. Javick reported on various redevelopment projects, in the Second Ward, including the start of demolition on the old United lacquer building. He then addressed traffic issues, in the ward, and talked about the use of digital street signs to slow traffic down.

Mr. Javick talked about the upturn in the residential real estate market, and about how Linden is a desirable location. He concluded by providing his contact information.

**THIRD WARD**

Mr. Brown spoke about his new committee assignments and the committees that he would be chairing, in 2019. He then gave the following report of the Budget Review and Finance Committee:

Approval is requested for the following finance actions:

1. The payment of bills totaling $1,105,560.90. 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 December at the rate of 2.75%.

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

Mr. Brown then gave the report of the Construction Code and Lighting Committee. He moved for approval to install street lights on Pole #66069, 1534 E. St. Georges Ave., and Pole #61863, 1600 E. St. George Ave. The motion was seconded by Ms. Cosby and was unanimously ordered approved by a roll call vote.

**FOURTH WARD**

Mr. Mohammed gave the report of the City Clerk’s office for the month of December. A total of $2,413.50 in City revenue was collected. Next he gave the report of the City Clerks Licensing Division. A total of $8,664.00 was collected from all sources for the month of December 2018.

Next Mr. Mohammed then spoke on the issue of potholes, and the marvelous job Mr. Dann was doing in addressing them. He concluded by wishing Mr. Strano a happy birthday.

**FIFTH WARD**

Ms. Cosby wished all a happy New Year, and noted that she had a quick report, this month. She thanked the Construction Code and Street Lighting Committee for the approval of the new street lights on St. Georges Ave., talking about the recent fatalities in this area, and efforts to address pedestrian safety. She informed all that there had been a joint meeting, with Roselle, to coordinate ways to address this issue, including the installation of a lighted crosswalk, with red stop lights.

Ms. Cosby talked about the tentative meeting and event schedule for the Fifth Ward. She noted that she was defraying her annual Black History salute to the salute being done by the SID, and instead would do a Fifth Ward Salute and essay contest. She noted dates she was anticipating for other meetings and activities.

Ms. Cosby spoke about other items that she is committed to for 2019. She also noted her request, that some of the new police officers be assigned to patrol the Fifth Ward. She explained that she is working with the new City engineer to address some of the larger and more expensive issues that are a problem in the ward. Next she spoke of the City partnership with After School All Stars to provide a new service to Linden residents. She added that the company still has some employment positions available. She noted the type of positions. Lastly she spoke about Hagel Avenue Park, and that it was scheduled to be redone.

**SIXTH WARD**

Mr. Roman announced that he was Chairing the Negotiations Committee and was a member of the Engineering and the Accident Review Committees. He echoed Mr. Javick’s comments regarding the great job done by the Fire Department, and other agencies, in saving the Municipal Garage. He then spoke about the tree trimming list, noting that Public Works has a long list, but they are catching up on the work. He also addressed the issues related to the pickup of leaves, and other Sixth Ward related issues. He asked residents, who had a problem to call him.

Mr. Roman announced that he would soon be picking a day for the next Sixth Ward Community meeting, noting the topics discussed at the last two and the proposed topic for the upcoming meeting.

**SEVENTH WARD**

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

1. Mayor’s Office:

a. Appointment of Alex Lospinoso, Chief of Staff P/T at the annual salary of $35,000 effective February 1, 2019.

2. Police Department:

a. Accepting the resignation in good standing of Muhammed Bilal as Police Recruit effective January 8, 2019.

b. Approval of the unpaid internship for Daniel Zaldana effective January 16, 2019, through May 31, 2019.

3. Department of Community Services:

a. Amending the hire date of Marcus Mouzon to January 10, 2019

b. Provisional appointment of David Martinez to General Supervisor, Public Works at the annual salary of $95,030.00 effective January 16, 2019

4. Public Property/Recreational Services:

a. Amending the hire date of Keyshaun Glover to December 27, 2018

b. Permission to post F/T HVAC mechanic by the NJ Civil Service Commission

c. Approval of the Seasonal List on file in the City Clerk’s office

d. The termination of Annie Gobel, Laborer 1 (tier 2) effective 12/20/18.

5. Municipal Court:

a. Permission to post for a Clerk 1 F/T internally and externally

b. Permission to repost for (2) P/T Clerk 1 from POAA account internally and externally.

6. Engineering:

a. Appointing Nicholas Pantina as Deputy Director of Community Services as per Odinance 2-25.1(c) at no increase in salary effective January 16, 2019

7. Personnel:

a. FMLA/NJFLA:

Employee numbers are on file in the Personnel Office.

b. Pursuant to a grievance resolution, the salary adjustment for Tanya Calenicoff to $65,070.00 effective January 16, 2019

c. Correction of salary for Brenda Salas to $34,548.00 effective December 26, 2018.

Mr. Strano asked if there were any questions on the report. There were none.

Mr. Strano moved for approval of the Personnel Report. The motion was seconded by Mr. Roman and was ordered approved by a roll call vote, with all voting in favor except Ms. Cosby who voted no, and Mr. Medina who voted yes to all but abstained on item 1.

Mr. Strano asked the audience to look around and see how nice the Council Chambers looked and gave credit to Mr. Jerry Bishop for the improvement. He spoke about Mr. Bishops other accomplishments and how Mr. Bishop made various improvements to the condition of the train station.

Mr. Strano noted that he would be chairing the Engineering Committee, this year. He then discussed the issue of the installation of a solar farm, at the landfill, and provided an update on its status. He spoke about the various proposals and that he hoped to increase the revenue stream to the City, by revisiting the proposals. Next he spoke about the sidewalk repair program and how it was ended due to the inclement weather. The remainder of the 2018 work would be completed in 2019. Mr. Strano also spoke about a guard rail, in the Seventh Ward, that was damaged in an accident and explained the reason for the delay, in repairing it, was due to the wait for the insurance payment.

**NINTH WARD**

Mr. Medina informed all that he was selected to chair the Technology Committee. He spoke about several issues that the Committee had carried over from 2018, including a new Linden app. He stated that a goal of the committee was for better communications with the residents of Linden.

Mr. Medina then gave his Ninth Ward report. He noted that he had provided a list of street paving projects to the City engineer, and explained the factors that determined what streets will be selected. He asked Ninth Ward residents, with any problems or concerns to reach out to him, and then provided his contact information.

**TENTH WARD**

Mrs. Hickey stated that she hoped that all had a wonderful holiday season. She gave his last report of the Fire Committee. She reported on the revenue from the Fire Prevention Bureau, and from the ambulance reimbursement system. She noted that the ambulance reimbursement system, for 2018, had brought in the most revenue since its inception.

Mrs. Hickey spoke about the prediction that there was chance for snow in the upcoming weekend and talked about the need for residents to remove their vehicles from the streets. She urged residents not to park in front of anyone else’s house and not to throw snow into the street. She also talked about the job of DPW workers, and the need for patience as they do their job.

Mrs. Hickey reported on the scheduled, grand opening, this Friday, of the art house on Wood Ave. She praised the program, detailed the grand opening event and praised Mohammed Jalloh, Mr. Medina and Mr. Brown for their efforts in setting up this establishment and the programs for it. Next Mrs. Hickey spoke about her disappointment, at the conference meeting, when she was presented with resolutions hiring a number of new attorneys for the City. She stated that there are attorneys, in Linden, that could have been selected. She also compared this to the City policy requiring employees to live in town, and spoke about how unfair it was. Next she addressed the position of municipal prosecutor and talked about the qualities that she would expect the prosecutor to have. Mrs. Hickey called the replacement of the attorneys a personal and political agenda.

Mrs. Hickey spoke about the role of police officers, the dangers that they face and the recent rash of shootings of police officers that has occurred across the country. She concluded by informing all about the upcoming casino night that the Housing Authority would be hosting, provided details on the event, and provided her contact information for anyone wanting to purchase tickets.

**MAYOR’S REPORT**

Mayor Armstead spoke about the upcoming opening of the art center, on Wood Avenue, how it was the brain child of Mr. Brown, who then worked with Mr. Jalloh to accomplish it. He spoke at length, about what the art center represents to Linden and to Wood Avenue. It was part of an effort to bring all parts of the City together so that there is one Linden.

Mayor Armstead spoke about the opening of a new food establishment, in town, and the quality of their food. He concluded by welcoming the new City engineer, Nick Pantina, and detailed the experience and knowledge that Mr. Pantina brought to Linden.

**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. Javick moved for the approval of Resolutions #2019-20 through #2019-74 with the exception of resolutions #2019-24, #2019-24, #2019-26, #2019-28, #2019-29, #2019-30, #2019-31, #2019-32, #2019-33, #2019-35, #2019-37, #2019-40, #2019-41, #2019-42, #2019-46, #2019-47, #2019-53, #2019-24, #2019-56, #2019-62, #2019-65, #2019-66, #2019-67, #2019-68, #2019-69, #2019-70, #2019-72, #2019-73 and #2019-74. The motion was seconded by Mr. Medina and was ordered approved by a roll call vote with all voting yes with the exception of Mrs. Ormon who abstained on Resolution #2019-23, Mr. Javick who abstained on Resolution #2019-20, Ms. Cosby who voted no on Resolution #2019-38 and abstained on Resolutions #2019-60, #2019-61, #2019-64, 2019-70 and #2019-71, Mr. Roman who voted no on Resolutions #2019-21, #2019-22, #2019-61 and #2019-71, Mrs. Hickey who voted no on Resolutions #2019-61 and #2019-71.**

**Resolutions #2019-24, #2019-25, #2019-26, #2019-31, #2019-32, #2019-37, #2019-42, #2019-46, #2019-53, #2019-54, #2019-62, #2019-66, #2019-67, and #2019-68 were removed at the request of Ms. Malik.**

**Resolutions #2019-28, #2019-29, #2019-30, #2019-31, #2019-33, #2019-35, #2019-40, #2019-42, #2019-47, #2019-53, #2019-56, #2019-65, #2019-66, #2019-67, #2019-68, #2019-70, #2019-72 and #2019-73 were removed at the request of Mr. Halloran.**

**Resolutions #2019-41 and #2019-74 were removed at the request of Mr. Herberg.**

**Resolutions #2019-35, #2019-37, #2019-53, 2019-65, #2019-66, #2019-67, and #2019-73 were removed at the request of Mr. Principato.**

**Resolution #2019-73 was removed at the request of Mr. Yamakaitis.**

**RESOLUTION: 2019-20**

**A RESOLUTION APPOINTING BARRY JAVICK, A**

**MEMBER OF THE GOVERNING BODY, AS CLASS III**

**MEMBER OF THE PLANNING BOARD FOR THE TERM OF**

**ONE YEAR EXPIRING DECEMBER 31, 2019.**

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

Section 1. Barry Javick, Councilperson of the Second Ward of the City of Linden, be and he hereby is appointed to serve as Class III member of the Planning Board of the City of Linden for a term commencing January 1, 2019 and terminating December 31, 2019, and until their successor it appointed and qualifies.

**RESOLUTION: 2019-21**

**RESOLUTION APPOINTING PETER BROWN AS A MEMBER OF THE LINDEN DISTRICT MANAGEMENT CORPORATION (SID)**

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

That Peter Brown, Linden, County of Union and State of New Jersey, be and he hereby is appointed a member of the Board of Trustees of the City of Linden District Management Corporation according to an ordinance entitled, "AN ORDINANCE TO CREATE A SPECIAL IMPROVEMENT DISTRICT WITHIN THE CITY OF LINDEN AND TO ESTABLISH THE CITY OF LINDEN DISTRICT MANAGEMENT CORPORATION PURSUANT TO N.J.S.A. 40:56-65, ET SEQ.", Ordinance No. 31-63, adopted on October 19, 1994, to serve a one (1) year term, commencing January 1, 2019 and expiring December 31, 2019, and until their successor is appointed and qualifies.

**RESOLUTION: 2019-22**

**RESOLUTION APPOINTING PETER BROWN AS CHAIRPERSON**

**OF THE LINDEN DISTRICT MANAGEMENT CORPORATION (SID)**

**WHEREAS**, the Municipal Code of the City of Linden, 27-7.2, provides for the organization of the Linden District Management Corporation (SID); and

**WHEREAS**, Section 27-7.2(d) provides that the Chairperson of the Board of Trustees shall be appointed by the City annually; and

**WHEREAS**, Peter Brown has previously been appointed a member of the Board of Trustees of the Linden District Management Corporation; and

**WHEREAS**, the City Council of the City of Linden wishes to appoint Peter Brown as chairman of the Board of Trustees of the Linden District Management Corporation;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** that they do hereby designate Peter Brown as Chairperson of the Board of Trustees of the Linden District Management Corporation for a term of one year commencing January 1, 2019 and terminating December 31, 2019, and until their successor is appointed and qualifies.

**RESOLUTION: 2019-23**

**A RESOLUTION APPOINTING LISA ORMON, A**

**MEMBER OF THE GOVERNING A MEMBER OF THE CULTURAL AND HERTIAGE COMMISSION FOR THE TERM OF**

**ONE YEAR EXPIRING DECEMBER 31, 2019.**

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

Section 1. Lisa Ormon, Councilperson of the First Ward of the City of Linden, be and is hereby is appointed to serve as a member of the Cultural and Heritage Committee of the City of Linden for a term commencing January 1, 2019 and terminating December 31, 2019, and until their successor his appointed and qualifies.

**RESOLUTION: 2019-24**

**A RESOLUTION APPOINTING DEREK ARMSTEAD TO THE UNION COUNTY COMMUNITY DEVELOPMENT REVENUE SHARING COMMITTEE AS AN ALTERNATE MEMBER**

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

Section 1. That the City of Linden hereby appoints **DEREK ARMSTEAD,** residing in the City of Linden, New Jersey an alternate member of the Union County Development Revenue Sharing Committee for a (1) one year term commencing January 1, 2019 and terminating December 31, 2019 until his successor has been appointed and qualifies. Said appointment is without any monetary stipend.

Section 2. That the City Clerk of the City of Linden shall certify a copy of this Resolution and cause it to be filed with Tom Connell, Department of Economic Development, Bureau of Community Development, Administration Building, 3rd Floor, Elizabethtown Plaza, Elizabeth, New Jersey 07207.

**FOR ROLL CALL AND COMMENTS PLEASE REFER TO RESOLUTION #2019-46.**

**RESOLUTION: 2019-25**

**A RESOLUTION APPOINTING JOSEPH CHROBAK TO THE UNION COUNTY COMMUNITY DEVELOPMENT REVENUE SHARING COMMITTEE**

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

Section 1. That the City of Linden hereby appoints **JOSEPH CHROBAK,** residing in the City of Linden, New Jersey a member of the Union County Development Revenue Sharing Committee for a (1) one year term commencing January 1, 2019 and terminating December 31, 2019 until his successor has been appointed and qualifies. Said appointment shall be with a $2,500.00 stipend.

Section 2. That the City Clerk of the City of Linden shall certify a copy of this Resolution and cause it to be filed with Brendan Givens, Director of Planning and Community Development, Department of Parks and Community Renewal, Elizabethtown Plaza, Elizabeth, New Jersey 07207.

**FOR ROLL CALL AND COMMENTS PLEASE REFER TO RESOLUTION #2019-46.**

**RESOLUTION: 2019-26**

**A RESOLUTION APPOINTING CHRISTINE FIGUEIREDO TO THE UNION COUNTY COMMUNITY DEVELOPMENT REVENUE SHARING COMMITTEE AS AN ALTERNATE MEMBER**

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

Section 1. That the City of Linden hereby appoints **CHRISTINE FIGUEIREDO,** residing in the City of Linden, New Jersey an alternate member of the Union County Development Revenue Sharing Committee for a (1) one year term commencing January 1, 2019 and terminating December 31, 2019 until her successor has been appointed and qualifies. Said appointment is without any monetary stipend.

Section 2. That the City Clerk of the City of Linden shall certify a copy of this Resolution and cause it to be filed with Brendan Givens, Director of Planning and Community Development, Department of Parks and Community Renewal, Elizabethtown Plaza, Elizabeth, New Jersey 07207.

**FOR ROLL CALL AND COMMENTS PLEASE REFER TO RESOLUTION #2019-46.**

**RESOLUTION: 2019-27**

**RESOLUTION APPROVING THE AWARD OF A CONTRACT TO APPRAISAL CONSULTANTS CORP. FOR REAL ESTATE APPRAISER SERVICES FOR STATE COURT TAX APPEALS FOR 2019**

**WHEREAS**, it is necessary to hire a real estate appraiser who is a member of the Appraisal Institute (M.A.I.) in order to defend the City of Linden on all industrial and commercial tax appeals filed before the Union County Board of Taxation for 2019 and also new and pending cases before the Tax Court of New Jersey; 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**, Appraisal Consultants Corp. 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. 9-01-20-156-117-272;

**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 Appraisal Consultants Corp., Real Estate Appraisers and Consultants, Presidential Center, 293 Eisenhower Parkway, Suite 200, Livingston, New Jersey 07039; and

**BE IT FURTHER RESOLVED** the terms of said agreement shall be for a period of one year at a fee not to exceed $10,000.00; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents between Appraisal Consultants Corp. 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 Appraisal Consultants Corp., to effectuate the foregoing; and

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

**RESOLUTION: 2019-28**

**RESOLUTION APPROVING THE AWARD OF A CONTRACT TO SOCKLER REALTY GROUP FOR REAL ESTATE APPRAISER SERVICES FOR STATE COURT TAX APPEALS FOR 2019**

**WHEREAS**, it is necessary to hire a real estate appraiser who is a member of the Appraisal Institute (M.A.I.) in order to defend the City of Linden on all industrial and commercial tax appeals filed before the Union County Board of Taxation for 2019 and also new and pending cases before the Tax Court of New Jersey; and

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

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

**WHEREAS**, the Chief Financial Officer or his designee has certified to the availability of funds for this purpose, to be charged to Account No. 9-01-20-156-117-272;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that a contract for Professional Services be and hereby is awarded to Sockler Realty Group, 299 Ward Street, Suite C, Hightstown, New Jersey 08520; and

**BE IT FURTHER RESOLVED** the terms of said agreement shall be for a period of one year at a fee not to exceed $15,000.00; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents between Sockler Realty Group 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 Sockler Realty Group, to effectuate the foregoing; and

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

**FOR ROLL CALL PLEASE REFER TO RESOLUTION #2019-32.**

For comments please refer to resolution 2019-29

**RESOLUTION: 2019-29**

**STATE CONTRACT RESOLUTION FOR MAINTENANCE SERVICES - POLICE & FIRE SYSTEMS FROM QUEUES ENFORTH DEVELOPMENT, INC. FOR 2019**

**WHEREAS**, the City of Linden wishes to obtain maintenance services for Police and Fire systems from an authorized vendor under the State of New Jersey contract A83889 awarded to Queues Enforth Development, Inc., 92 Montvale Avenue Suite 4350, Stoneham, MA 02180-3647 an authorized vendor and,

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

**WHEREAS**, Queues Enforth Development, Inc. has been awarded Contract No A83889 for the provision of radio communications accessories and service; and,

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

**WHEREAS**, the amount of the service is not to exceed $48,324.00 and,

**WHEREAS**, the Chief Finance Officer has certified the availability of funds for this contract, which will be charged to account number 9-01-25-250-314-273.

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

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

**FOR ROLL CALL PLEASE REFER TO RESOLUTION #2019-32.**

Craig Halloran, 120 Donaldson Pl. Mr. Halloran asked why the City doesn’t get someone who could do it all, instead of hiring two separate firms. Mr. Antonelli explained the need to defend tax appeals. Mr. Halloran then made some suggestions as to how this could be handled in a more advantageous way.

**RESOLUTION: 2019-30**

**RESOLUTION GRANTING PERMISSION TO AT&T TO UTILIZE UTILITY POLES IN THE CITY OF**

**LINDEN AND TO INDEMNIFY THE CITY OF LINDEN**

**WHEREAS**, New Cingular Wireless PCS, LLC d/b/a AT&T Wireless (AT&T) is a provider of commercial mobile service subject to regulation by the Federal Communications Commission; and

**WHEREAS**, AT&T has entered into agreements with parties that have the lawful right to maintain poles erected within the public right-of-way pursuant to which AT&T may use such poles erected within the public right-of-way in the City of Linden; and

**WHEREAS**, New Jersey law permits such use provided that there is the consent of the relevant municipality:

**NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL AND CITY OF LINDEN, COUNTY OF UNION STATE OF NEW JERSEY THAT:**

1. Permission and authority are hereby granted to AT&T and its successors and assigns, to use poles erected by parties that have the lawful right to maintain poles within the public right-of-way in the City of Linden, subject to the following:

A. AT&T, and its successors and assigns, shall adhere to all applicable Federal, State, and Local laws regarding safety requirements related to the use of the public right-of-way.

B. AT&T, and its successors and assigns, shall comply with all applicable Federal, State, and Local laws requiring permits prior to beginning construction. And shall obtain any applicable permits that may be required by the City of Linden.

C. Such permission be and is hereby given upon the condition and provision the AT&T, and its successors and assigns, shall indemnify, defend and hold harmless the City of Linden, its officers, agents, and servants, from any claim of liability or loss or bodily injury or property damage resulting from or arising out of the acts or omissions of AT&T or its agents in connection with the use and occupancy poles located within the public right-of-way, except to the extent resulting from the acts or omissions of the City of Linden.

D. AT&T shall, at its own cost and expense, maintain commercial general liability insurance with limits not less than $1,000,000 for injury to or death of one or more persons in any one occurrence and $500,000 for damage or destruction to property in any one occurrence. AT&T shall include the City of Linden as an additional insured. AT&T may meet all or a portion of this insurance coverage and limit requirement by self-insurance so long as it provides evidence demonstrating its financial ability to meet the insurance coverage and limit requirement. If AT&T elects to self-insure, it is not required to name additional insureds under this section.

E. AT&T shall be responsible for the repair of any damage to paving existing utility lines, or any surface or subsurface installations, arising from its construction, installation or maintenance of its facilities.

F. Notwithstanding any provision contained herein, neither the City of Linden nor AT&T shall be liable to the other for consequential, incidental**,** exemplary, or punitive damages on account of any activity pursuant to this instrument.

G. The permission and authority hereby granted shall continue for the same period of time as the grant to parties whose poles AT&T is using.

2. This Resolution is subject to execution by the parties of a License Agreement for Wireless Installations on public structures, in the form attached hereto as Exhibit “A”.

STATEMENT

This resolution authorizes AT&T to use poles erected within the public right-of-way of the City of Linden by parties that have the lawful right to maintain such poles.

**Craig Halloran, 120 Donaldson Pl.** Mr. Halloran asked if cell towers give out radiation and will the City take responsibility for the effects that they will have on his health, and that of his family, pets and plants. Mr. Antonelli explained the resolution, and the revenue that it would be generating. Mr. Halloran made demands as to the language that should be added to the contract regarding compensation for health related issues caused by the radiation from the tower’s.

**FOR ROLL CALL PLEASE REFER TO RESOLUTION #2019-32.**

**Resolution: 2019-31**

**RESOLUTION ENGAGING SPECIAL TAX COUNSEL**

**WHEREAS**, the City Council of the City of Linden has determined that it would be advisable and in the best interests of the City to continue to retain the services of Special Tax Counsel to represent the City of Linden in defense of real property tax assessment appeals concerning the assessment of commercial, industrial and multi-family residential properties in the city for the year 2019, and to render legal advice and assistance to the city and to the Tax Assessor in preparing the trials of such proceedings; 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**, Skoloff & Wolfe, P.C. submitted a qualification to the City and has qualified for the aforesaid services: and

**WHEREAS,** since professional legal services are rendered or performed by persons authorized by law to practice a recognized profession and whose practice is regulated by the laws of the State of New Jersey; the Local Public Contracts Law (N.J.S. 40A:11-1 et seq.) permits the award of a contract therefore as a Professional Service without competitive bidding; and

**WHEREAS**, the Finance Director has certified to the availability of funds for this purpose, to be charged to Account No. 9-01-20-156-117-271;

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

1. That the law firm of Skoloff & Wolfe, P.C., Attorneys at Law of the State of New Jersey be and is hereby retained as Special Tax Counsel to the City for all matters in the Tax Court, and related forums, and as set forth in an agreement to be executed between Skoloff & Wolfe, P.C. and the City of Linden.

2. The Mayor and City Clerk are hereby authorized and directed to execute an Agreement with Skoloff & Wolfe, P.C. setting forth the terms and conditions of the legal services to be rendered.

3. This contract is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law as a contract for professional services may be awarded without competitive bidding, pursuant to N.J.S. 40A:11-5 (1) (a).

4. For the services hereinabove described as Skoloff & Wolfe, P.C. shall be awarded an agreement in the amount of $185,000.00 for the calendar year 2019 and certifying funds of $40,000.00 pursuant to the temporary budget with the balance subject to the adoption of the permanent budget. The City shall not be liable for payment of any monies exceeding the contract price stated herein unless additional funds are approved by the governing body and the contract amended in accordance with applicable law.

5. A notice of this action shall be published in accordance with applicable law.

**FOR ROLL CALL PLEASE REFER TO RESOLUTION #2019-32.**

**Virginia Malik, 1633 Lenape Rd. Ms. Malik** asked what the special tax counsel would be doing. Mr. Antonelli explained that this is annual resolution and the firm is hired to defend tax appeals filed against the City.

Craig Halloran, 120 Donaldson Pl. Mr. Antonelli responded to Mr. Halloran’s questions as to why we are paying attorneys to balance the budget, when we have accountants to do this.

**RESOLUTION: 2019-32**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **CITY OF LINDEN** | | | | |
|  | | | | |
| **RESOLUTION TO TRANSFER 2018 APPROPRIATIONS** | | | | |
|  |  |  |  |  |
| **BE IT RESOLVED,** by the City Council of the City of Linden, County of Union, New Jersey, that the following transfers of 2018 appropriations be made in accordance with the provisions of Revised Statute 40A: 4-58. | | | | |
|
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|  |  |  |  |  |
|  | **CURRENT BUDGET** |  |  |  |
|  |  |  |  |  |
| From: | Salary Adjustment - Salaries & Wages |  | $ 397,445.04 |  |
| To: | Police Department - Salaries & Wages |  |  | $ 252,962.58 |
| To: | Fire Department - Salaries & Wages |  |  | $ 135,682.46 |
| To: | Mayor's Office - Salaries & Wages |  |  | $ 400.00 |
| To: | City Clerk - Salaries & Wages |  |  | $ 2,750.00 |
| To: | Assessment of Taxes - Salaries & Wages |  |  | $ 2,900.00 |
| To: | Dept of Community Services - Salaries & Wages |  |  | $ 2,750.00 |
|  |  |  |  |  |
| From: | Solid Waste Collection - Salaries & Wages |  | $ 12,500.00 |  |
| To: | Solid Waste Collection - Other Expenses |  |  | $ 12,500.00 |
|  |  |  |  |  |
| From: | Buildings & Grounds - Salaries & Wages |  | $ 8,330.00 |  |
| To: | Public Defender - Other Expenses |  |  | $ 8,330.00 |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
|  | Total Transfers Needed: |  | $ 418,275.04 | $ 418,275.04 |
|  |  |  |  |  |

**Virginia Malik, 1633 Lenape Rd. In response to Ms. Malik, Mrs. Zack detailed the funds being transferred, noting where they were coming from and the accounts that they were being transferred to and the reason for the transfer.**

**Mr. Javick moved for the approval of Resolutions #2019-24, #2019-25, #2019-26, #2019-28, #2019-29, #2019-30, #2019-31 and #2019-32. The motion was seconded by Mr. Strano and was ordered approved by all voting yes with the exception of Ms. Cosby who voted no on Resolution #2019-32 and Mr. Medina who voted no on Resolution #2019-30.**

**RESOLUTION: 2019-33**

**RESOLUTION AUTHORIZING A CONTRACT WITH ROBERT VARADY, ESQ. OF THE FIRM La Corte, Bundy, Varady & Kinsella FOR SPECIAL COUNSEL SERVICES ON AN AS NEEDED BASIS AS DETERMINED BY THE CITY ATTORNEY**

**WHEREAS,** from time to time, as determined by the City Attorney, special counsel services are needed to represent 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**, La Corte Bundy Varady & Kinsella has submitted a qualification to the City and has qualified for the aforesaid services: and

**WHEREAS,** since professional legal services are rendered or performed by persons authorized by law to practice a recognized profession and whose practice is regulated by the laws of the State of New Jersey; the Local Public Contracts Law (N.J.S. 40A:11-1 et seq.) permits the award of a contract therefore as a Professional Service without competitive bidding; and

**WHEREAS,** it is necessary to provide for funds for said purpose in an amount not to exceed $15,000.00

**WHEREAS**, the Treasurer has certified to the availability of funds for this purpose, to be charged to Account No. 9-01-20-155-123-255;

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

1. That the law firm of La Corte, Bundy, Varady & Kinsella, Attorneys at Law of the State of New Jersey be and is hereby retained as Special Counsel to the City for all matters assigned to it by the City Attorney.

2. The Mayor and City Clerk are hereby authorized and directed to execute an Agreement with La Corte, Bundy, Varady & Kinsella setting forth the terms and conditions of the legal services to be rendered.

3. This contract is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law as a contract for professional services may be awarded without competitive bidding, pursuant to N.J.S. 40A:11-5 (1) (a).

4. The City shall not be liable for payment of any monies exceeding the contract price of $15,000.00 unless additional funds are approved by the governing body and the contract amended in accordance with applicable law.

5. A notice of this action shall be published in accordance with applicable law.

**FOR ROLL CALL PLEASE REFER TO RESOLUTION #2019-74**

Craig Halloran, 120 Donaldson Pl. Mr. Halloran asked why the city needed another attorney for. Mr. Antonelli explained the need, noting that it helps address conflicts, when they occur in the Law Department. He added that the dollar amount was a not to exceed amount, and if the funds were not needed they would not be expended. He noted other matters that the firm may be called upon to handle.

**Resolution: 2019-34**

**RESOLUTION AWARDING A CONTRACT TO**

**PASCACK DATA SERVICES FOR**

**COMPUTER CONSULTING SERVICES**

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

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

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

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

Non Public Safety 9-01-20-131-113-207 in the amount of $40,000.00, Public Safety 9-01-25-250-314-273 $50,200.00; and

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

**NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN**, that the contract for professional services be and hereby awarded to Pascack Data Services, 200 Central Avenue Suite 100 Hawthorne, NJ 07506 in accordance with their qualifications, in an amount not to exceed $40,000.00 for non public safety departments and $50,200.00 for public safety departments for the period of January 1, 2019 through December 31, 2019;

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

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

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

**RESOLUTION: 2019-35**

RESOLUTION AUTHORIZING A VOLUNTARY FURLOUGH PROGRAM

TO THE CITY OF LINDEN EMPLOYEES

WHEREAS, the City is under budgetary restraints for the period January 1, 2019 through December 31, 2019; and

WHEREAS, NJAC 4A:8-1.2 permits employees to voluntarily request temporary furloughs; and

WHEREAS, it is in the interests of the City to continue to offer the voluntary furlough program to its employees and to approve said furlough requests on a case by case basis at the discretion of the City Council; and

WHEREAS, the City will continue to make regular pension payments to employees whose requests for voluntary furloughs are approved.

NOW THEREFORE BE IT RESOLVED, that the City Council authorizes the City’s Division of Personnel to draft and submit a voluntary furlough plan to the Civil Service Commission in the interest of economy for the period January 1, 2019 through December 31, 2019. Said plan is to be drafted for each City department, with the exception of non-emergency services personnel.

**FOR ROLL CALL PLEASE REFER TO RESOLUTION #2019-74**

John Principato, 1706 Westover Rd. Mr. Principato asked which city employees are going to participate. Mr. Roth explained that it is up to the employees to apply and the reasons that the City is doing it.

Crag Halloran, 120 Donaldson Pl. Mr. Halloran explained his understanding of what this program was about. Mr. Roth responded, correcting Mr. Halloran’s understanding, and noting that it was to preserve an employee’s rights in the pension system, when taking unpaid time off.

**RESOLUTION: 2019-36**

**RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE CITY OF ELIZABETH FOR LICENSE INSPECTORS FOR TAXICABS AND LIMOUSINE ENFORCEMENT**

**WHEREAS,** the City of Linden wishes to enter into a Shared Services Agreement with the City of Elizabeth to provide the City of Elizabeth’s License Inspectors, on a part time basis, to assist in the enforcement of the City of Linden’s taxicab and limousine codes; and

**WHEREAS,** the City of Linden has no license inspectors and has a need for the expertise of the City of Elizabeth’s license inspectors; and

**WHEREAS,** it is not anticipated that the duties of any license inspectors operating in the City of Linden will interfere with the fulfillment of said inspectors’ duties within the City of Elizabeth, and all costs associated with same shall be reimbursed to the City of Elizabeth; and

**WHEREAS,** based upon the cost savings benefit received by the City of Elizabeth under this Agreement, the Business Administrator recommends that it is in the best interests of the City of Elizabeth to enter into this Shared Services Agreement with the City of Linden; and

**WHEREAS,** the cost to the City of Linden for said services will be $10,000.00 for the period of December 15, 2018 through December 14, 2019; and

**WHEREAS,** the Chief Financial Officer or her designee has certified as to the availability of funds for this purpose, as attached hereto, which will be charged to account/line item No. 9-01-20-120-103-275;

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

1. The Mayor and City Clerk are hereby authorized and directed to execute any and all necessary documents in order to effectuate the foregoing, as approved by the Law Department.

2. Said Agreement shall be for the period of December 15, 2018 through December 14, 2019, at a fee of $10,000.00.

3. This Resolution shall take effect pursuant to law.

**RESOLUTION: 2019-37**

**RESOLUTION APPROVING A CONTRACT WITH REMINGTON & VERNICK ENGINEERS FOR ENGINEERING SERVICES ASSOCIATED WITH THE 2018 NJDOT LOCAL FREIGHT IMPACT FUND RESURFACING OF SOUTH WOOD AVENUE IN THE CITY OF LINDEN**

**WHEREAS**, there exists a need for the engineering design, bid documents/specifications, contract administration and construction observation services for the resurfacing of South Wood Avenue (from US 1&9 to Tremley Point Road) 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**, Remington & Vernick Engineers, submitted a qualification to the City and has qualified for the aforesaid services for 2019; and

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

**WHEREAS**, the Chief Financial Officer or her designee has certified to the availability of funds for this purpose, which will be charged to Account No. C-04-55-901-698-919.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** that the agreement for Professional Services awarded to Remington & Vernick Engineers, The Presidential Center, Lincoln Building, Suite 600, 101 Route 130, Cinnaminson, NJ 08077, at a fee not to exceed $169,390.00 in accordance with their proposal dated December 17, 2018; and

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

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

**FOR ROLL CALL PLEASE REFER TO RESOLUTION #2019-74**

**John Principato, 1706 Westover Rd. In response to Mr. Principato, Mr. Pantina provided an explained the scope of the work to be performed, under this contract, and the areas of the City that the work would be performed in.**

**Virginia Malik, 1633 Lenape Rd. Ms. Malik called the amount exorbitant and asked if the work could be performed in a time and material format. Mr. Pantina explained that the work is the oversight of construction bids, not the work itself. He then explained how the proposal was structured. Mr. Dann also responded.**

**RESOLUTION: 2019-38**

**CITY OF LINDEN RAT RESOLUTION**

**WHEREAS,** there were certain payments made by the Municipal Treasurer during the month of December 2018 which do not appear on the Claims list,

**WHEREAS,** said payment must be ratified by the Governing Body of the City of Linden,

**NOW, THEREFORE, BE IT RESOLVED** that the following payments be and hereby are approved:

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

12/5/2018 Express Scripts/Medco Prescription Claims 11/17-11/30 $65,434.03

12/5/2018 Unity Bank Workers Comp Claims 11/26-12/2 $18,079.29

12/5/2018 VSP December Vision Claims $4,440.38

12/6/2018 City of Linden December Dental Premium $42,799.11

12/6/2018 Elavon, Inc. Garage Sale Merchant Fees $66.61

171711 12/6/2018 First Responders LLC Grant Finder $998.00

12/10/2018 Elavon, Inc. Garage Sale December Merchant Fees $54.99

12/12/2018 Unity Bank Workers Comp Claims 12/3-12/9 $20,929.64

12/12/2018 Unity Bank Workers Comp Claims 12/11 $7,660.00

12/13/2018 SHBP Retirees December Health Premium $690,606.11

12/13/2018 SHBP Active October Health Premium $625,494.72

12/14/2018 NJ State Health Benefits Health Claims $1,316,100.83

12/19/2018 Express Scripts/Medco Prescription Claims 11/17-12/14 $103,304.32

172208 12/20/2018 Comcast Internet/Cable $2,128.24

172209 12/20/2018 Rahway Post Office Postage on City News Letter $2,815.48

172210 12/20/2018 Linden District Manag. 2018 SID Funding $194,266.00

172211 12/20/2018 Treasurer State of NJ 2nd Quarter Training Fees $16,835.00

172212 12/21/2018 Rahway Post Office 2018 DPW Schedule $2,752.18

12/26/2018 Unity Bank Workers Comp Claims 12/10-12/16 $17,511.23

12/26/2018 Unity Bank Workers Comp Claims 12/17-12/23 $58,305.25

**RESOLUTION: 2019-39**

**A RESOLUTION REAPPOINTING ANNMARIE WHELAN AS QUALIFIED PURCHASING AGENT**

**WHEREAS,** pursuant to N.J.S.A. 40A:11-3 (c) and 18A:18A-3 (b), Governor Chris Christie has exercised his authority to adjust the bid thresholds for awarding contracts by various contracting units; and

**WHEREAS,** N.J.S.A. 40A: 11-3 (a), permits an increase in the bid threshold if a Qualified Purchasing Agent is appointed as well as granted the authorization to negotiate and award such contracts below the bid threshold; and

**WHEREAS,** N.J.A.C. 5:34-5 et seq. establishes the criteria for qualifying as a Qualified Purchasing Agent; and

**WHEREAS,** Ann Marie Whelan possesses the designation of Qualified Purchasing Agent as issued by the Director of the Division of Local Government Services in accordance with N.J.A.C 5:34-5 et seq; and

**WHEREAS,** the City of Linden desires to take advantage of the increase bid threshold;

**NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LINDEN**, in the County of Union in the State of New Jersey hereby increases its bid threshold to $40,000.00, and the quotation threshold to $6,000.00; and

**BE IT FURTHER RESOLVED,** that the Governing Body hereby appoints Ann Marie Whelan as the Qualified Purchasing Agent to exercise the duties of a Purchasing Agent pursuant to N.J.S.A. 40A:11-2 (30), with specific relevance to the authority, responsibility, and accountability of the purchasing activity of the contracting units; and

**BE IT FURTHER RESOLVED,** that the City Council of the City of Linden designates to the Purchasing Agent and delegates to her the authority to act on behalf of the City of Linden and make, negotiate, and award all contracts and goods and services which do not exceed the bid threshold of $40,000.00 as provided for in N.J.S.A. 40:a 11-1 et seq.; and

**BE IT FURTHER RESOLVED,** that in accordance with N.J.A.C. 5:34-5.2 the local unit Clerk is hereby authorized and directed to forward a certified copy of this resolution and a copy of Ann Marie Whelan’s certification to the Director of the Division of Local Government Services.

**RESOLUTION: 2019-40**

**RESOLUTION FOR THE PURCHASE OF ONE AUTOMATED SANITATION/RECYCLING TRUCK PURCHASED THROUGH A NATIONAL CO-OP, SOURCEWELL (FORMERLY NATIONAL JOINT POWERS ALLIANCE) AWARDED TO SANITATION TRUCKS CORP.**

**WHEREAS**, the City of Linden wishes to obtain an automated sanitation/recycling truck from an authorized vendor under Sourcewell, formerly National Joint Powers Alliance awarded to Sanitation Trucks Corp., 80 Furler Street, Totowa, NJ 07512, an authorized distributor for Labrie Enviroquipo Group and,

**WHEREAS**, the purchase of goods and services by National contracting units is authorized by the Local Finance Notice 2012-10 using National Cooperative Contracts: Application of P.L. 2011, c. 139.; and,

**WHEREAS**, Sanitation Trucks Corp, an authorized distributor for Labrie Enviroquipo Group has been awarded Contract #1122014-LEG, for the provision of Waste & Recycling Vehicles; and,

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

**WHEREAS**, the amount of the service is not to exceed $310,859.00 and,

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

C-04-55-907-694-919 $310,000.00

C-04-55-907-694-920 859.00

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

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

Craig Halloran, 120 Donaldson Pl. Mr. Halloran asked why an automated garbage truck was needed, and if the City was borrowing money to purchase it. Mr. Dann responded that this was the first step in introducing automated pickup of recyclable material. In response to a further question, Mr. Dann confirmed that that the City would be also buying the pickup containers and supplying them to the residents.

**RESOLUTION: 2019-41**

**RESOLUTION OF AWARD FOR ROUTE 23 AUTOMALL FOR PURCHASE OF ONE FORD ESCAPE THROUGH THE MORRIS COUNTY CO-OP FOR THE LINDEN POLICE DEPARTMENT COMMUNITY SERVICE**

**WHEREAS**, the City of Linden wishes to obtain services from an authorized vendor under the Morris County Co-op (MCCPC) Contract #15C. Awarded to Route 23 Automall LLC, 1301 Route 23, Butler, NJ 07405 and,

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

**WHEREAS**, Route 23 Automall LLC, has been awarded Contract No.15C, for the provision of utilities vehicles; and,

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

**WHEREAS**, the amount of the service is not to exceed $25,000.00 and,

**WHEREAS**, the Chief Finance Officer has certified the availability of funds for this contract, which will be charged to account number T-03-56-802-000-162 of donated funds by Columbia Savings Bank and,

**NOW THEREFORE BE IT RESOLVED** by the City of Linden that Route 23 Automall LLC be awarded a contract for a term of one year or until new awards are made; and,

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

**FOR ROLL CALL PLEASE REFER TO RESOLUTION #2019-74**

**Hans Herberg, 315 2nd Avenue.** Mr. Herberg stated how excited he was over this. He asked what the mission was. Chief Hart responded that the vehicle was being purchased from a grant from Columbia Savings Bank, and detailed how the vehicle would be used.

**RESOLUTION: 2019-42**

**RESOLUTION AWARDED TO NORTHERN SCREENING & CRUSHING FOR THE SERVICES OF SCREENING COMPOST FOR THE PUBLIC WORKS DEPARTMENT SOLICIATED BY QUOTATIONS**

**WHEREAS**, the City of Linden wishes to retain services for the screening of compost based on lump sum screening based on 5,000 cubic yards 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,** Northern Screening & Crushing, PO Box 63, Landing, NJ 07850 was solicited for quotations; and

**WHEREAS,** Northern Screening & Crushing provided the most advantageous quote, price and others factors considered in the amount not to exceed $25,000.00; and

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

C-04-55-907-408-919 $2,019.21

C-04-55-907-523-919 5,978.26

C-04-55-907-665-919 17,002.53

**NOW THEREFORE BE IT RESOLVED** Northern Screening & Crushing be awarded a contract for the screening of compost at the low quote of $25,000.00.

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

Craig Halloran, 120 Donaldson Pl. Mr. Halloran asked if the County provides this service. Mr. Dann responded that the County does, but they cannot process anymore waste then they are already handling. He also responded to follow up questions asked by Mr. Halloran.

Virginia Malik. 1633 Lenape Rd. Ms. Malik asked where the City compost is being stockpiled, and what would be done with it once it was screened. Mr. Dann responded, and also answered follow up questions about the need to screen this material, and what it would be used for. Ms. Cosby stated that it was allowed to get this far because of management issues. Mayor Armstead stated that it was due to the mismanagement, for a number of years, of the composting facility. He added that this is one of the reasons that Mr. Dann was brought on board.

**RESOLUTION: 2019-43**

**RESOLUTION AWARDING A STATE CONTRACT PURCHASE FOR AN ALCOTEST BREATHALYZER MACHINE TO DRAEGER SAFETY DIAGNOSTICS INC. FOR THE LINDEN POLICE DEPARTMENT**

**WHEREAS**, the City of Linden wishes to obtain an Alcotest Breathalyzer machine from an authorized vendor under the State of New Jersey Contract #17-FLEET-00089 awarded to Draeger Safety Diagnostics Inc., 1221 S. Belt Line Roads, Suite 700, Coppell Texas 75019 as an authorized vendor and,

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

**WHEREAS**, Draeger Safety Diagnostics Inc. has been awarded Contract No #17-FLEET-00089; and,

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

**WHEREAS**, the amount of the service is not to exceed $18,400.00 and,

**WHEREAS**, the Chief Finance Officer has certified the availability of funds for this contract, which will be charged to account number 9-01-25-240-155-284.

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

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

**RESOLUTION: 2019-44**

**RESOLUTION APPROVING A CONTRACT WITH RICCI PLANNING FOR ON-CALL PLANNING SERVICES**

**WHEREAS**, there exists a need for on-call Planning Services relative to redevelopment studies, amendments to City Ordinances, studies to create Special Improvement Districts as well as consultation on upcoming projects and associated meetings; and

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

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

**WHEREAS**, Ricci Planning submitted a qualification to the City and has qualified for the aforesaid services for 2018; and

**WHEREAS**, funds are available for this purpose in various accounts and certification of availability of funds shall be made by the Chief Financial Officer or his designee at such time as services are ordered or otherwise called for;

**WHEREAS**, the Chief Financial Officer has certified to the availability of funds for this purpose, to be charged to Account No. 9-01-20-165-124-256.

**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 Ricci Planning, 10 Georgian Drive, at a fee not to exceed $30,000.00, in accordance with their proposal dated November 20, 2018; and

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

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

**RESOLUTION: 2019-45**

**RESOLUTION AUTHORIZING THE CITY ENGINEER TO ACT AS THE CITY’S COUNCIL REPRESENTATIVE IN CONSENTING TO VARIOUS BUSINESSES SUBMITTING APPICATIONS TO THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**WHEREAS,** Businesses in the City of Linden have to periodically submit applications to the New Jersey Department of Environmental Protection (“NJDEP”); and

**WHEREAS,** said applications require the consent of the Governing Body; and

**WHEREAS,** the City Engineer reviews all applications to ensure conformance with the requirements of all City ordinances.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN,** that Nicholas Pantina, City Engineer, or his successor, is hereby authorized as the representative of the City of Linden to fulfill all requirements of the application.

**BE IT FURTHER RESOLVED** that all applications shall be reported to the Engineering Committee and shall require no funds to be expended by the City.

**RESOLUTION: 2019-46**

**A RESOLUTION APPOINTING GEORGE VIRCIK TO THE UNION COUNTY COMMUNITY DEVELOPMENT REVENUE SHARING COMMITTEE**

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

Section 1. That the City of Linden hereby appoints **GEORGE VIRCIK,** a resident of the City of Linden as a member of the Union County Development Revenue Sharing Committee for a (1) one year term commencing January 1, 2019 and terminating December 31, 2019 until his successor has been appointed and qualifies. Said appointment is without any monetary stipend.

Section 2. That the City Clerk of the City of Linden shall certify a copy of this Resolution and cause it to be filed with Brendan Givens, Director of Planning and Community Development, Department of Parks and Community Renewal, Elizabethtown Plaza, Elizabeth, New Jersey 07207.

Virginia Malik, 1633 Lenape Rd. Ms. Malik asked what does the Union County Community Development Revenue Sharing Committee does, and why are there so many alternates to it. Mr. Antonelli responded and explained the purpose of the committee, noting the number of full time members and the reason for alternate members. He then responded to questions, from Ms. Malik regarding the payment of a stipend to one of the members, why Mr. Vircik was being appointed, and explained where the County of Union gets the funding from.

**RESOLUTION: 2019-47**

**RESOLUTION APPOINTING Chasan Lamparello Mallon & Cappuzzo, PC TO SERVE AS SPECIAL COUNSEL FOR OPRA SERVICES**

**WHEREAS,** the City of Linden has a need for special counsel services with regard to OPRA; and

**WHEREAS,** the firm Chasan Lamparello Mallon & Cappuzzo, PC, have submitted qualifications for said services for 2018; and

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

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

**WHEREAS**, the Chief Financial Officer or his designee has certified to the availability of funds for this purpose, to be charged to Account No. 8-01-20-120-103-255;

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

1. Chasan Lamparello Mallon & Cappuzzo, PC shall serve as Special Counsel for the City of Linden as aforesaid and shall be paid a fee not to exceed $17,500.00

2. This Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents between Chasan Lamparello Mallon & Cappuzzo, PC and the City of Linden.

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

Craig Halloran, 120 Donaldson Pl. Mr. Halloran asked why this firm was needed, when the City has in-house legal counsel. Mr. Antonelli responded, explaining the need and spoke about the number of OPRA request being handled.

**RESOLUTION: 2019-48**

**RESOLUTION PROVIDING AN EMPLOYEE ASSISTANCE**

**PROGRAM FOR THE CITY OF LINDEN**

**WHEREAS**, there exists a need in the City of Linden for the retention of extraordinary unspecifiable services relative to providing an employee assistance program for the City of Linden; and

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

**WHEREAS**, this service qualifies as an extraordinary unspecifiable service under the rules of the Division of Local Government Services as contained in N.J.A.C. 5:34-2.1 et seq. and is certified as an extraordinary unspecifiable service in accordance with the requirements thereof; and

**WHEREAS**, the Chief Financial Officer or his designee has certified as to the availability of funds for this purpose, as attached hereto, which will be charged to account/line item No. 9-01-20-105-105-274; and

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

1. Trinitas Regional Medical Center, having offices at 300 North Avenue East, Cranford, New Jersey 07016 is hereby engaged to provide an employee assistance program to the City of Linden for a period commencing January 1, 2019 to December 31, 2019 at a cost not to exceed $12,500.00.

2. The Mayor and City Clerk are hereby authorized to execute an agreement with Trinitas Regional Medical Center for the aforesaid purposes.

3. This contract is awarded without competitive bidding as an “ Extraordinary Unspecifiable Service” in accordance with N.J.S.A. 40A:11-5(1) (a) of the Local Public Contracts Law because Trinitas Regional Medical Center has a proven reputation in the field of providing employee assistance programs.

4. A notice of this action shall be published in accordance with applicable law.

**Resolution: 2019-49**

**RESOLUTION ENGAGING AHS HOSPITAL CORP FOR MEDICAL SERVICES FOR 2019**

**WHEREAS,** there exists within the City of Linden the need for Medical Services relative to the conducting of fitness for duty examinations and pre-employment examinations for new employees; and examination of drivers holding a Commercial Driving License, for the year

2016; 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,** AHS Hospital Corp., submitted a qualification to the City and has qualified for the aforesaid services for the year 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 Nos. 9-01-27-332-313-272, 9-01-20-105-105-272, 9-01-20-105-105-273, 9-01-20-105-105-271 and 9-01-20-105-105-270;

**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 AHS Hospital Corp., 475 South Street, Morristown, New Jersey 07962, for the following assignments: random drug testing, which is not covered under stipend for police and fire physician, at a fee not to exceed $10,000.00; pre-employment examinations for new employees for a total not to exceed $5,000.00 for the examination of drivers holding a C.D.L. for the year 2019 for a total not to exceed $15,000.00; and for other medical examinations as required, other than those covered under this resolution and/or his appointment as the physician to the Police and Fire Departments and as MRO (Medical Review Officer) for the City of Linden, and all medical services under this agreement will be rendered at MultiCare Industrial Medicine, located at 100 Commerce Place, Clark, New Jersey 07066; and

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

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

**RESOLUTION: 2019-50**

**RESOLUTION APPROVING THE APPOINTMENT OF**

**DONALD BLADZINSKI AS A MEMBER TO THE**

**ZONING BOARD OF ADJUSTMENT**

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

That **DONALD BLADZINSKI,** a resident of Linden, New Jersey, be and he hereby is appointed as a Member of the Zoning Board of Adjustment of the City of Linden, for a four year term which commences January 1, 2019 and terminates December 31, 2022, until his successor is duly appointed and qualifies.

Alternate members may participate in discussions of the proceedings but may not vote except in the absence or disqualification of a regular member. A vote shall not be delayed in order that a regular member may vote instead of an alternate member. In the event that a choice must be made as to which alternate member is to vote, Alternate No. 1 shall vote.

No member or alternate member shall be permitted to act on any matter in which he has directly or indirectly any personal or financial interest.

These appointments are made in accordance with Chapter 216, Laws of New Jersey, 1979 (N.J.S.A. 40:55D-69).

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

This resolution shall take effect immediately.

**RESOLUTION: 2019-51**

**RESOLUTION APPOINTING A MEMBER TO THE ZONING BOARD**

**OF ADJUSTMENT**

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

That **GREGORY CIERPIAL,** a resident of the City of Linden, County of Union, and State of New Jersey, holding no elective office or position in the City of Linden, be and she hereby is appointed a member of the Zoning Board of Adjustment of the City of Linden, pursuant to N.J.S.A. 40:55D-69 et seq., to serve for a term of four (4) years commencing January 1, 2019 and terminating December 31, 2022, and until her successor is duly appointed and qualifies.

All resolutions or ordinances or parts thereof which are inconsistent with the provisions of this Resolution are hereby appealed to the extent of such inconsistency.

This Resolution shall take effect immediately.

**RESOLUTION: 2019-52**

**RESOLUTION APPOINTING SALVATORE RENNA**

**AS ALTERNATE MEMBER No. 2 TO THE**

**ZONING BOARD OF ADJUSTMENT**

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

That Salvatore Rennaresiding in the City of Linden, New Jersey, be and he hereby is appointed as Alternate Member No. 2 of the Zoning Board of Adjustment of the City of Linden for a term beginning January 1, 2019 and terminating December 31, 2020, and until his successor is duly appointed and qualifies.

Alternate members may participate in discussions of the proceedings but may not vote except in the absence or disqualification of a regular member. A vote shall not be delayed in order that a regular member may vote instead of an alternate member. In the event that a choice must be made as to which alternate member is to vote, Alternate No. 2 shall vote.

No member or alternate member shall be permitted to act on any matter in which he has directly or indirectly any personal or financial interest.

These appointments are made in accordance with Chapter 216, Laws of New Jersey, 1979 (N.J.S.A. 40:55D-69).

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

This resolution shall take effect immediately.

**RESOLUTION: 2019-53**

**RESOLUTION AUTHORIZING A CONTRACT WITH ETI MANAGEMENT FOR THE RECRUITMENT OF A DIRECTOR PARKS AND RECREATION**

**WHEREAS**, ETI Management submitted a proposal dated December 13, 2018 for the recruitment of a Director Parks and Recreation; and

**WHEREAS**, it is the best interests of the City of Linden to utilize ETI Management to assist the City in the recruitment of a Director of Parks and Recreation, ETI Management will advise the City on filling the position as explained in said proposal dated December 13, 2018; and

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

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** the City hereby authorizes ETI Management, LLC to assist the City of Linden in the recruitment of a Director of Parks and Recreation in accordance with their proposal dated December 13, 2018 for a flat fee of $5,750.00; and

Virginia Malik, 1633 Lenape Rd. Mr. Bodek responded to questions, from Ms. Malik about the purpose of this resolution. Ms. Malik thought that the amount of this contract was too much money, and called this contract a joke. She noted that the City found people for other positions, without doing this. She urged Council to set this resolution aside, and put the matter out to bid. She outlined what she thought the process should be.

Craig Halloran, 120 Donaldson Pl. Mr. Halloran asked if the position was posted to City employees. Mr. Bodek responded and explained what the posting process would be.

**RESOLUTION: 2019-54**

**RESOLUTION AUTHORIZING NON-BARGAINING UNIT DEPARTMENT HEADS**

**EMPLOYEES AND OTHER UNAFFILIATED EMPLOYEES TO RECEIVE A SALARY**

**INCREASE RETROACTIVE TO JANUARY 1, 2018 AND ESTABLISHING A YEARLY SALARY INCREASE OF 2.5%**

WHEREAS, the City has authorized salary increases to non-bargaining unit Department Head employees and other unaffiliated employees at the rate of 2.5% retroactive to January 1, 2018; and

NOW THEREFORE BE IT RESOLVED that all non-bargaining unit Department Head employees and other unaffiliated employees who have not reached their maximum wage, pursuant to the yearly City salary ordinance, shall no longer be entitled to receive a wage increment, other than the City authorized salary increase.

BE IT FURTHER RESOLVED that all non-bargaining unit Department Head employees, including those employees who statutorily are entitled to salary increases, and other unaffiliated employees shall receive yearly salary increases of 2.5%.

BE IT FURTHER RESOLVED that this resolution shall be effective January 16, 2019.

BE IT FURTHER RESOLVED that all other resolutions inconsistent with this resolution shall be considered null and void.

**FOR ROLL CALL PLEASE REFER TO RESOLUTION #2019-68**

**Virginia Malik, 1633 Lenape Rd.** Ms. Malik asked why. Mrs. Zack responded and explained the reasons for this resolution, and tied it the 2018 salary ordinance. Mr. Roth explained the reasons for the raises being retroactive and who was covered.

**RESOLUTION: 2019-55**

**RESOLUTION APPROVING THE WAGE SCALE FOR ADULT SCHOOL CROSSING GUARDS RETROACTIVE TO JANUARY 1, 2018 AND ESTABLISHING A STARTING WAGE FOR SCHOOL CROSSING GUARDS**

Whereas the Council of the City of Linden has created the position of school crossing guard pursuant to NJSA 40A:9-154.1; and

Whereas the Chief of Police has established policies and procedures for the school crossing guards; and

Whereas the Council has determined to issue compensation to the adult school crossing guards.

Now therefore be it resolved that this Council approves the attached wage scale retroactive to January 1, 2018.

Be it further resolved that the starting wage for new adult school crossing guards shall be $12.00 per hour and a maximum of $18.00.

Be it further resolved that this Council rescinds any prior resolutions regarding school crossing guards.

Be it further resolved that this resolution is effective immediately.

**RESOLUTION:** **2019-56**

**RESOLUTION ENGAGING MULLER BOHLIN ASSOCIATES, INC. TO ASSIST THE CITY OF LINDEN IN IDENTIFYING STATE, FEDERAL & LOCAL FUNDING SOURCES AND TO RENDER TECHNICAL ADVICE, PROGRAM MANAGEMENT AND ASSISTANCE WITH RESPECT TO IDENTIFYING FUNDING PROGRAMS THAT ARE RESPONSIVE TO**

**THE NEEDS OF THE CITY OF LINDEN**

**WHEREAS**, there exists within the City of Linden the need for a consultant in order to continue to obtain grants and for the purpose of assisting the City of Linden in identifying state and federal funding programs; 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**, Muller Bohlin 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**, Muller Bohlin Associates, having offices at 101B North Wood Ave., Suite B, Linden, NJ 07036 possesses the requisite professional certification and experience necessary to serve in said position; and

**WHEREAS**, funds will be made available for this purpose to be charged to Account No: 9-01-20-110-103-256;

**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 Muller Bohlin Associates at a fee not to exceed $20,000.00 for a term beginning January 1, 2019 through March 31, 2019; and

**BE IT FURTHER RESOLVED**, that the scope of such services shall include assisting the City of Linden in identifying State, Federal & Local Grant funding sources and rendering technical advice and assistance with respect to identifying funding programs that are responsive to the needs of 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 Muller Bohlin Associates to effectuate the foregoing; and

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

**FOR ROLL CALL PLEASE REFER TO RESOLUTION #2019-68**

**Craig Halloran, 120 Donaldson Pl. Mr. Halloran asking why we were paying a firm for this service when we have someone working for us already. Mrs. Zack responded and discussed the grants that this firm is working on.**

**RESOLUTION: 2019-57**

**RESOLUTION AWARDING A CONTRACT TO WELLS FARGO ADVISORS FOR THE HARTFORD 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 24, 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,** Wells Fargo Advisors 600 South Ave, Westfield, NJ, 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 Wells Fargo Advisors, 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: 2019-58**

**RESOLUTION APPROVING DENTAL PLAN**

**FOR THE CITY OF LINDEN**

**WHEREAS**, the City of Linden elects to provide a benefit program to its employees in the area of Dental Care for a period commencing January 1, 2019 to December 31, 2019; and

**WHEREAS**, the Chief Financial Officer has certified as to the availability of funds for this purpose, which will be charged to account/line No. 90123220141272, as attached hereto, subject to the approval of the 2019 budget; and

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

**WHEREAS**, the Chairman of the Insurance Commission has certified that this meets the statute and regulations governing the award of said contracts;

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

1. That RD Parisi Associates and Brown & Brown are hereby named as Brokers of Record for Dental Insurance Coverage.

2. That Delta Dental of New Jersey shall be and hereby are engaged to provide dental coverage on a fully insured basis for the City of Linden employees at a cost not to exceed $550,000.00 per year.

3. This contract is awarded without competitive bidding as an "Extraordinary, Unspecifiable Service" in accordance with N.J.S.A. 40A:11-5 (1) (a) (m) of the Local Public Contracts Law because the firm of Delta Dental of New Jersey offers the City of Linden extensive administrative experience in the field of dental services. The quotations offered for services were the most favorable quotations affording the most coverage and lowest administrative fee for the best interests of the City of Linden.

4. A notice of this action shall be published in accordance with applicable law.

**RESOLUTION: 2019-59**

**RESOLUTION FOR STATE CONTRACT PURCHASE OF NETWORK INFRASTRUCTURE FOR THE POLICE/FIRE DEPARTMENTS FROM PASCACK DATA SERVICES, AN AUTHORIZED DISTRIBUTOR**

**WHEREAS**, the City of Linden wishes to purchase network infrastructure for the Police/Fire Depts. for Electronic Storage from an authorized vendor under the State of New Jersey contract A89967 awarded to Pascack Data Services, 55 Harrison Road Suite 105, Glen Rock, NJ 07453, an authorized distributor and,

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

**WHEREAS**, Pascack Data Services has been awarded Contract No A89967 for the provision of Naspo Valuepoint computer hardware; and,

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

**WHEREAS**, the amount of the service is not to exceed $27,917.50 and,

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

C-04-55-902-689-919 $27,917.50

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

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

**RESOLUTION: 2019-60**

**RESOLUTION APPOINTING BROWN & BROWN PUBLIC RISK ADVISORS OF NJ RISK MANAGER FOR THE CITY OF LINDEN**

**WHEREAS**, the City of Linden wishes to appoint Risk Manager for the period of January 1, 2019 to December 31, 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**, Brown & Brown Public Risk Advisors of NJ have submitted a qualification to the City and have qualified for the aforesaid services; and

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

**WHEREAS**, the Chairman of the Insurance Commission has certified that this meets the statute and regulations governing the award of said contracts;

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

1. That Brown & Brown Public Risk Advisors of NJ is awarded without competitive bidding as an “Extraordinary, Unspecifiable Service” in accordance with N.J.S.A. 40A:11-5 (1) (m) of the Local Public Contracts Law to provide Risk Manager services.

2. A notice of this action shall be published in accordance with applicable law.

**RESOLUTION: 2019-61**

**RESOLUTION APPOINTING INSURANCE BROKER FOR EMPLOYEE MEDICAL, PRESCRIPTION AND VOLUNTARY BENEFITS**

**WHEREAS**, the City of Linden wishes to appoint an insurance broker for employee medical, prescription and voluntary benefits January 1, 2019 to December 31, 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**, RD Parisi Associates and Brown & Brown have submitted a qualification to the City and have qualified for the aforesaid services; and

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

**WHEREAS**, the Chairman of the Insurance Commission has certified that this meets the statute and regulations governing the award of said contracts;

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

1. That RD Parisi Associates and Brown & Brown is awarded without competitive bidding as an “Extraordinary, Unspecifiable Service” in accordance with N.J.S.A. 40A:11-5 (1) (m) of the Local Public Contracts Law to provide employee medical, prescription and voluntary benefits.

2. A notice of this action shall be published in accordance with applicable law.

**Resolution: 2019-62**

**RESOLUTION AWARDING A CONTRACT TO**

**COMMUNITIES IN COOPERATION, INC.**

**WHEREAS**, the Governing Body of the City of Linden has determined that there exists a need for consulting services for Linden First Employment Readiness Program; and

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

**WHEREAS**, the Chief Financial Officer or his designee has certified as to the availability of finds for this purpose will be charged to account #9-01-40-700-104-255; and

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

**NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN**, that the contract for professional services be and hereby awarded to Communities In Cooperation, Inc., 9-11 Crawford Street, Suite #3, Newark, NJ 07102 in accordance with their qualifications, in an amount not to exceed $10,000 for the period of January 1, 2019 through March 31, 2019;

**BE IT FURTHER RESOLVED** that this Resolution expressly contingent upon the negotiation of the necessary contract documents between Communities In Cooperation, Inc. and the City of Linden; and

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk are hereby empowered and directed to execute a contact with Communities In Cooperation, Inc. to effectuate the foregoing; and;

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

**FOR ROLL CALL PLEASE REFER TO RESOLUTION #2019-68**

**Virginia Malik, 1633 Lenape Rd. Ms. Malik asked why we were going out for consulting services as the program is doing a pretty good job. Mayor Armstead responded, explaining the program, its success and the need for it to obtain some funding. Pastor Pam, also came up and provided a response. Alex Lospinoso, LEDC Director. Mr. Lospinoso compared the Union County program to the one being run by Pastor Pam, and how superior her program was.**

**RESOLUTION: 2019-63**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDEN**

**AUTHORIZING THE IMPLEMENTATION OF A FLEXIBLE**

**SPENDING ACCOUNT EFFECTIVE JANUARY 1, 2015**

**WHEREAS**, PL 2011, c. 78, was adopted on June 28, 2011 and provides for major reform for pension and health benefits for public workers in the State of NJ; and

**WHEREAS**, this law requires the City of Linden to provide our employees with a Section 125 flexible spending account; and

**WHEREAS**, the flexible spending account allows an employee to voluntarily set aside a portion of their earnings to pay for qualified medical expenses thereby reducing their tax liability as well as reducing the Social Security/Medicare liability of the City; and

**WHEREAS**, the City’s Brokers R.D. Parisi Associates/BGIA has obtained quotes for this service and has determined that Benefit Resource, Inc., 245 Kenneth Drive, Rochester, NY 14623 will provide the best service to the City, in an amount not to exceed $15,000.00; and

**WHEREAS,** the Chief Financial Officer has certified to the availability of funds for this purpose to be charged to Account No. 9-01-23-220-141-274.

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

1. That the Mayor, City Clerk and/or any other City Official if necessary, are hereby authorized to implement the flexible spending accounts with Benefit Resource, Inc. effective January 1, 2019 through December 31, 2019, and to prepare and sign all necessary Section 125 Plan documents.

2. This Resolution shall take effect pursuant to law.

**RESOLUTION: 2019-64**

**RESOLUTION OFFERING LIFE INSURANCE TO**

**CITY OF LINDEN EMPLOYEES**

**WHEREAS**, the City of Linden elects to provide a benefit program to its employees in the area of Life Insurance for a three year contract/rate lock commencing February 1, 2019 to January 31, 2020 with the option to terminate with each twelve month anniversary; and

**WHEREAS**, the Chief Financial Officer or his designee has certified as to the availability of funds for this purpose, which will be charged to account/line item No. 9-01-23-221-138-271 as attached hereto 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**, RD Parisi Associates and Brown & Brown submitted qualifications to the City and has qualified for the aforesaid services; and

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

**WHEREAS**, the Chief Financial Officer has certified that this meets the statute and regulations governing the award of said contracts;

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

1. RD Parisi Associates and Brown & Brown is authorized to place the City of Linden’s Life Insurance Program through Metlife Insurance Company in accordance with the following: (a) $.24 per $1,000.00 of Life Insurance per employee, per month.

(b) $.035 per $1,000.00 of Accidental Death and Dismemberment coverage per employee, per month.

(c) Not to exceed $79, 5000.00 from February 1, 2019 to January 31, 2020.

2. This contract is awarded without competitive bidding as an “Extraordinary, Unspecifiable Service” in accordance with N.J.S.A. 40A:11-5 (1) (m) of the Local Public Contracts Law because the firm of RD Parisi and Brown & Brown offers the City of Linden extensive administrative experience in the field of life insurance programs. The quotations offered for services were the most favorable quotations affording the most coverage and lowest administrative fee for the best interests of the City of Linden.

3. A notice of this action shall be published in accordance with applicable law.

**RESOLUTION: 2019-65**

**RESOLUTION APPOINTING DANIEL ANTONELLI, ESQ., AS THE MUNICIPAL ATTORNEY**

**WHEREAS,** there is a need to appoint a Municipal Attorney, who shall be appointed by the City Council for a term of three years; and

**WHEREAS,** due to the qualifications required for the position, and due to the qualifications and experience of **DANIEL ANTONELLI, ESQ.** that a residency requirement waiver is herein granted; and

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** that **DANIEL ANTONELLI, ESQ.,** an Attorney at Law of the State of New Jersey, shall be and hereby is appointed Municipal Attorney of the City of Linden for a term of three (3) years, commencing January 1, 2019 and terminating December 31, 2021, and until his successor or successors has been appointed and qualified.

**BE IT FURTHER RESOLVED** that this Resolution shall take effect pursuant to law.

**FOR ROLL CALL PLEASE REFER TO RESOLUTION #2019-68**

FOR COMMENTS REFER TO RESOLUTION #2019-72

**RESOLUTION: 2019-66**

**RESOLUTION APPOINTING TRACEY COSBY, ESQ. AS AN ASSISTANT MUNICIPAL ATTORNEY**

**WHEREAS,** an Assistant Municipal Attorney shall be appointed by the City Council for a term of three (3) years and shall receive such compensation as shall be provided by ordinance and by further resolution of the Council; and

**WHEREAS**, due to the qualifications required for the position, and due to the qualifications and experience of **TRACEY COSBY, ESQ.** that a residency requirement waiver is herein granted; and

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OFLINDEN** that **TRACEY COSBY, ESQ.,** an Attorney at Law of the State of New Jersey, shall be and hereby is appointed Assistant Municipal Attorney of the City of Linden for a term of three (3) years, commencing January 1, 2019 and terminating December 31, 2021, at a salary of $70,000.00, and until her successor or successors has been appointed and qualified.

**FOR ROLL CALL PLEASE REFER TO RESOLUTION #2019-68**

FOR COMMENTS REFER TO RESOLUTION #2019-72

**RESOLUTION: 2019-67**

**RESOLUTION APPOINTING DEIRDRE MASON, ESQ. AS AN ASSISTANT MUNICIPAL ATTORNEY**

**WHEREAS,** an Assistant Municipal Attorney shall be appointed by the City Council for a term of three (3) years and shall receive such compensation as shall be provided by ordinance and by further resolution of the Council; and

**WHEREAS**, due to the qualifications required for the position, and due to the qualifications and experience of **DEIRDRE MASON, ESQ.** that a residency requirement waiver is herein granted; and

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OFLINDEN** that **DEIRDRE MASON, ESQ.,** an Attorney at Law of the State of New Jersey, shall be and hereby is appointed Assistant Municipal Attorney of the City of Linden for a term of three (3) years, commencing January 1, 2019 and terminating December 31, 2021, at a salary of $70,000.00, and until her successor or successors has been appointed and qualified.

**FOR ROLL CALL PLEASE REFER TO RESOLUTION #2019-68**

FOR COMMENTS REFER TO RESOLUTION #2019-72

**RESOLUTION: 2019-68**

**RESOLUTION APPOINTING A**

**CHIEF MUNICIPAL PROSECUTOR**

**WHEREAS,** pursuant to N.J.S.A. 2B:25-4, a municipality shall appoint a Chief Municipal Prosecutor for a one year term;

**WHEREAS,** an Assistant Municipal Attorney shall be designated and serve as the Chief Municipal Prosecutor, said term commencing on January 1, 2019 and terminating on December 31, 2019;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** that **DEIRDRE MASON, ESQ.**, an Attorney at Law of the State of New Jersey, shall be and hereby is appointed Chief Municipal Prosecutor of the City of Linden, and until his successor or successors has been appointed and qualified.

**BE IT FURTHER RESOLVED** that this Resolution shall take effect pursuant to law.

FOR COMMENTS REFER TO RESOLUTION #2019-72

**Mr. Javick moved for the approval of Resolutions #2019-54, #21019-56, #2016-62, #2016-65, #2019-66, #2019-67, and #2019-68. The motion was seconded by Mr. Strano and was approved on a roll call vote with all voting in favor with the exception of Ms. Cosby who voted no on Resolutions #2019-54 and #2019-62 and abstained on Resolution #2019-65, Mr. Roman, Mr. Medina and Mrs. Hickey who voted no on Resolutions #2019-66, #2019-67 and #2019-68.**

**RESOLUTION: 2019-69**

**RESOLUTION APPOINTING AN ASSISTANT MUNICIPAL PROSECUTOR**

**WHEREAS,** an Assistant Municipal Attorney shall be designated and serve as the Assistant Municipal Prosecutor, said term commencing on January 1, 2019 and terminating on December 31, 2019;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** that **MOHAMED JALLOH**, an Attorney at Law of the State of New Jersey, shall be and hereby is appointed Assistant Municipal Prosecutor of the City of Linden, and until his successor or successors has been appointed and qualified.

**BE IT FURTHER RESOLVED** that this Resolution shall take effect pursuant to law.

FOR COMMENTS REFER TO RESOLUTION #2019-72

**RESOLUTION: 2019-70**

**RESOLUTION APPOINTING JILL ANNE LAZARE, 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,** due to the qualifications required for the position, and due to the qualifications and experience of **JILL ANNE LAZARE, ESQ.** that a residency requirement waiver is herein granted; and

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that **JILL ANNE LaZARE, ESQ.**, an Attorney at Law of the State of New Jersey, is appointed to serve as Chief Public Defender for a one year term commencing January 1, 2019 and terminating December 31, 2019 and until her successor is appointed and qualifies for a salary $30,000.00.

**FOR Vote PLEASE REFER TO RESOLUTION #2019-73**

FOR COMMENTS REFER TO RESOLUTION #2019-72

**RESOLUTION: 2019-71**

**RESOLUTION APPONTING MICHELLE WELSH, ESQ. AS**

**ASSISTANT PUBLIC DEFENDER**

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

That **MICHELLE WELSH, ESQ.,** an Attorney at Law of the State of New Jersey, is

appointed to serve as Municipal Public Defender for a one year term commencing January 1,

2019 and terminating December 31, 2019, until her successor is appointed and qualifies at

A salary or $20,500.00, and that a residency requirement waiver is herein granted.

FOR COMMENTS REFER TO RESOLUTION #2019-72

**RESOLUTION: 2019-72**

**RESOLUTION AUTHORIZING A CONTRACT WITH APRUZZESE, McDERMOT, MASTO & MURPHY, P.C. FOR SPECIAL LABOR COUNSEL SERVICES ON AN AS NEEDED BASIS AS DETERMINED BY THE CITY ATTORNEY**

**WHEREAS,** from time to time, as determined by the City Attorney, special labor counsel services are needed to represent 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**, Apruzzese, McDermot, Mastro & Murphy, P.C. has submitted a qualification to the City and has qualified for the aforesaid services: and

**WHEREAS,** since professional legal services are rendered or performed by persons authorized by law to practice a recognized profession and whose practice is regulated by the laws of the State of New Jersey; the Local Public Contracts Law (N.J.S. 40A:11-1 et seq.) permits the award of a contract therefore as a Professional Service without competitive bidding; and

**WHEREAS,** it is necessary to provide for funds for said purpose in an amount not to exceed $15,000.00

**WHEREAS**, the Treasurer has certified to the availability of funds for this purpose, to be charged to Account No. 9-01-20-155-123-255;

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

1. That the law firm of Apruzzese, McDermot, Mastro & Murphy, P.C., Attorneys at Law of the State of New Jersey be and is hereby retained as Special Labor Counsel to the City for all matters assigned to it by the City Attorney.

2. The Mayor and City Clerk are hereby authorized and directed to execute an Agreement with Apruzzese, McDermot, Mastro & Murphy, P.C., Attorneys at Law of the State of New Jersey setting forth the terms and conditions of the legal services to be rendered.

3. This contract is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law as a contract for professional services may be awarded without competitive bidding, pursuant to N.J.S. 40A:11-5 (1) (a).

4. The City shall not be liable for payment of any monies exceeding the contract price of $15,000.00 unless additional funds are approved by the governing body and the contract amended in accordance with applicable law.

5. A notice of this action shall be published in accordance with applicable law.

**FOR RESOLUTION PLEASE REFER TO RESOLUTION #2019-73**

FOR COMMENTS REFER TO RESOLUTION #2019-72

Craig Halloran, 120 Donaldson Pl. Mr. Halloran asked if we have a City attorney why are we hiring all of these attorneys. Mr. Antonelli responded and explained the structure of the Law Department and assignments.

Virginia Malik, 1633 Lenape Rd. Ms. Malik asked if, for these appointments, these are the individuals currently serving in these positions. Mr. Antonelli responded that they are new individuals. He explained the role of the City Attorney and the compliment of the Law Department, adding that these appointments replace people currently serving in these positions.

John Principato, 1706 Westover Rd. Mr. Principato asked how much does Mr. Antonelli get paid. Mr. Antonelli responded noting his salary and the number of hours he works a week. Mr. Principato asked a number of follow up questions that Mr. Antonelli responded to. He also detailed who was being replaced, their role and who was replacing them. Mrs. Hickey commented as to what was going on, adding that the Council received the resolutions on Monday night. The resolutions hiring new attorneys effectively fires the old attorneys. She added explaining that there are no additional attorneys being added. Regarding Resolution 2019-66, Mr. Principato asked if the pay rate, for this individual, was the same as for the person currently doing this job. Mr. Antonelli noted that it was $5,000.00 less. Mr. Principato spoke about perceived savings, and asked about this persons experience and what the new persons experience was and if it was the same as the person she is replacing. Mr. Antonelli responded that it was an unfair question, and that he was not going to comment on the qualifications. Mr. Principato, on resolution 2019-67, on the same question, and Mr. Antonelli responded in a similar manner. Mr. Principato called these moves political retribution and explained why.

Craig Halloran, 120 Donaldson Pl. Mr. Halloran asked, why are we hiring outside counsel. Mr. Antonelli responded and provided an explanation.

**RESOLUTION: 2019-73**

**RESOLUTION TO KEEP THE 8TH WARD COUNCIL SEAT VACANT UNTIL**

**THE VACANCY IS FILLED IN THE NOVEMBER, 2019 GENERAL ELECTION**

**WHEREAS,**  on December 31, 2018, Michele Yamakaitis (“Yamakaitis”) resigned her position as Councilwoman of the 8th Ward on City Council; and

**WHEREAS,** the term of the office held by Councilwoman Yamakaitis expires, as a matter of law, on December 31, 2020; and

**WHEREAS,** the resignation of Councilwoman Yamakaitis created a vacancy of an office on the City Council of the City of Linden (hereinafter referred to as the “Vacancy”); and

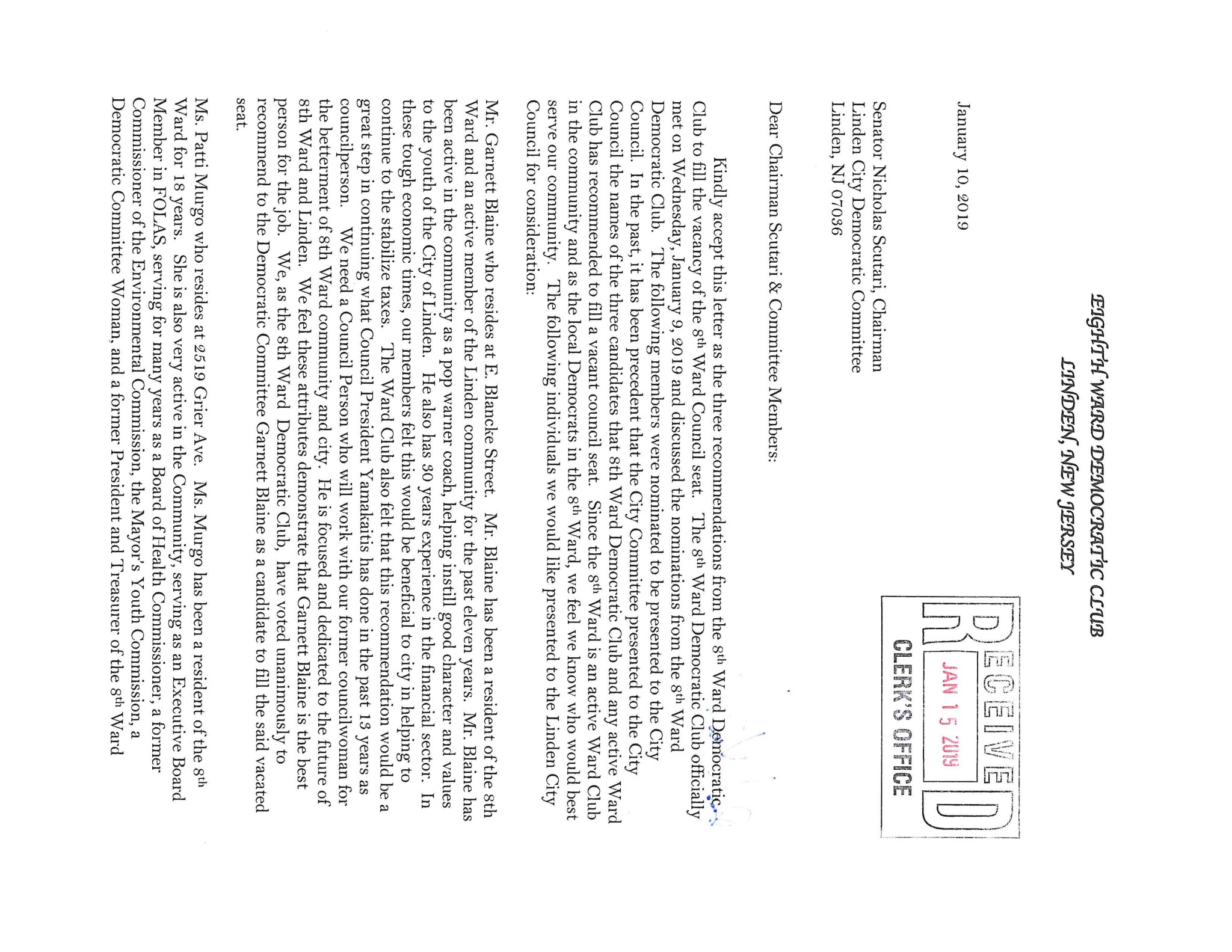
**WHEREAS,** the City of Linden is a municipality which holds general elections for the offices of Mayor, Council President and members of City Council; and

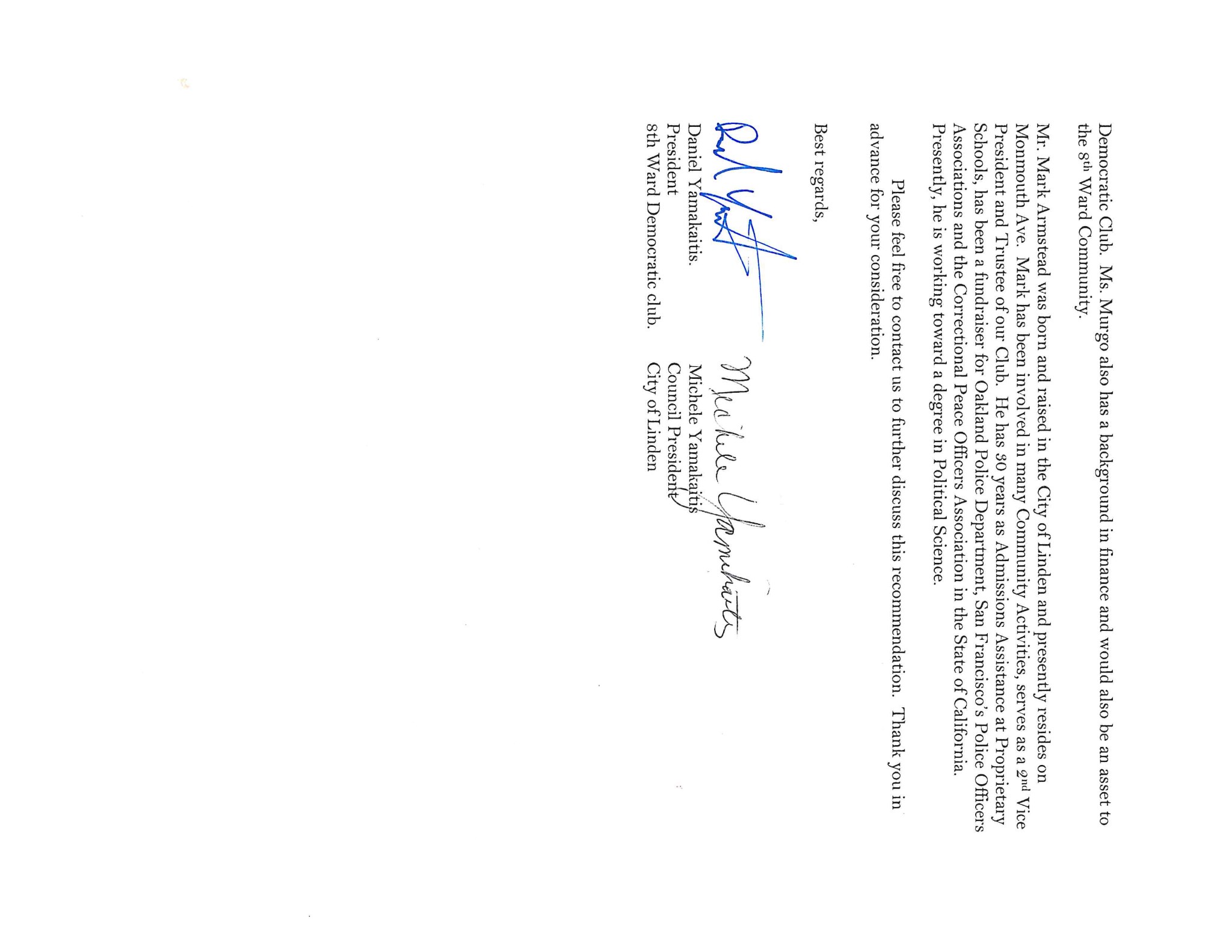
**WHEREAS,** New Jersey Statute N.J.S.A. 40A:16-5(b) provides, in pertinent part, that if a vacancy occurs in accordance with N.J.S.A. 40A:16-3 And if such a vacancy occurs at any time prior to September 1 of the next to the last year of the officer whose office has become vacant, the vacancy shall be filled for its unexpired term at the next general election to be held not less than 60 days after the occurrence of the vacancy; and

**WHEREAS,**  New Jersey Statute N.J.S.A. 40A:16-5(b) further provides that the governing body may fill the vacancy temporarily by appointment as hereinafter provided.

**NOW, THEREFORE, BE IT RESOLVED** BY THE City Council of the City of Linden that, pursuant to N.J.S.A. 40A:16-5(b), the 8th Ward Council seat that has become vacant by the resignation of Councilwoman Yamakaitis is to be kept vacant and is not to be filed temporarily by appointment by the governing body.

**Danny Yamakaitis, 921 McGillvray Pl.** Mr. Yamakaitis identified himself as President of the Eighth Ward Democratic Club. He read the following letter, addressed to the City Democratic Chairman Nicholas Scutari:





Mr. Yamakaitis spoke about the presentation of the names, to the City Democratic Committee, and how it was treated by Chairman Scutari. Mr. Yamakaitis continued to oppose the names, sent by the Linden Democratic Committee, to fill the now vacant Eighth Ward seat, and recommended that Council leave the seat vacant, to be filled at the next election.

Craig Halloran, 120 Donaldson Pl. Mr. Halloran asked how the residents of the Eighth Ward were being represented on Council. President Michele Yamakaitis responded that she is an Eighth Ward resident, and while she was elected as Council President, she would represent the residents of the Eighth Ward, and that any Eighth Ward resident with a concern or in need of assistance could reach out to her.

John Principato, 1706 Westover Rd. Mr. Principato stated that this was part of the climate of political retribution that he spoke about earlier. He noted the actions of the Democratic Committee, and its Chairperson. He stated that all persons, whose names were recommended by either the Democratic Committee or the Eighth Ward Democratic Club are very qualified individuals. In his opinion the right thing to do would be to vote in one of those candidates. Mr. Brown responded to Mr. Principato and his charges of political retribution.

Ms. Cosby stated that we are giving our self an opportunity to have another representative from that part of the community. She urged Council to consider all six individuals and pick on, noting not having an opinion doesn’t held Council.

Mrs. Ormon stated that she believes in government by the people. The residents of the Eighth Ward have spoken. They are upset over people making choices for them that do not live in the ward.

President Yamakaitis thanked the Eighth Ward Democratic Club and those member of the club present this evening. He spoke about considering all of the names presented and the purpose of the ward club. He also provided a resuscitation of the events of the day of the Democratic Committee meeting, and not being contacted by Mr. Scutari.

Robert Sadowski, Cedar Ave. Mr. Sadowski noted that he is a former member of the City Council, and that when the previous Councilman, Charles Crane, stepped down, before completing his term the members of the Ward Club met, and provided the names to the City Committee, that they provided to Council. He reviewed the selection process.

Mr. Roman noted that he had a great amount of respect for Mrs. Yamakaitis and Mr. Sadowski, and stated the reasons that he will be supporting the resolution to leave the council seat vacant.

Mayor Armstead talked about the right thing to do, and how it would been the right thing, for Mr. Scutari, to contact the former Eighth Ward Councilperson, Mrs. Yamakaitis, to see who she would like to see be her replacement. He explained the protection, in State Statute, that allows the Governing Body not to fill the vacancy. The Mayor gave his view of the circumstances that went on, leading to the selection of the three committee candidates, and the ignoring of the Councilwoman and the ward club. He then spoke about, what he termed Senator Scutari’s poor record in defending and providing for Linden, giving several of examples.

Mr. Javick moved for the approval of Resolutions #2019-70, #2019-72 and #2019-73. The motion was seconded by Mr. Strano and was ordered approval on a roll call vote with all voting in favor with the exception of Ms. Cosby who voted no on Resolution #2019-73 and abstained on #2019-70 and Mrs. Hickey who abstained on Resolution #2019-73.

**RESOLUTION: 2019-74**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDEN, COUNTY OF UNION, NEW JERSEY AUTHORIZING THE RE-SOLICITATION OF PROPOSALS SUBMITTED IN RESPONSE TO REQUEST FOR PROPOSALS TO DESIGN, BUILD, OWN, OPERATE, MAINTAIN AND FINANCE A SOLAR FARM ON THE FORMER CITY LANDFILL**

**WHEREAS**,on or about August 29, 2017 the City of Linden issued a Request for Proposals for the design, construction, ownership, operation, and financing of a solar farm on the City of Linden (the “**City**”) property that was the former site of a municipal landfill (the “**Solar RFP**”); and

**WHEREAS**,responses to the Solar RFP were due on or about January 29, 2018 with the City receiving five (5) different responses; and

**WHEREAS**,several responses were received by the City, but ultimately, no award was made by the City, as required pursuant to *N.J.S.A.* 40A:11-4.6; and

**WHEREAS**, the City further desires to amend the Solar RFP to account for the change in certain market conditions, in an effort to obtain the most competitive responses from potential vendors, and to authorize the re-solicitation of the Solar RFP.

**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 City Council hereby authorizes the revision and re-solicitation of the Solar RFP, consistent with the advice of the City’s professionals and to be advertised at the earliest possible date.

Section 3 If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.

Section 4. This Resolution shall take effect immediately.

Hans Herberg, 1501 Westover Rd. Mr. Herberg asked what the benefit to the City was. Mr. Antonelli responded stating that this rejects prior proposals that the City had received, and by going out to bid, again, that a better proposal, containing a larger revenue stream would be obtained. Mr. Roman also responded on the benefits to the City.

**Mr. Javick moved for the approval of Resolutions #2019-33, #2019-35, #2019-37, #2019-41 and #2019-74. The motion was seconded by Mr. Strano and was unanimously ordered approved.**

**ORDINANCES FOR INTRODUCTION**

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

Ordinance #63-1 was introduced by Mr. Javick and was read on first reading by the Clerk.

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

ordered approved with all voting yes with the exception of Ms. Cosby who was excused from the

room.

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

Ordinance #63-2 was introduced by Mrs. Ormon and was read on first reading by the Clerk.

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

ordered approved with all voting yes with the exception of Ms. Cosby who was excused from the

room.

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

Ordinance #63-3 was introduced by Mrs. Ormon and was read on first reading by the Clerk.

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

ordered approved with all voting yes with the exception of Ms. Cosby who was excused from the

room.

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

Ordinance #63-4 was introduced by Mrs. Ormon and was read on first reading by the Clerk.

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

ordered approved with all voting yes with the exception of Ms. Cosby who was excused from the

room.

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

Ordinance #63-5 was introduced by Mr. Strano and was read on first reading by the Clerk.

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

ordered approved with all voting yes with the exception of Ms. Cosby who was excused from the

room.

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

John Principato, 1706 Westover Rd. Mr. Principato, noted that for his establishment he has a cigarette license, but does not sell anything electronic. Does it fall under the same license? President Yamakaitis noted this speaking period was for comment only. Mr. Principato stated that he did not believe that business owners should not be penalized.

Ordinance #63-6 was introduced by Mr. Javick and was read on first reading by the Clerk.

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

ordered approved with all voting yes with the exception of Mr. Mohammed who was excused from the

room.

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

Ordinance #63-7 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

unanimously ordered approved.

**An Ordinance entitled:**

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

Ordinance #63-8 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

unanimously ordered approved.

**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).**

Hans Herberg, 1501 Westover Road. Mr. Herberg congratulated President Yamakaitis. He then spoke about some concerns that he had regarding the traffic lanes under the overpass on Stiles St between Elizabeth Ave and Linden Ave. He noted his concerns and asked that either DPW or the County could address the issues. Mrs. Ormon asked him to see her, after the meeting, so that she could provide her contact information, so that they can discuss this further. Next Mr. Herberg spoke on the issue of the Eighth Ward Council seat, and stated that the people should be allowed to decide. Mr. Herberg then spoke about police officers and fire fighters and urged residents, when then see them to shake their hands and thank them for what they do. He wished all a happy year.

John Principato, 1706 Westover Road. Mr. Principato had left.

Tanya Grissett, 422 S. Wood Avenue. Ms. Grissett stated that she came to say thank you for the traffic pattern study going on around Soehl Middle School. She noted the temporary establishments, around Soehl, of traffic patterns, and noted a few issues with study and compliance by parents.

Craig Halloran 120 Donaldson Pl. Mr. Halloran stated that he hoped everyone had a happy New Year. He then stated that he hopes no one takes offense at his questions. That are not meant to create an issue, and all they are, are questions. Mr. Halloran asked if there was a job description for the Mayor. Mr. Antonelli noted the language in the ordinance, and stated that he would provide a copy of it. Mr. Halloran referred to his previous comments, about rain water infiltration into the sewer system and asked if anything was going to be done about it. Mr. Dann responded, stating that it is an issue for the Sewerage Authority. Mr. Halloran stated his disagreement, with Mr. Dann, and a discussion followed, between them, as to what has to be done to address the issue. Mr. Halloran concluded by commending the Police Department on the fine job they are doing.

Gary Galgoci, 627 E. Elm St. Mr. Galgoci stated that this was his first time coming to a Council meeting. He wished everyone, on Council, a happy New Year, and congratulated the elected and re-elected members of Council. He then spoke about the fine job that the City of Linden does, and then talked about a massive fire, on New Year’s Day, at his mother’s work place. He noted the efforts, of the Fire Department, to contain the fire, so that the loss was minimal. He offered his thanks to the City and the Fire Department. Mr. Galgoci offered congratulations to Mrs. Yamakaitis as the first woman Council President, noting that it is a big step forward, and then made token presentations to the elected and re-elected members of Council.

Henry Mack. Mr. Mack stated that he was appearing before the Mayor and City Council on behalf of the peoples. He thanked all of the people who had met with him. Mr. Mack then spoke about the late George Milkowsky, (a deceased former Council President) told him. He congratulated Mrs. Yamakaitis on being the first woman council president. He went on and informed the governing body about respect and what the people told him.

**COMMENTS FROM MEMBERS OF THE GOVERNING BODY**

Mr. Roman responded to a comment from Mr. Herberg and informed him of the repaving of certain streets. Next he spoke about Martin Luther King, what Dr. King meant to him, and then read an quote, from Dr. King, that Mr. Roman found inspirational.

Ms. Cosby spoke about the need to for Passaic Ave., and Cranford Ave. to be repaved, she noted streets that she shared with the Eighth Ward and that Mrs. Yamakaitis agrees. Ms. Cosby then spoke about Fay Avenue and the need for speed humps to be installed.

Mrs. Ormon thanked Mr. Roman for his comments about Dr. King, and noted that today, January 15th, was Dr. King’s actual birthday. She thanked the Eighth Ward residents that came out tonight to speak about the Council seat and she thanked Gary Galgoci for making her day.

Mr. Brown spoke about Black History month and working with Ms. Cosby to get a program done. He talked about caring and stated that he takes offense when people say that members of the Governing Body don’t care.

Mrs. Yamakaitis thanked Eight Ward Democratic Club members for coming out and speaking on the issue of the replacement for the Eighth Ward Council seat.

**ANNOUNCEMENTS**

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

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

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

**\*Council Meeting: Tuesday, February 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