**Minutes of the Regular**

**Meeting of the 2019 Council of the**

**City of Linden, held Tuesday,**

**November 12, 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, November 12, 2019 at 8:00 pm., prevailing time.

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

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

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

Council President Michele Yamakaitis asked all members of the public, wishing to speak during the public comment session to please sign in on the sign-in white sheets provided in the front of the room.

Council President Michele Yamakaitis asked all to place their cell phones on vibrate, and if they must take a call to please leave the room to do so.

A roll call showed the following members were present:

Councilwoman Lisa Ormon

Councilman Barry Javick

Peter Brown

“ Alfred Mohammed

Councilwoman Rhashonna Cosby

Councilman John F. Roman

Councilman Ralph Strano

Councilman Garnett Blaine

Councilwoman Gretchen Hickey

Council President Michele Yamakaitis

Mayor Derek Armstead

President Yamakaitis noted that Mr. Brown was excused.

**APPROVAL OF MINUTES**

Mrs. Hickey moved for the approval of the minutes of the October 15, 2019 regular Meeting. The motion was seconded by Mr. Medina and was ordered approved with all in favor with the exception of Mr. Blaine who abstained.

**SWEARING-IN OF EIGHTH WARD COUNCILMAN GARNETT BLAINE**

President Yamakaitis called upon the City Clerk to swear-in newly elected Eighth Ward Councilman Garnett Blaine.

The Clerk swore-in Mr. Blaine, with President Yamakaitis holding the bible. Mr. Blaine noted that it was an honor and privilege to represent the Eighth Ward of the City of Linden. He thanked the Democratic Club for nominating him for this position and all that worked to get him elected. He assured all, that from the meeting he has attended, there are capable bodies throughout the Council and all are in good hands. Mr. Blaine stated that while it may seem chaotic, the passion is there, and all want the best for Linden. He planned to work calmly to have all work to bring the City together.

**PRESENTATION**

**The Galloping Hill Cruisers**

President Yamakaitis announced that the Galloping Hill Cruisers where here to present a plaque to Mayor Armstead and the City Council. A representative of the Cruisers thanked the Mayor, and all involved for helping to make the Galloping Hill Cruisers, 2019 Cruise for a Cause, in Aviation Plaza, another great success. The New Jersey Institute of Disabilities in Edison, would be the recipient of the funds raised. She thanked the Mayor and Council for their attendance, at the event, and provided various statistics on the event. She presented the plaque to the Mayor, for the City. The Mayor and Council was invited to attend the presentation, of the funds, to the Lakeview School. Mayor Armstead stated that we should be giving the Cruisers a plaque for what they do. He noted that this is not just about the car show, for the Cruisers, but giving back. He spoke about the uses for the money that they raise. He concluded by stating that he is looking forward to next season, and noted that they also raise money for a scholarship in honor of a Linden Police Officer and a resident, that were killed in a tragic accident

**ORDINANCE ON HEARING**

**President of Council Michele Yamakaitis announced that this is the date designated for the hearing and further consideration respecting an ordinance entitled:**

**63-49** Ordinance to adopt a second 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.

President of Council Michele Yamakaitis announced that the hearing was now open, that all persons interested would be given an opportunity to be heard concerning the Ordinance and the Clerk will read the Ordinance. Thereupon President of Council Michele Yamakaitis inquired if there were any written objections.

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

John Kaczor, 23 W. Munsel Ave. Mr. Kaczor asked when this was presented to the public, was it at the October Planning Board meeting. Mr. Northgrave responded that this is not Meridia redevelopment plan, that it is the City’s redevelopment plan. Mr. Kaczor had a back and forth discussion, with Mr. Northgrave, over when it was presented. It was determined that it was the October meeting. Mr. Kaczor noted comments made by the Planning Board Secretary, and that he did not have confidence that any of the members of Council know what they are voting on this evening. He noted his concerns, regarding the project, and what he termed the inability of Meridia to attract the targeted tenancy. He alleged a tie in to a similar project, in Dover, NJ. He continued on to criticize the project as over-development.

Hans Herberg, 1501 Westover Road. Mr. Herberg asked for more information regarding the money involved in the project. Mr. Northgrave responded that he was not sure what the question was, as this amendment had nothing to do with the finances of the project, but had to do with a zoning change.

Mayor Armstead noted that for over twenty-nine years the land has not paid taxes. He explained the sums that the City had not received and what the developer would be paying the City over the next thirty years, and would pay the cost of remediating contamination on the property.

Ed Kaminski, Maple Ave. Mr. Kaminski stated that he is all for proper and correct redevelopment. He noted the comments he has heard, over the years, about how desirable Linden has become, yet we keep going back to the same developer, who he believed, has a questionable history, at best. Mr. Kaminski was critical of the construction of building number 2, that Meridia was constructing on South Wood Ave, and pointed out several of his concerns, including the length of time that the construction was taking.

There being other persons to be heard, Mrs. Ormon moved for approval of Ordinance #63-49. The motion was seconded by Mr. Javick.

Mr. Roman noted the location of the property, which is on his block. He noted how excited he was to see the old buildings come down, and that the new building would contain a restaurants, which is sorely needed downtown. He spoke about his concerns that this developer knocked down buildings with the asbestos still inside. He spoke about comments that the Mayor had made, requesting the developer to change the appearance of the building, because he didn’t like it, yet right now it does not look like we are getting something better. He explained his concerns with the layout and construction of the building. He asked what is being changed, and why is it the second amendment. He asked a number of other questions regarding the project, that he wanted answers to. Mr. Roman expressed other concerns, from the community, about what is being built, and compared it to the buildings that they are putting up in Rahway. He stated that none of the money was going to the school district, the potential for children to live in these buildings, what it would cost the school district and the gap that was being created. He proposed that the City provide the school district with 25% of the PILOT funds, to make them whole. He spoke about Meridia One, its occupancy rate, and why there is a constant turnoff in the tenancy. He stated that he is voting no.

Mrs. Ormon stated that as a former eight year Board of Education member, she wanted to speak about the number that was quoted. She stated that it sounds good, it works off of an economy of scales. She explained how the number, to educate a student, is arrived at. She further explained how this impacts on the cost to educate a student, at various grade levels, and how if there were additional children, in the building, they would be spread out throughout various grade levels in the district.

President Yamakaitis asked the Clerk to call the roll. The ordinance was ordered approved by all voting yes with the exception of Ms. Cosby, Mr. Roman and Mrs. Hickey who voted no and Mr. Blaine who abstained.

**President of Council Michele Yamakaitis announced that this is the date designated for the hearing and further consideration respecting an ordinance entitled:**

* 1. Ordinance approving the application for a long term tax exemption and authorizing the execution of a financial agreement with Meridia 1001 Urban Renewal Linden, LLC.

President of Council Michele Yamakaitis announced that the hearing was now open, that all persons interested would be given an opportunity to be heard concerning the Ordinance and the Clerk will read the Ordinance. Thereupon President of Council Michele Yamakaitis inquired if there were any written objections.

The Clerk read the following communication from Rhashonna Cosby:

The city council of this city is ignoring their obligation to the residents of the city of Linden according to the same redevelopment act that is on for a vote.  Ordinance 63-49 calls for a second amendment, 63-50 long term tax exemption and 63-51 amending the redevelopment agreement.

We should not, I repeat, not overlook the very laws that are referenced.

Apendix Viii of the  New Jersey Housing and redevelopment law clearly states:

**" 40A:12A-4.1. Affordable housing units required for tax abatement, certain. Any municipality that has designated a redevelopment area, provides for a tax abatement within that redevelopment area and has adopted a housing element pursuant to subsection b. of section 19 of P.L.1975, c.291 (C.40:55D-28) may, by ordinance, require, as a condition for granting a tax abatement, that the redeveloper set aside affordable residential units or contribute to an affordable housing trust fund established by the municipality.** The requirement may be imposed upon developers of market rate residential or non-residential construction or both, at the discretion of the municipality. For the purposes of this section, “affordable” shall mean affordable to persons of low or moderate income as defined pursuant to the “Fair Housing Act,” The law  further states, "   40A:12A-4.2. Guidelines for tax abatement relative to affordable housing. **Any municipality that makes the receipt of a tax abatement conditional upon the contribution to an affordable housing trust fund shall include within the ordinance detailed guidelines establishing the parameters of this requirement including, but not limited to, the following: a. standards governing the extent of the contribution based on the value of construction for market rate residential or non-residential construction, as the case may be; provided, however, that this contribution shall not exceed $1,500 per unit for market rate residential construction, $1.50 per square foot for commercial construction, and 10 cents per square foot for industrial construction;** b. a schedule of payments based upon phase of construction; and c. parameters governing the expenditure of those funds, legitimate purposes for which those funds may be used, and the extent to which funds may be used by the municipality for administration

The township of union has a project that is currently accepting applications and wouldn't you know, these luxury apartments on Morris Ave have set aside apartments for low to moderate income individuals and families.  They have minimum income and maximum income requirements.  We are doing something wrong here.  500 plus new units planned and no plan for keeping the city affordable to the residents who live here.  We can stop this and make it right now!

The Clerk stated no other communications had been received. President of Council Michele Yamakaitis inquired if there was anyone who desired to be heard concerning the Ordinance read by the Clerk.

Hans Herberg, 1501 Westover Road. Mr. Herberg noted the language states long term, and asked how many years that was. Mr. Northgrave responded that it was for thirty years, and explained how it would run. He also explained, in response to questions from Mr. Herberg, the amount, in total, would be around $30,000,000.hat Linden would be receiving.

John Kaczor, 23 W. Munsel Ave. Mr. Kaczor noted that today, the Mayor of Jersey City, posted about tax abatements, and holding developers accountable. As a result of developers not meeting the terms of their abatement, they would be revoking Jersey City’s third tax abatement, this year. He then spoke on the issue of affordable housing. He noted a comment, made by Mr. Antonelli that we cannot go back and change things, but we can work on future developments. Mr. Kaczor added that at one point all of these developments were future. Mr. Kaczor then spoke about the development, on St. George Ave, and that a lot of his friends, on St. George, are not going to be able to move into the new apartments as they will not be able to afford them. President Yamakaitis requested that he speak to the financial agreement that was the subject of this ordinance. Mr. Kaczor objected to giving the properties away, and questioned whether these buildings would be standing in thirty years.

There being no other persons to be heard, Mr. Roman moved for approval of Ordinance #63-50, and to close the public hearing. The motion was seconded by Mrs. Ormon. President Yamakaitis asked for discussion.

Mr. Roman stated that while $30 million sounds like a lot of money. He asked if any major upgrades would be made, by the developer to the sewer system, or would it be on the City. He spoke about the development, and his disagreements with this project. He stated that he does not agree with the number of units,400, and the PILOT so he will be voting no.

Mr. Strano asked for a ruling on a person, introducing an ordinance, and then voting against it. Mr. Antonelli responded that there would be nothing improper, or illegal, about that.

President Yamakaitis asked the Clerk to call the roll. The ordinance was ordered approved with all voting yes with the exception of Ms. Cosby, Mr. Roman and Mrs. Hickey who voted no and Mr. Blaine who abstained.

**President of Council Michele Yamakaitis announced that this is the date designated for the hearing and further consideration respecting an ordinance entitled:**

* 1. Ordinance amending the Redevelopment plan for the South Wood Redevelopment project pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.

President of Council Michele Yamakaitis announced that the hearing was now open, that all persons interested would be given an opportunity to be heard concerning the Ordinance and the Clerk will read the Ordinance. Thereupon President of Council Michele Yamakaitis inquired if there were any written objections.

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

There being no persons to be heard, Mrs. Ormon moved for approval of Ordinance #63-51. The motion was seconded by Mr. Javick President recognized Mr. Roman for discussion.

Mr. Roman noted that this was a little bit different. He asked if this amendment changed the redevelopment agreement to include 14 W. Linden Ave. Mr. Northgrave explained that the amendment would allow office spaces on the first and second floors. Mr. Roman asked if the agreement would add or include 14 W. Linden Ave. Mr. Northgrave responded that it did not include W. Linden, at all.

Mrs. Hickey noted that sometimes we have to agree to disagree about some things. She noted the issues that she was having, with these projects, and the failure to provide for improvements to the infrastructure. She spoke about how good the Capodagli firm has been to the residents and children of Linden, noting some of the causes they have donated to. They due do good things for the community, and while she does disagree with various aspects of the projects, it is not about the company.

Mr. Media echoed some of Mrs. Hickey’s comments and gave his reasons for supporting some of the other ordinances. He noted that he has always been a believer in responsible redevelopment, in Linden, and in the PILOT program. He explained why. He stated that he has agreed to disagree, but all have the best interest of the residents and taxpayers of Linden at heart. Mr. Media spoke about the 1001 property, the City not collecting zero tax dollars, and it being a liability to the City. It is nice to see some revenues coming into the City, and as regards money, to the schools, he felt confident that the City’s attorneys could go back to the table and figure that out.

President Yamakaitis asked the Clerk to call the roll. The ordinance was ordered approved with all voting yes with the exception of Ms. Cosby and Mr. Roman who voted no and Mr. Blaine who abstained.

**President of Council Michele Yamakaitis announced that this is the date designated for the hearing and further consideration respecting an ordinance entitled:**

**63-52** An ordinance to amend and supplement Chapter VII, Traffic, of an Ordinance entitled, “An Ordinance adopting and enacting the revised General Ordinances of the City of Linden, 1999,” Passed November 23, 1999 and approved November 24, 1999, and as amended and supplements

7-33 Handicapped Parking Regulations

7-33.1A Handicapped Parking On-Street

Name of Street Spaces No. of Location

**ADD:**

738 Dennis Place 1 On the northeasterly sideline of Dennis Place,

(opposite side of Street) 25 feet more or less northwesterly from the

Projection of the northwesterly curbline of Grier Avenue across from 738 Dennis Place for a length of 22 feet. The aforesaid space is specifically reserved and designated to a

Vehicle for Jussara Bastos to be identified by license plate number and placard to be issued by the City, and no other vehicle bearing or displaying handicapped license plates and/or placards, or not, shall be permitted to park in such space.

President of Council Michele Yamakaitis announced that the hearing was now open, that all persons interested would be given an opportunity to be heard concerning the Ordinance and the Clerk will read the Ordinance. Thereupon President of Council Michele Yamakaitis inquired if there were any written objections.

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

There being no persons to be heard, Mrs. Ormon moved for approval of Ordinance #63-52. The motion was seconded by Mr. Roman and was ordered approved with all voting yes with the exception of Mr. Blaine who abstained.

**CONSENT AGENDA**

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

1. The amount of money collected during the month of September 2019 and turned over to the treasurer’s office is as follows: To be added once received

**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

57 11 10/31/19 16-00043 $23,800.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $23,800.00 payable to: Arianna Holding Co, LLC, 1148 Springfield Avenue, Mountainside, NJ 07092, charging same to account #-9-01-55-276-999-956.

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

Block Lot Redemption Date Cert# Premium

79 7 10/15/19 18-00041 $600.00

152 20 10/15/19 18-00090 $600.00

210 6 10/17/19 18-00123 $1,300.00

241 2 10/15/19 18-00133 $100.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $2,600.00 payable to: Fig as Cust. for Fig NJ19, LLC, P.O. Box 54226, New Orleans, LA 70154, charging same to account #9-01-55-276-999-956.

**Tax Sale** Requesting the refund of the premium paid at the 2017 & 2019 tax sale on the following block

& lot.

Block Lot Redemption Date CTF# Amount

79 7 10/15/19 16-00063 $400.00

354 3 10/17/19 16-00230 $1,100.00

472 36 10/23/19 18-00205 $400.00

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 Trystone Capital Assets, LLC., 575 Route #-70, 2nd Floor, P.O. Box 1030, Brick, NJ 08723, charging same to account #-9-01-55-276-999-956.

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

Block Lot Redemption Date CTF# Amount

126 19 10/22/19 16-00096 $100.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $100.00 payable to: US Bank Cust 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 2019 tax sale on the following block & lot.

Block Lot Redemption Date CTF# Amount

173 8 10/25/19 18-00100 $14,600.00

540 4 10/29/19 18-00231 $29,700.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $44,300.00 payable to: Christiana T C/F, CE/1 Firsttrust, P.O. Box 5021, Philadelphia, PA 19111-5021, charging same to account #-9-01-55-276-999-956.

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

Block Lot Redemption Date Cert# Premium

319 28 10/25/19 17-00233 $14,300.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $14,300.00 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 2019 tax sale on the following blocks & lots.

Block Lot Redemption Date CTF# Amount

341 7 10/24/19 18-00154 $2,700.00

416 8 10/31/19 18-00180 $2,400.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $5,100.00 payable to Greymorr, LLC, BMO 85, P.O. Box 1414, Minneapolis, MN 55480, charging same to account #9-01-55-276-999-956.

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

Block Lot Redemption Date CTF# Amount

452 2 10/22/19 17-00288 $1,600.00

452 3 10/22/19 17-00289 $1,300.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $2,900.00 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 2019 tax sale on the following block & lot.

Block Lot Redemption Date CTF# Amount

538 18 7/18/18 17-00325 $11,300.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $11,300..00 payable to FNA DZ, LLC FBO WSFS,120 N. La Salle Street, Suite #-1220, Chicago, IL 60602charging same to account #-9-01-55-276-999-956.

**Refund** Block 48 Lot 12, Former Owner: 2602 Deerfield, LLC

New Owner: Luis M. Goncalves Flora, 200 Cranford Avenue

The above referenced former property owners are entitled to a refund due to a County Board Judgment reducing the assessment by 68,700 for 2019 creating a total overpayment of $949.59.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $949.59 payable to: Spiotti & Esposito, 271 Route 46, #F105-106, Fairfield, NJ, 07004, charging same to account #9-01-55-275-999-000.

**Credit Balance** Block 78 Lot 5, 1124 E. Blancke Street

Garbage Fee Overpayment Refund to Sewer

There now exists a credit balance on the above referenced block & lot due to the owner paying additional garbage fees. The owner would like this applied to the sewer balance.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $60.00 payable to: Linden Roselle Sewerage Authority, Attention: Tax Collector, 301 N. Wood Avenue, Linden, NJ 07036, charging same to account # 9-01-55-276-999-958.

**Overpayment** Block 319 Lot 29, Giuseppe D. Lavorato, 356 De Witt Street, 2018 overpayment

The above referenced owner’s prepaid the 2018 3rd quarter property taxes and the mortgage company have paid and the owner’s payment has created an overpayment in the amount of $1,639.02 and the owner is entitled a refund.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of 1,639.02, payable to: Giuseppe D. Lavorato, 356 De Witt Street, Linden, NJ 07036, charging same to # 9-01-55-288-999-904.

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

1. Requesting approval of the following Refunds:
   1. Nicholas Bruton is entitled to a refund of $50.00 for a Certificate of Smoke Detector and Carbon Monoxide Alarm Compliance. Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $50.00 payable to: Nicholas Bruton, 523 Beechwood Road, Linden, NJ 07036, charging same to account 9-01-09-699-069.

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

1. Advising that sixty-three (63) Certificates of Occupancy were issued during the month of October, 2019.

**(\*\*\*) TRANSPORTATION AND PARKING:**

1. Advising that the parking meters will be bagged for the Holiday Season for the period beginning December 20, 2019 through January 2, 2020.

**(\*\*\*) CITY CLERK:**

1. Requesting approval of the following Bingo/Raffle Applications:

**Organization** **Type** **Fee**

School #9 PTA 50/50 n/a

School #9 PTA Tricky Tray n/a

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

**COMMITTEE REPORTS AND COMMENTS FROM THE MEMBERS OF THE GOVERNING BODY**

**First Ward**

Mrs. Ormon began by giving the report of the Division of Transportation and Parking for the month of October. A total of $67,041.42 was collected from all sources. She then congratulated Mr. Blaine, and noted that she was looking forward to working with him she offered congratulations to re-elected council members Barry Javick, Ralph Strano, Rhashonna Cosby, and newly elected Third Ward Councilwoman Monique Caldwell. She informed all about the upcoming community yard sale and craft fair. She provided information on how the craft fair would work.

Mrs. Ormon invited all to the City’s holiday tree lighting and the activities that would take place afterwards. She informed First Ward residents that she had leaf bags, and if anyone needed them to please contact her. She concluded by wishing all a happy Thanksgiving.

**Second Ward**

Mr. Javick gave the report of the Fire Prevention Bureau. The Bureau collected a total of $9,338.30 for the month of October. The ambulance reimbursement system collected $62,200.15 was collected for the month of October, bringing the year to date total to $585,715.37 for 2019. Mr. Javick informed all that tonight the Council increased the number of residential parking permits that are in place. The program is having a positive effect in the Second Ward, and throughout the Second Ward. In addition, as a result of the residential parking permit program more revenue is being generated by the train station parking lots.

Mr. Javick informed all that the gas company, in the Second Ward, will begin upgrading, in December, their lines from low pressure to high pressure. He noted the streets that would effected. He noted other work that would be taking place in the ward. He advised residents on how leaves should be placed, at the curb, and what is permitted.

Mr. Javick provided his contact information and wished all a happy Thanksgiving.

**Fourth Ward**

Mr. Mohammed began by giving the report of the City Clerk’s office, Licensing Division. The Division collected a total of $1,083.00 for the month of October. The City Clerk’s Office collected a total of $3,898.02 from all sources for the month of October.

Mr. Mohammed congratulated all of the veterans, and noted his service in the US Navy. He spoke about the City’s Veterans Day ceremony that was held the day before. He noted that this is a great country, how it was a great privilege to be in this country, with people fighting and dying for this right. This meeting is not the place for entertainment. He wished all a happy Thanksgiving, and noted that DPW is doing a great job addressing issues throughout the City.

**Fifth Ward**

Ms. Cosby noted that the Hagel Avenue Park construction is ongoing, explained the reasons for the delays in the construction, and informed all that it will be ready for the spring. She then spoke about the Linden Environmental Commission, and that the Commissioners had their second training of the year. She talked about the need for individuals to volunteer to be commissioners. She provided details on how to volunteer.

Ms. Cosby spoke about an ordinance, that will be coming up tonight, which will reverse the actions taken, by Council, eight years, which allowed the members of Council to choose the Committees that we wanted to sit on, based on our talents. She referenced the Committees that she was put on, in 2011, when she first arrived. She stated that she would serve, where ever she is placed, but her expedition is that everyone is going to serve. Ms. Cosby explained that wherever she is placed she would serve, to the best of her ability, but she is not going to be yelled at, and that she is not going to be bullied. She then spoke about what is supposed to happen, at the caucus meetings, and that there was a member of council, who participated, by phone, but did not come here tonight.

Ms. Cosby congratulated those that did win their elections, and welcomed Councilman Blaine. She urged him not to get discouraged, speaking about the drama that happened in the back, and stated that he should get the facts, for himself. The minutes are public, they are printed, and there are lots of videos. She continued speaking to the Councilman, stating that whatever committees we get placed on, she knew that they could continue to work together.

**Sixth Ward**

Mr. Roman congratulated Councilman Blaine and stated that he should serve his residents with honor. He then explained the process by which the Council members are assigned to Committees, and how the ordinance would change it back to the previous process, by which the Council President decides who is to serve on which committees. The members of Council would have not input into which Committees they are to serve on. He added that whether you agree, or disagree, he wanted to explain it.

Mr. Roman announced that the new Walmart would be opening tomorrow. He noted that would bring a lot of traffic, and spoke about the large amount of work that would be done, over the next six months, to improve the roads in the area. He informed all that in the future, the Walmart would be joined by Chick filet, LA Fitness, and some unique restaurants and bars. He compared the development to that of Clark Commons.

Mr. Roman spoke about the replacement of natural gas lines, in the Sixth Ward. He spoke about the paving of the streets that are being opened for this project, and what would be done on each of the streets. He then spoke about the Meridia II that the building is buttoned up, work is progressing on the inside, with the hope of a spring opening. Mr. Roman reported on his recently held Sixth Ward meeting, and thanked all of the residents that came out. Next he spoke about Rebecca Street, it’s location near the new Walmart, and that he is in discussions, with the police traffic division, about the possibility of making it a temporary one way, and the reasons why. He then spoke about Smith Street and working with the refinery to resolve the problems with the trains. He stated that he seems to have gotten better, and asked if there is a problem, with the train, to call him whatever time. Next he spoke about Clinton Street, and that a new method would be tried to try and slow traffic down, coming in and out of the refinery.

Mr. Roman noted the trimming and cutting of trees, in the Sixth Ward, and the upcoming spring planting. He asked those residents, who may want a tree planted to please call him. He then talked about the expansion of permit parking, in the Sixth Ward, and the reasons why. He congratulated the members of the Galloping Hill Cruisers for the outstanding job they did. He told Mr. Herberg what an outstanding job he did on the plaque for Frankie.

Mr. Roman spoke about an airplane, last week in Colonia. He noted that the family that lost their house, had been lifelong Sixth Warders, and informed all that he is talking up a collection for them and how to donate as they lost everything. He also spoke about an accident involving a Linden fire truck, on the Turnpike, that the firefighters are ok, but the truck is probably totaled. He wished all a happy Thanksgiviing and thanked all of the veterans who had served.

**Seventh Ward**

Mr. Strano noted that the first item was to pay the bills. He then read the following report of the

Budget Review and Finance Committee:

Approval is requested for the following finance actions:

1. The payment of bills totaling $1,407,476.65. 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 October at the rate of 2.75%.

Mr. Strano moved for approval of the report. The motion was seconded by Mrs. Ormon, and was approved by a roll call vote, with all voting in favor except Ms. Cosby who voted no.

Mr. Strano began by giving the following report of the Personnel Committee:

1. Board of Health:

a. Reposting Countywide for a Full-time Housing Inspector.

b. Hiring of Heather Grillo as Clerk 1 Full-time annual salary of $34,548 effective December 2, 2019 pending the successful completion of all pre-employment requirements.

2. Fire Department:

a. Authorization to file for a waiver of the Fire Chief Examination.

3. Department of Community Services:

a. Increase in pay for Joshua Friese, Laborer 1 to $18.00/hr effective November 13, 2019.

b. Amending the hiring date for Martin Washington, Truck Driver to November 6, 2019

from October 28, 2019.

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

4. Recreation:

a. Hiring of Laura Lee Wade and Belinda McGhee as part-time Recreation Leaders at $12.00/hr, not to exceed 25 hours per week effective November 18, 2019, pending successful completion of all pre-employment requirements.

b. Approval of the permanent transfer of Tracey Birch to the Department of Recreation as a part-time Clerk 1 at no change of salary effective November 12, 2019.

c. Approval of the permanent transfer of Brad Creanzo to the Department of Recreation as a Recreational Leader at no change of salary effective November 4, 2019.

d. Approval of Seasonal List (on file in the Clerk’s office).

5. Municipal Court:

a. Accepting the resignation in good standing of Giselle Fountain Williams, full-time Clerk 1 effective October 15, 2019.

b. Approval of the permanent transfer of Jerry Aquino to the Municipal Court as a Clerk 1 at no change in salary effective November 4, 2019.

6. Personnel:

a. FMLA: On file in the Personnel Division.

b. Accept the approval of the City’s Layoff Plan for the audio video specialists.

Virginia Malik. Ms. Malik asked, on 2a what the rational was, to file for a waiver, for the fire chief. Mr. Roth responded, explaining the appointment of a provisional chief, and the calling for a promotional exam, except when there is no enough candidates. She asked further questions regarding merit increases, the number of employees that have been hired, over the last few months, in the Recreation Department, what they could be doing, and the duties of Mr. Creanzo Mr. Roth provided responses to her questions, as did Mr. Dunhamn regarding her questions about the recreation department.

Kelly Vlasic, 30 W. Curtis St. Ms. Vlasic asked about the item 4b. She noted that a short time ago, she had to have an interaction with the Construction Code Department. She stated that she had been informed, that the matter she needed to have done, would take a while, as the Department was quite backed up. She asked why someone would be taken from a department that was overloaded, and be transferred elsewhere. With this permanent transfer, are there any intentions to adding people to Construction Code to deal with the backlog. Mr. Roth responded to her question and also to several further questions she had, regarding how the person was picked.

Mr. Strano moved for the approval of the personnel report. The motion was seconded by Mrs. Ormon and was ordered approved by all voting yes with the exception of Ms. Cosby and Mr. Blaine who abstained on the entire report, Mr. Roman who abstained on item 4b, and Mr. Medina and Mrs. Hickey who both voted no on item 4b.

Mr. Strano moved for the approval of the Finance Report. The motion was seconded by Mrs. Ormon and was ordered approved by all voting yes with the exception of Ms. Cosby who voted no.

Mr. Strano thanked veterans, for their service, and spoke about the privilege it was attend the City event honoring veterans. He went on to say that last year’s event was wonderful, but this year’s event was even better. He informed all that his dad’s younger brother, who is 93, was one of the veterans honored. Mr. Strano congratulated all of his running mates and the members of the Board of Education. He stated that he had other matters that he could report on, but would hold them, and wished all a Happy Thanksgiving.

**Eighth Ward**

Mr. Blaine thanked the residents of the Eighth Ward, and the members of the Eighth Ward Democratic Club for putting him in his position. He spoke about the need for accountability, and progress, and asked the residents of the Eighth Ward to give him the opportunity to do his job. He added that he not only represents the Eighth Ward but all of the residents of the City of Linden.

Mr. Blaine thanked the veterans for all that they did. He wished all a happy Thanksgiving, and altered all to the fact that there is a fox on the loose in the Eighth Ward, advising them to be careful with their small pets. He also announced that he would be making more announcements about the Eighth Ward Democratic Club in an effort to get more people to participate. He provided his contact information.

**Ninth Ward**

Mr. Medina moved for the approval of the installation of a Street Light at 1200 South Stiles Street, Pole #8289LD and 817 Mack Place, Pole #63138. The motion was seconded by Mrs. Hickey and was unanimously ordered approved on a roll call vote.

Mr. Medina apologized for missing last month’s Council meeting. He thanked the veterans, for their service. He offered congratulations to Fire Chief William Hasko, on his appointment. He also offered congratulations to Mr. Blaine on his election to the Eighth Ward Council seat, and to all of the other winning candidates.

Mr. Medina next reported on street and sidewalk issues in the Ninth Ward, briefing residents on some street paving projects that will be put off till the spring. He added that he is working on the sidewalk replacement list. He explained that each ward receives an allocation of $10,000.00 for sidewalk replacement, and the sidewalks need to have been damaged by a tree. Mr. Medina thanked the Police Department for their pedestrian safety campaign that went on throughout the City. He advised those that had received tickets, and don’t feel that they deserve them, that there is a process. Go to Court and follow the Court’s process. Mr. Medina spoke about the police presences, the safety of residents, and thanked the Police for their work. He wished all a happy Thanksgiving.

**Tenth Ward**

Mrs. Hickey noted that this morning she had sent an email to the Department of Public Works, noting that a ton of residents were upset about the Tenth Ward and issues dealing with leaves and trees, and the cleaning of catch basins. He spoke about the response of Mr. Venditto, which she deemed wonderful. She noted a resolution, on tonight, to hire a tree trimming company, to tackle the tree issues. She thanked Tenth Ward residents for their patience. She urged residents, with tree issues, to text them to her, so that she can get them taken care. Mrs. Hickey also asked residents, who use landscapers, not to allow them to dump leaves, from other locations, in the Tenth Ward. She noted other rules, regarding leaf disposal.

Mrs. Hickey noted that last month she had discussed issues involving the outside of the schools, in the Ward, and that she had gotten a response, from the acting superintendent the very next day. She announced that she had leaf bags for residents that needed them. Mrs. Hickey noted that there is also an issue, with sink holes developing on Wickersham, and the need to repair this street before there is a tragedy. She talked about the police chief being upset, earlier, over negative post on social media. She offered congratulations to Councilman Blaine. She talked about how she attended the Veterans Day service at the American Legion Post, but was not able to participate in the bus trip to each moment. She then attempted to speak about a Rice notice that was given. President Yamakaitis stopped her. A discussion followed as to what was allowed to be said. Mr. Antonelli noted the Council rules and what was allowed under them, and the reason. Mrs. Hickey agreed to speak further on the matter.

President Yamakaitis recognized Mr. Medina for some additional time. Mr. Medina provided an update on the paving of North Wood Ave, above Raritan Road. He announced that the County of Union would be repaving it at their cost, and thanked all for this. Next he announced a Narcam training that would take place, and the details on it. He also provided an explanation on why it was being done. He announced that the Mayor’s Youth Commission and FMBA Local 234 would be hosting a Breakfast with Santa, provided details on the event, and the need to register for it. Mr. Medina also announced that turkeys’ will be given away to the first seventy-five needy families. He concluded by congratulating Mr. Javick, Ms. Caldwell, Ms. Cosby and Mr. Strano on their elections. He congratulated Mr. Blaine on his election for the Eighth Ward.

**MAYOR’S REPORT**

Mayor Armstead announced a Narcam training session, provided details on the event, and the reasons that it was being conducted. He also announced details of the Mayor’s Youth Commissions, in conjunction with FMBA Local 234 breakfast with Santa, and how to sign up. He also announced details on a turkey give-a-way, and how to participate. The Mayor congratulated Mr. Javick, Ms. Caldwell, Ms. Cosby and Mr. Strano on their elections. He congratulated and welcomed Mr. Blaine to the Council. Mayor Armstead also congratulated the winners of the Board of Education election. He offered congratulations to William Hasko, on his promotion to Fire Chief.

Mayor Armstead spoke about the City’s efforts to meet its low income housing obligations, noting that the City does have a plan. The Mayor explained that Mr. Brown was absent, this evening, because one of his sons is not feeling well. He spoke about Mr. Brown’s efforts in spearheading yesterday event honoring Linden’s veterans, at the high school. The Mayor wished all a happy Thanksgiving and spoke about the foxes that he has in his backyard.

President Yamakaitis thanked Mr. Brown, and the entire committee for their efforts in putting together yesterday’s veteran’s event. She spoke about how great the event was and how it was like a reunion. She concluded by giving a report on the Lime scooters that were operating in Elizabeth, but were causing some issues in Linden.

**RESOLUTIONS**

President Yamakaitis made the following announcement:

Public comments will be permitted for those specific resolutions to be removed from the consent approval. Each member of the public shall be given up to 3 minutes to speak on a resolution that they requested to be removed from the agenda. If they request more than one resolution to be removed, regardless of number, they will have a total of 5 minutes to speak on all.

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. Strano moved to remove Resolution #2019-409 from further consideration. The motion was seconded by Mr. Roman and was unanimously ordered approved on a roll call vote.**

**Resolutions #2019-397, #2019-398, #2019-399, #2019-404, #2019-405, #2019-406, #2019-407, #2019-412, #2019-415, #2019-417 were removed at the request of Ms. Malik.**

**Resolutions #2019-406, #2019-407, #2019-410, #2019-412, #2019-417, #2019-418 were removed at the request of Mr. Halloran.**

**Resolutions #2019-411 and #2019-418 were removed at the request of Mr. Kaminsky.**

**Resolutions #2019-397, #2019-407, #2019-411, #2019-418 were removed at the request of Mr. Herberg.**

**Resolutions #2019-407, #2019-413 and #2019-418 were remove at the request of Mr. Kaczor.**

**Mr. Strano moved for the approval of Resolutions #2019-393 through #2019-418 with the exception of Resolutions #2019-397, #2019-398, #2019-399, #2019-404, #2019-405, #2019-406, #2019-407, #2019-410, #2019-411, #2019-412, #2019-413, #2015-415, #2019-417 and #2019-418. The motion was seconded by Ms. Cosby and was ordered unanimously ordered approved by a roll call vote.**

**RESOLUTION: 2019-393**

**RESOLUTION OF THE CITY OF LINDEN AUTHORIZING AN APPLICATION**

**FOR ENROLLMENT FOR THE LINDEN POLICE DEPARMENT IN THE**

**UNITED STATES DEPARTMENT OF DEFENSE 1033 PROGRAM**

**WHEREAS,** the 1033 Program permits the Secretary of the United States Department of Defense to transfer, without charge, surplus U.S. Department of Defense (DOD) personal property to state and local law enforcement agencies (LEAs); and

**WHEREAS,** the City of Linden through the Department of Police desires to make an application to the Department of Defense 1033 Program for surplus federal property originally intended for use by the United States Armed Forces.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Linden:

1. That the City, through the Department of Police, is hereby authorized to apply for enrollment in the Department of Defense 1033 Program in order to have an opportunity to obtain surplus federal property originally intended for use by the United States Armed Forces.
2. That this Resolution only approves the application for the 1033 Program. The acquisition of any property, by the Department of Police from the 1033 Program must be recommended by the Mayor and approved by a Resolution adopted by a majority of the full membership of the governing body.
3. That this Resolution shall take effect immediately.

**RESOLUTION: 2019-394**

**RESOLUTION AWARDED TO NORTHERN SCREENING & CRUSHING FOR THE SERVICES OF SCREENING COMPOST FOR THE PUBLIC WORKS DIVISION 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 $14,950.00; and

**WHEREAS**, the Chief Finance Officer has certified the availability of funds for this award, which will be charged to accounts #9-01-26-305-169-270; and

**NOW THEREFORE BE IT RESOLVED** Northern Screening & Crushing be awarded a contract for the screening of compost at the low quote of $14,950.00.

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

**RESOLUTION: 2019-395**

**CITY OF LINDEN RAT RESOLUTION**

**WHEREAS,** there were certain payments made by the Municipal Treasurer during the month of October 2019 which do not appear on the Claims list,

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

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

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

174816 10/2/2019 NJ Motor Vehicle Comm. Police Car Title $60.00

174817 10/2/2019 Treasurer, State of NJ Elevator Inspection $258.00

174818 10/2/2019 Treasurer, State of NJ Training Fees $12,158.00

10/3/2019 Unity Bank Worker’s Comp 9/23 – 9/29 $51,014.30

10/3/2019 Vision Service Plan October Vision Claims $4,518.54

10/4/2019 Elavon, Inc. October Merchant Fee – Garage Sale $157.14

10/4/2019 Elavon, Inc. October Merchant Fee – Dog Online $69.48

10/4/2019 Payroll 10/8 Payroll – Current $1,738,215.27

10/4/2019 Payroll 10/8 Payroll – Trust $76,746.00

10/4/2019 Payroll 10/8 Payroll – Grant $12,645.97

10/4/2019 Payroll 10/8 Payroll – Capital $418.18

10/4/2019 Payroll 10/8 Payroll – Unemployment $211.68

10/8/2019 Unity Bank Worker’s Comp 9/30 – 10/6 $47,686.61

10/8/2019 Express Scripts/Medco Prescription Claims 9/21 – 10/4 $55,661.50

10/15/2019 SHBP Retirees October Health Premium $401,641.17

10/15/2019 SHBP Active August Health Premium $671,381.73

10/16/2019 Unity Bank Worker’s Comp 10/7 – 10/13 $16,005.74

10/18/2019 TD Wealth Management Admin Fee – Refunding Bond, Series 2016 $5,000.00

10/18/2019 M&T Bank Admin Fee – UCIA Airport, Series 1998 $3,250.00

10/18/2019 Payroll 10/22 Payroll – Current $1,731,003.83

10/18/2019 Payroll 10/22 Payroll – Trust $70,064.01

10/18/2019 Payroll 10/22 Payroll – Grant $6,395.63

10/18/2019 Payroll 10/22 Payroll – Capital $547.96

10/18/2019 Payroll 10/22 Payroll – Unemployment $188.71

10/22/2019 Delta Dental of NJ November Dental Claims – City $39,333.89

10/22/2019 Delta Dental of NJ November Dental Claims – Sewerage $3,126.94

10/22/2019 Delta Dental of NJ November Dental Claims – Housing $1,314.40

10/22/2019 Delta Dental of NJ November Dental Claims – Library $948.88

10/22/2019 Delta Dental of NJ November Dental Claims – Cobra $35.44

10/25/2019 Vision Service Plan November Vision Claims $4,536.98

10/25/2019 Unity Bank Worker’s Comp 10/14 – 10/20 $47,667.09

10/25/2019 Express Scripts/Medco Prescription Claims 9/21 – 10/18 $75,545.70

175060 10/28/2019 LRSA Garbage Fee Overpayment $10.00

175061 10/28/2019 Linden Housing Authority Return Housing PILOT Program $44,287.33

175062 10/28/2019 Amparo Matthes Reimbursement – Post Office Box $61.00

10/29/2019 Unity Bank Worker’s Comp 10/21 – 10/27 $7,541.36

10/29/2019 Depository Trust Co. GO Bonds, Series 2011 Interest $156,062.50

10/29/2019 TD Bank, N.A. Refunding Bond 2016 Debt Payment $2,424,100.00

175063 10/30/2019 Rahway Post Office Linden Progress Mailing $2,991.58

**RESOLUTION: 2019-396**

**RESOLUTION AUTHORIZING ISSUANCE OF**

**DUPLICATE TAX SALE CERTIFICATE PURSUANT TO**

**CHAPTER 99 OF THE PUBLIC LAWS OF 1997**

**WHEREAS,** Greymorr, LLC has previously purchased Tax Sale Certificate No. 18-00199 comprising a lien on property known as Block 468, Lot 2 and is assessed to Foutz, Rufus R. III, and has filed a duly executed Affidavit swearing that he is still the lawful owner of said certificate but has lost same;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** that the Tax Collector be and is hereby authorized to issue a duplicate certificate to be marked “Duplicate Certificate” to Greymorr, LLC. There is a fee of $100.00 for a duplicate tax sale certificate.

**RESOLUTION: 2019-397**

**RESOLUTION AWARDING A CONTRACT FOR A SECURITY SYSTEM THROUGH THE UNION COUNTY CO-OP, FOR THE CITY HALL BUILDING FOR THE DIVISION OF PUBLIC PROPERTY**

**WHEREAS**, the City of Linden, Division of Public Property, wishes to obtain services for a security system throughout the City Hall building from an authorized vendor under the Union County Co-op pricing system awarded to Maffey’s Lock and Safe, Inc., 1172 East Grand Street, Elizabeth, NJ 07201, 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**, Maffey’s Lock and Safe, Inc. has been awarded for the provision of security systems; 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 $74,240.32 and,

**WHEREAS**, the Chief Finance Officer has certified the availability of funds for this contract, which will be charged to account number #9-01-26-310-125-206; and

**NOW THEREFORE BE IT RESOLVED** by the City of Linden that Maffey’s Lock and Safe, 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: 2019-398**

**STATE CONTRACT RESOLUTION FOR TREE SERVICES FROM RICH’S TREE SERVICE, INC. FOR THE DIVISION OF PUBLIC WORKS.**

**WHEREAS**, the City of Linden, Division of Public Works, wishes to obtain tree trimming, pruning and removal services from an authorized vendor under the State of New Jersey contract 80902 awarded to Rich’s Tree Service Inc., 325 Bergen Street, So. Plainfield NJ 07080 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**, Rich’s Tree Service, Inc. has been awarded Contract No 80902 for the provision of tree trimming, pruning and removal; 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 $120,000.00 and,

**WHEREAS**, the Chief Finance Officer has certified the availability of funds for this contract, which will be charged to account number #9-01-26-300-167-274; and

**NOW THEREFORE BE IT RESOLVED** by the City of Linden that Rich’s Tree Service, 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: 2019-399**

**STATE CONTRACT RESOLUTION FOR PURCHASE OF REQUIRED INFRASTRUCTURE FOR THE POLICE DEPARTMENT FROM TASER INTERNATIONAL (AXON ENTERPRISE, INC.)**

**WHEREAS,** a resolution was approved on September 16, 2015 (resolution: 2015-328) for an agreement between the County of Union and the City of Linden for the Union County Prosecutors Office to subsidize all first year cost of implementing a body-worn camera system in the Linden Police Department; and,

**WHEREAS**, the City of Linden wishes to obtain required infrastructure for the Police Department and from an authorized vendor under the State of New Jersey contract 81321 awarded to Taser International (Axon Enterprise, Inc.) 1700 N. 85th Street, Scottsdale Arizona 85255 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**, Taser International (Axon Enterprise, Inc.) has been awarded Contract No 81321 for the provision of Police and Homeland Security Supplies 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 $23,674.00 and,

**WHEREAS**, the Chief Finance Officer has certified the availability of funds for this contract, which will be charged to account number #9-01-25-250-314-278; and

**NOW THEREFORE BE IT RESOLVED** by the City of Linden that Taser International (Axon Enterprise, 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: 2019-400**

**A RESOLUTION REQUESTING THE UNION COUNTY COMMUNITY DEVELOPMENT REVENUE SHARING COMMITTEE TO APPROVE THE PROPOSALS HEREINAFTER LISTED AND PRIORITIES FOR YEAR 46 FUNDING (2020-2021)**

**WHEREAS**, the County of Union has provided Community Development Block Grant Funding from the U.S. Department of Housing and Urban Development since 1974-1975; and

**WHEREAS**, the City of Linden has been a participating Union County Community Development Program municipality; and

**WHEREAS**, in order to continue to receive program funding, it is now necessary for the City of Linden to prepare and submit applications for funding assistance; and

**WHEREAS**, the City of Linden has conducted a public hearing on November 4, 2019 in order to receive project funding requests and recommendations.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** that the following projects have been selected for submission to the County of Union for Community Development funding and that the Mayor is hereby authorized to execute all documentation necessary to complete formal application for requested funding.

**Project** **Priority**

Street Improvements 1

Home Improvement Program 2

**BE IT FURTHER RESOLVED** that the Union County Community Development Revenue Sharing Committee be urged to approve the proposals set forth herein and that a copy of this resolution be forwarded to the Union County Community Development Revenue Sharing Committee forthwith.

**RESOLUTION: 2019-401**

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

**TO BE HELD IN THE FIRST WARD**

WHEREAS, the City Council has determined to allow a community wide garage sale in the First Ward on November 22, 2019 with a rain date of November 23, 2019 ; and

WHEREAS, the City of Linden shall waive all fees for permits for a garage sale including the completion of an application form pursuant to City Code 4-3.1 entitled “Garage Sales”; and

WHEREAS, the First Ward garage sale shall not impact a resident’s right to conduct up to two garage sales in a year; and

WHEREAS, chapter 4-3.6 shall still apply, limiting one singled faced sign containing not more than four square feet in total area to be placed upon the premises where the sale is being conducted, and further prohibiting any other signs and either public or private property.

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

1. The City of Linden hereby waives fees for permits for a community wide garage sale in the First Ward on November 22, 2019, with a rain date of November 23, 2019.
2. The Sixth garage sale shall not impact a resident’s right to conduct up to two garage sales in a year.
3. Chapter 4-3.6 shall still apply, limiting one singled faced sign containing not more than four square feet in total area to be placed upon the premises where the sale is being conducted, and further prohibiting any other signs and either public or private property.
4. This Resolution shall take effect pursuant to law.

**RESOLUTION: 2019-402**

**A RESOLUTION APPOINTING ELIZABETH CORNWELL A MEMBER**

**OF THE LINDEN BOARD OF ALCOHOLIC BEVERAGE CONTROL**

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

That **ELIZABETH CORNWELL,** residing at 1121A University Terrace, in the City of Linden, be and she hereby is appointed a member of the Linden Board of Alcoholic Beverage Control, to serve for the term of three (3) years, commencing as of June 17, 2019 and terminating June 16, 2022, and until her successor is appointed and qualifies.

**BE IT FURTHER RESOLVED**, that said member shall perform all duties of said office in pursuance to an act entitled, "AN ACT CONCERNING ALCOHOLIC BEVERAGES" and of a resolution of this Council establishing a Municipal Board of Alcoholic Beverage Control, adopted June 6, 1934, and the respective amendments thereof and supplements thereto.

**RESOLUTION: 2019-403**

**CITY OF LINDEN**

**RESOLUTION CHAPTER 159**

**GREENING UNION COUNTY GRANT**

**WHEREAS,** N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

**WHEREAS,** said Director may also approve the insertion of an item of appropriation for equal amount, and

**WHEREAS,** the City of Linden will receive $9,400.00 from the County of Union and wishes to amend its 2019 Budget to include this amount as a revenue, and

**NOW, THEREFORE, BE IT RESOLVED** that the Council of the City of Linden hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2019 in the sum of $9,400.00 which item is now available as a revenue from:

Miscellaneous Revenues

Special items of General Revenue Anticipated with

Prior Written Consent of the Director of Local

Government Services:

Public and Private Revenues off-set with Appropriations:

Greening Union County 2019

**BE IT FURTHER RESOLVED** that a like sum of $9,400.00 be and the same is hereby appropriated under the caption of:

General Appropriations

(A) Operations excluded from "CAPS"

Public and Private Programs off-set by revenues:

Greening Union County 2019

**BE IT FURTHER RESOLVED** that the sum of $9,400.00 will be appropriated for a 50% matching funds requirement of the grant by the municipality and appears in the budget of the year 2019 under the caption “Matching Funds for Grants – Greening Union County”.

**RESOLUTION: 2019-404**

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

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

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

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

**2016 Komatsu D61PX Crawler Dozer s/n 40062**

**Motorola radio repeater LRSA**

**NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN that pursuant to N.J.S.A. 40A:11-36 that the Purchasing Agent is hereby authorized to sell at public action or by other means as provided for in the statue using their best business discretion for the following items:**

**BE IT FURTHER RESOLVED that the Purchasing Agent is hereby authorized to confirm the sale of said items.**

**Resolution:**2019-405

**RESOLUTION APPROVING AN AMENDMENT TO A CONTRACT TO INGLESINO, WEBSTER, WYCISKALA & TAYLOR, LLC FOR AVIATION COUNSEL APPROPRIATION FOR 2019**

**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 retain the services of Aviation Counsel to represent the City of Linden and airport operations, and to render legal advice and assistance to the city and to the City Attorney; 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**, Ingelsino Webster Wyciskala & Taylor submitted a qualification to the City and has qualified for the aforesaid services: and

**WHEREAS,** there is a need to amend the prior Resolution awarding a contract to Inglesino, Webster, Wyciskala & Taylor by an additional amount of $15,000; and

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

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

1. That the contract with the law firm of Ingelsino Webster Wyciskala & Taylor, Attorneys at Law of the State of New Jersey be and is hereby amended by an additional amount of $15,000.

2. If necessary, the Mayor and City Clerk are hereby authorized and to execute an amendment to the Agreement with Ingelsino Webster Wyciskala & Taylor 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 Ingelsino Webster Wyciskala & Taylor shall be awarded an amendment to the agreement in the amount of $15,000.00 for the calendar year 2019. 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.

**Resolution: #2019-406**

**CITY OF LINDEN**

**RESOLUTION TO CLOSE OUT CAPITAL ACCOUNTS**

WHEREAS, the City of Linden hereby authorizes the cancellation of various capital appropriations,

WHEREAS, there remains appropriations balances which can now be cancelled,

NOW, THEREFORE, BE IT RESOLVED that the following appropriation balance totals are hereby cancelled as set forth herein:

Acct # Project Name ORD. Funded Unfuded

C-04-55-900-532-920 Sect 20 - Non Pub Safety Computer Equip 755-11 $4,695.88

C-04-55-900-543-920 Sect 20 - Non Pub Safety Computer Equip 766-12 $18,138.61

C-04-55-901-252-919 Construction of Storm Sewers 476-01 $229,272.92

C-04-55-901-500-919 Storm Sewers 723-08 $31,135.23 $45,000.00

C-04-55-901-534-919 West Brook/Peach Orchard 757-11 $169,469.01

C-04-55-901-535-919 Rehab Sanitary Sewers 758-11 $86,152.32

C-04-55-901-571-919 West Brook Improvements 794-13 $49,500.00

C-04-55-901-571-920 Sect 20 - West Brook Improvements 794-13 $4,656.34

C-04-55-901-579-919 Demolition Unsafe Buildings 802-13 $14,493.94

C-04-55-901-579-920 Sect 20 - Demolition Unsafe Buildings 802-13 $57,904.14

C-04-55-901-597-919 E. Blanke St. Improvements 820-14 $42,447.85

C-04-55-901-597-920 Sect 20 - E. Blanke St. Improvements 820-14 $21,338.78

C-04-55-901-599-919 Resurfacing of Various Streets 822-14 $427.48 $75,126.09

C-04-55-901-599-920 Sect 20 - Resurfacing of Various Streets 822-14 $54,962.12

C-04-55-901-600-919 Speed Humps/Repaving City Lots 823-14 $2,659.31 $1,340.69

C-04-55-901-600-920 Sect 20 - Speed Humps/Repaving City Lots823-14 $284.31

C-04-55-901-601-919 Acq Property 1130 E. St. George 824-14 $1,052.77

C-04-55-901-601-920 Sect 20 - Acq Property 1130 E. St. George 824-14 $25,720.65 $18,913.29

C-04-55-901-605-919 Storm & Sanitary Sewer Improv 828-14 $17,057.58

C-04-55-901-605-920 Sect 20 - Storm & Sanitary Sewer Improv 828-14 $29,581.34

C-04-55-901-655-919 City Hall Garage Coating 878-16 $20,425.69

C-04-55-901-655-920 Sect 20 - City Hall Garage Coating 878-16 $42,919.93

C-04-55-902-512-919 PD Computer Equipment 735-09 $100.00

C-04-55-902-533-920 Sect 20 - Message Boards Police Dept 756-11 $104.40

C-04-55-902-596-919 Recording Equipment 818-14 $824.03

C-04-55-902-596-920 Sect 20 - Recording Equipment 818-14 $5,008.62

C-04-55-902-612-920 Sect 20 - Acq SUV's Police Dept 835-15 $1,237.79

C-04-55-902-649-919 Police HQ Study 872-16 $1,130.00

C-04-55-902-649-920 Sect 20 - Police HQ Study 872-16 $1,658.39

C-04-55-902-685-919 Citywide Camera System 908-18 $510.00

C-04-55-903-651-919 Command Vehicle Fire Dept 874-16 $8,246.07 $9,225.41

C-04-55-903-651-920 Sect 20 - Command Vehicle Fire Dept 874-16 $13,609.59

C-04-55-903-669-919 SCBA Equipment 892-17 $62.10

C-04-55-903-669-920 Sect 20 - SCBA Equipment 892-17 $79,155.24

C-04-55-903-672-920 Sect 20 - FD Turnout Gear 895-17 $4,762.21

C-04-55-904-391-919 Tennis Court Lighting Memorial Park 614-04 $40,772.26

C-04-55-905-573-919 Municipal Garage Exhaust System 796-13 $14,040.00

C-04-55-907-228-919 Reconstruct Sanitary Sewers 452-00 $22,150.12

C-04-55-907-591-920 Sect 20 - Carts Automated Trucks 814-14 $6,571.85 $9,900.00

C-04-55-907-634-919 Automated Sanitation Truck 857-15 $10,000.00

C-04-55-907-635-919 Sanitation Containers 858-15 $69.00

C-04-55-907-635-920 Sect 20 - Sanitation Containers 858-15 $2,493.97

C-04-55-907-644-919 Automated Sanitation Trucks 867-16 $78,000.00

C-04-55-907-644-920 Sect 20 - Automated Sanitation Trucks 867-16 $36,135.71 $32,350.00

C-04-55-907-677-919 Street Sweeper 900-17 $13,759.70

C-04-55-907-677-920 Sect 20 - Street Sweeper 900-17 $28,749.10

C-04-55-907-682-920 Sect 20 - Salt Dome 905-17 $5,425.43

C-04-55-908-352-919 OEM Mobile Comm Vehicle 576-03 $82,578.05

TOTALS: $769,511.77 $803,793.54

NOW, THEREFORE, BE IT RESOLVED that the City of Linden grand total of all appropriations to be cancelled are $ 1,573,305.31.

**RESOLUTION: 2019-407**

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

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

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

**WHEREAS**, the City Council of the City is of the opinion that based upon information received and compiled, that a number of violations to the City’s own personnel policy, the civil service commission rules, N.J.S.A. 40A:9-22.5., and other violations including insurance fraud, work place bullying, workplace harassment, theft of time, changing attendance records, improper FMLA records, and inconsistent enforcement of the written discipline policy have taken place and continue; and

**WHEREAS**, City Council has determined it is appropriate to appoint a MCIC to undertake a more detailed investigation of thesematters; and

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

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

1. The City Council hereby creates an MCIC to undertake an official investigation of the matters set forth above for a period between 2013 to present and that all departments are subject to investigation.
2. The MCIC shall consist of the following members: Council woman Rhashonna C. Cosby, Councilman Armando Medina and Councilman Alfred Mohammed.
3. The MCIC shall be vested with all powers set forth in N.J.S.A 40:48-25 and in City Code, 2-5.3, and all other applicable laws and regulations related thereto, including but not limited to the use of subpoena power.
4. The MCIC shall diligently pursue its investigation and prepare a Confidential Report setting forth the scope of the investigation, identifying the witnesses testifying before the MCIC, the documents reviewed, the facts as established as a result of said investigation, the conclusions as to whether there any violations or deviations from statutory, regulatory, or operating rules and standards applicable to municipal government. The MCIC shallforward its Confidential Report to the Mayor and City Council.
5. The City Clerk is hereby directed to advise all municipal officers and Department Heads to cooperate with the MCIC and all such employees, officers and witnesses before the MICI shall maintain confidentiality of their testimony and documents produced.

**RESOLUTION: 2019-408**

**RESOLUTION FOR REMOVAL OF ID 27 SWEEPING SERVICES FOR PUBLIC WORKS FROM DEER CARCASS REMOVAL SERVICES, LLC THROUGH THE UNION COUNTY CO-OP**

**WHEREAS**, the City of Linden wishes to obtain services from an authorized vendor under the Union County Co-op Awarded to Deer Carcass Removal Services, LLC, 140 Meirs Road, Creamridge, NJ 08514, 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**, Deer Carcass Removal Services, LLC , 140 Meirs Road, Creamridge, NJ 08514, has been awarded a Contract for the provision street sweeping services; 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 $19,068.57; and

**WHEREAS**, the Chief Finance Officer has certified the availability of funds for this contract, which will be charged to account number 9-01-26-305-169-274.

**NOW THEREFORE BE IT RESOLVED** by the City of Linden that Deer Carcass Removal Services 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.

**RESOLUTION: 2019-409**

**RESOLUTION ADOPTING THE POLICY MANUAL OF THE CITY OF LINDEN**

BE IT RESOLVED that the Council of the City of Linden adopts the attached revised Policy Manual effective November 1, 2019 and that this Policy Manual supersedes the City’s current Policy Manual.

BE IT FURTHER RESOLVED that this Council authorizes the Personnel Division to distribute the Policy Manual to all employees.

**Resolution #2019-410**

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| **CITY OF LINDEN** | | | | |
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| **RESOLUTION TO TRANSFER 2019 APPROPRIATIONS** | | | | |
|  |  |  |  |  |
| **BE IT RESOLVED,** by the City Council of the City of Linden, County of Union, New Jersey, that the following transfers of 2019 appropriations be made in accordance with the provisions of Revised Statute 40A: 4-58. | | | | |
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|
|  |  |  |  |  |
|  | **CURRENT BUDGET** |  |  |  |
|  |  |  |  |  |
| From: | Solid Waste Collection - Salaries & Wages |  | $ 252,000.00 |  |
| To: | Financial Administration - Salaries & Wages |  |  | $ 20,000.00 |
| To: | Purchasing - Salaries & Wages |  |  | $ 7,500.00 |
| To: | Purchasing - Other Expenses |  |  | $ 17,500.00 |
| To: | Telephone - Other Expenses |  |  | $ 20,000.00 |
| To: | Water - Other Expenses |  |  | $ 25,000.00 |
| To: | Purchasing - Other Expenses |  |  | $ 48,000.00 |
| To: | Solid Waste Collection - Other Expenses |  |  | $ 60,000.00 |
| To: | Other Public Works Functions - Other Expenses |  |  | $ 54,000.00 |
| From: | Recreation Serv & Programs - Salaries & Wages |  | $ 85,000.00 |  |
| To: | Buildings & Grounds - Salaries & Wages |  |  | $ 52,000.00 |
| To: | Buildings & Grounds - Other Expenses |  |  | $ 33,000.00 |
| From: | Mayor's Office - Salaries & Wages |  | $ 9,975.00 |  |
| To: | Economic Development - Other Expenses |  |  | $ 9,975.00 |
| From: | Municipal Garage - Salaries & Wages |  | $ 120,000.00 |  |
| To: | Municipal Garage - Other Expenses |  |  | $ 120,000.00 |
| From: | Maintenance of Parks - Salaries & Wages |  | $ 62,500.00 |  |
| To: | Railroad Station - Other Expenses |  |  | $ 15,000.00 |
| To: | Engineering Services/Costs - Other Expenses |  |  | $ 47,500.00 |
| From: | Transportation & Parking - Salaries & Wages |  | $ 100,100.00 |  |
| To: | Consol P & F Pension Contribution - Other Expenses | |  | $ 94,100.00 |
| To: | Public Emp Retirement Sys - Other Expenses |  |  | $ 1,000.00 |
| To: | Elections - Other Expenses |  |  | $ 5,000.00 |
|  |  |  |  |  |
|  | Total Transfers Needed: |  | $ 629,575.00 | $ 629,575.00 |
|  |  |  |  |  |

**RESOLUTION: 2019-411**

**RESOLUTION APPOINTING PETER MATLOSZ**

**A MEMBER OF THE HOUSING AUTHORITY OF**

**THE CITY OF LINDEN**

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

Section 1. That **PETER MATLOSZ** residing in the Township of Warren, New Jersey shall be and he is hereby appointed a member of the Housing Authority of the City of Linden to serve a five year term effective June 15, 2019 and terminating June 14, 2024, and until his successor shall have been appointed and shall have been qualified.

Section 2. This appointment is made pursuant to the Ordinance of the City of Linden entitled, "An Ordinance Creating the Housing Authority of the City of Linden," approved May 7, 1965, and the said member shall have and exercise all powers and duties prescribed by said ordinance and the "Local Housing Authority's Law" (N.J.S.A. 55:14A‑1 et seq.)

**RESOLUTION: 2019-412**

**RESOLUTION AMENDING THE CONTRACT WITH RICCI PLANNING FOR ON-CALL PLANNING SERVICES**

**WHEREAS,** the City Council of the City of Linden passed a resolution on January 15, 2019, No. 2019-44, retaining consulting services 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,** 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, 45 Bleeker Street, Newark, NJ 07102 submitted a qualification to the City and has qualified for the aforesaid services for 2019; and

**WHEREAS**, due to the ongoing nature of the work, it is necessary to provide an amendment for additional funds not to exceed $17,500.00; and

**WHEREAS**, inclusive of these additional funds the total expenditures paid to Ricci Planning for services rendered under the original or substantially related contract is $47,500.00; and

**WHEREAS,** 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 the agreement for Professional Services awarded to Ricci Planning, 45 Bleeker Street, Newark, NJ 07102, is hereby amended to increase the contract an additional sum of $17,500.00, for a total contract of $47,500.00; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary amended 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 an amendatory agreement 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: 2019-413**

RESOLUTION ESTABLISH THE REGULAR MEETING

DATES OF THE COUNCIL AND PRESCRIBING THE

RULES GOVERNING THE PROCEDURE AT ALL

MEETINGS OF THE COUNCIL FOR 2020.

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

THAT the Conference Meetings of the Linden City Council will be held in the Council Office, City Hall, Linden, New Jersey and the Regular Meetings of the Linden City Council will be held in the Council Chambers, City Hall, Linden, New Jersey. All meetings shall be held on the dates and convened at the prevailing times listed below, or as soon thereafter as the Council assembles:

CONFERENCE MEETINGS

CONFERENCE MEETINGS PRIOR TO COUNCIL MEETINGS COUNCIL MEETINGS

(Organization Meeting) (Organization Meeting)

Jan. 7, 6:00 p.m. to 6:00 p.m. Jan. 7, at 7:00 p.m.

\*Jan. 21, 5:00 p.m. to 7:00 p.m. Jan. 21, at 7:00 p.m.

\*Feb. 18, 5:00 p.m. to 7:00 p.m. Feb. 18, at 7:00 p.m.

Mar. 16, at 6:00 p.m. Mar. 17, 6:00 p.m. to 7:00 p.m. Mar. 17, at 7:00 p.m.

Apr. 20 at 6:00 p.m. Apr. 21, 6:00 p.m. to 7:00 p.m. Apr. 21, at 7:00 p.m.

Apr. 28, 6:30 p.m. to 7:00 p.m. Apr. 28, at 7:00 p.m.

May 18, at 6:00 p.m. May 19, 6:00 p.m. to 7:00 p.m. May 19, at 7:00 p.m.

June 22, at 6:00 p.m. June 23, 6:00 p.m. to 7:00 p.m. June 23 at 7:00 p.m.

July 20, at 6:00 p.m. July 21, 6:00 p.m. to 7:00 p.m. July 21, at 7:00 p.m.

Aug. 17, at 6:00 p.m. Aug. 18, 6:00 p.m. to 7:00 p.m. Aug. 18, at 7:00 p.m.

Sept. 14, at 6:00 p.m. Sept. 15, 6:00 p.m. to 7:00 p.m. Sept. 15, at 7:00 p.m.

Oct. 19, 6:00 p.m . Oct. 20, 6:00 p.m. to 7:00 p.m. Oct. 20, at 7:00 p.m.

Nov. 9, 6:00 p.m. Nov. 10, 6:00 p.m. to 7:00 p.m. Nov. 10, at 7:00 p.m.

Dec. 14, at 6:00 p.m. Dec. 15, 6:00 p.m. to 7:00 p.m. Dec. 15, at 7:00 p.m.

- - - - - - - - - - - - Dec. 29, 6:00 p.m. to 7:00 p.m. Dec. 29, at 7:00 p.m.

BE IT FURTHER RESOLVED, that the procedure of all meetings for the year 2020 shall be in compliance with the Open Public Meetings Act, Chapter 231, P.L. 1975.

**RESOLUTION: 2019-414**

**RESOLUTION AUTHORIZING AN AMENDMENT TO THE CONTRACT WITH DLS CONTRACTING, INC. FOR THE RESURFACING OF CRANFORD AVENUE IN THE CITY OF LINDEN**

**WHEREAS**, the City Council of the City of Linden passed a Resolution No. 2019-215 on May 21, 2019 approving a contract to DLS Contracting, Inc., for the resurfacing of Cranford Avenue in the City of Linden in the amount of $333,334.00; and

**WHEREAS**, a change order in the amount of $60,000.00 is required for additional work; and

**WHEREAS**, inclusive of these additional funds the total expenditures for said contract is $393,334; and

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

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** that the agreement awarded to DLS Contracting, Inc., 271 US Highway 46, Suite D-205, Fairfield, New Jersey 07004 is hereby amended to increase the contract by the additional sum of $60,000.00, for a total contract of $393,334.00; and

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

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

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

**RESOLUTION: 2019-415**

**RESOLUTION AUTHORIZING THE INTERIM USE OF A PORTION OF EAST BALTIMORE AVE BY FERREIRA CONSTRUCTION COMPANY INC**

**WHEREAS**, Ferreira Construction Company Inc. has been contracted by PSE&G to perform certain infrastructure improvements along East Baltimore Avenue associated with the Aldene-Warinanco-Linden Overhead project; and

**WHEREAS**, Ferreira Construction Company Inc. has requested that they be allowed to use a portion of certain City of Linden owned property known as East Baltimore Ave, at its intersection with East Elizabeth Avenue, for the staging certain pieces of construction equipment; and

**WHEREAS,** businesses have been notified of said closure and will maintain access from Pennsylvania Ave; and

**WHEREAS,** said use agreement would terminate on December 18, 2019; and

**WHEREAS,** the City of Linden is desirous to grant such use subject to the providing of an insurance certificate naming the City of Linden as a co-insured in the amount of $1,000,000.00 and the execution of a hold harmless agreement.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that the Mayor and City Clerk be and hereby are directed and authorized to execute any document necessary to effectuate said agreement ; and

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

**RESOLUTION: 2019-416**

**RESOLUTION AUTHORIZING THE USE OF STATE CONTRACT G-0576 FOR FIRE SUPPRESSION MAINTENANCE**

**WHEREAS**, the City of Linden wishes to obtain services for fire suppression maintenance from an authorized vendor under the State of New Jersey Contract G-0576, Fyr Fyter Sales & Service Inc., PO Box 5098, 262 Penn Lawrence Rd, Pennington, NJ 08534 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**, Fyr Fyter Sales & Service Inc has been awarded Contract G-0576 for Fire Suppression Maintenance services; 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.

**NOW THEREFORE BE IT RESOLVED** by the City of Linden that Fyr Fyter Sales and Service 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: \_2019-417**

**RESOLUTION** **AUTHORIZING A CONTRACT WITH THE LAW OFFICES OF WILLIAM STRAZZA, LLC FOR LEGAL SERVICES CONCERNING PERSONNEL MATTERS**

**WHEREAS, the City of Linden has a need to The Law Offices of William Strazza, LLC** and award said contract through a Non-Fair and Open process pursuant to N.J.S.A. 19:44A-20.4/20.5; and

**WHEREAS**, the City Attorney has certified that the fees, if any, to be paid to The Law Offices of William Strazza, LLC will not exceed $17,500.00; and

**WHEREAS**, the City of Linden hereby awards a contract to the Law Offices of William Strazza, LLC for an amount not to exceed $17,500.00; and

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

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that an agreement for Professional Services be awarded to The Law Offices of William Strazza, LLC, 1 Mill Ridge Lane, Suite 106, Chester, NJ 07930; and

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk be and hereby are empowered and directed to execute said contract; and

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

**RESOLUTION: 2019-418**

**RESOLUTION CALLING FOR A STUDY COMMISSION TO REVIEW**

**THE OPEN PUBLIC RECORDS ACT**

**WHEREAS,** the City of Linden strongly believes in and supports open transparent government, and that citizens and residents have the right to be informed about the workings of government in order to best participate in a democracy; and

**WHEREAS,** on January 8, 2002 then Acting Governor DiFrancesco signed into law the Open Public Records Act (OPRA) which mandates that government records shall be available, with limited exceptions, for public access and simplifying the procedures for requesting such specific records; and

**WHEREAS,** the intent of the law was to provide the public with easy access to government records with an uncomplicated process for obtaining the records and eliminating bureaucratic red tape; and

**WHEREAS,** over the course of 18 years OPRA has been a positive light, but it has also been fraught with abuse and misuse, and has become an unanticipated financial cost to the taxpayers of New Jersey; and

**WHEREAS,** The City of Linden has labored under a well-intended law that has spiraled out of control, due to the volume and nature of requests, the cost to taxpayers in responding to the requests, and the potential liability in having to pay disproportionate prevailing party attorney’s fees should the requests turn into litigated matters, as well as the liability in determining which documents shall be released, with or without redaction, while attempting to maintain individual privacy; and

**WHEREAS,** it is not only the volume of OPRA requests that challenge our resources, but it is also the cost associated with reviewing, retrieving, and processing the OPRA request(s) by public entity personnel and counsel and possibly defending our action(s) before the Government Records Council or in Superior Court; and

**WHEREAS,** the City of Linden received and responded to 935 OPRA request in 2017, 976 request in 2018, and to date has received and responded to 1038 request, as of November 1, 2019; and

**WHEREAS,** municipal staff has spent approximately 50 hours responding to OPRA request received in 2019 to date; and

**WHEREAS,** due to the often conflicting case law and Government Record Council decisions as well as the unique characteristics of OPRA request, the City of Linden’s Clerk’s Office was given to permission to higher special legal counsel for OPRA matters, with an annual budget of $17,500.00 in 2018 and 2019; and

**WHEREAS,** with the advent of police body cameras, countless hours are dedicated, each month, by a police officer, civilian police staff, the clerk’s office staff and sometimes superior officers; and

**WHEREAS,** with limited exceptions OPRA has not been amended to address the clear and apparent advancement in technology that has changed the way government records are created, stored and/or transmitted; the various interpretive decisions; privacy concerns; abuse for commercial gain; and/or the ever increasing cost to taxpayers; and

**WHEREAS,** as the current law approaches its twentieth (20th) anniversary it has outgrown its original intended use and has become ripe for comprehensive review and reform.

**NOW, THEREFORE BE IT RESOLVED** that the governing body of the City of Linden appeals to the legislature to form a Commission comprised of Mayors, Municipal Clerks, Municipal Managers, Attorneys, Police Chiefs, open government advocates, privacy experts, members of the media, citizens and other appropriate stakeholders, to review and examine the effects of OPRA on local government and the needs to be fulfilled by the law, and use the Commission’s findings to perform a comprehensive reform of OPRA; and

**BE IT FURTHER RESOLVED,** that copies of this resolution be forwarder to all of the members of the Union Country State Legislative Delegation, Assembly Speaker Craig Coughlin, Senate President Stephen Sweeney, Senator Weinberg, Executive Director of the Government Records Council, the Governor of the State of New Jersey, the Municipal Clerks Association of New Jersey and New Jersey State League of Municipalities.

**DISCUSSION ON REMOVED RESOLUTIONS**

Mr. Craig Halloran, 407 Donaldson Pl. Mr. Halloran asked, on Resolution 2019-406, since the money was not spent would it be going into next year’s budget to reduce taxes; on 2019-407, we are paying an attorney, why do we need this; On 2019-417 asked why do we need an attorney for this; On 2019-418 why do we want the State legislature to review the Open Public Records Act; On 2019-412 he asked what Planning services are. Mr. Bodek responded to the questions on 418; Mr. Patina responded to 412; Mrs. Zack responded to 406, 407 and 410; Mr. Antonelli also responded to 407 and 417,

Virginia Malik, 1633 Lenape Rd. Ms. Malik asked the following questions: 387 – what is wrong with the current service; 398 – why can’t public works handle it; 399 – why is additional funding needed; 404 – what are the items; 405 – why is special counsel needed; 407 – what are the violations; 412 – what is meant by on call services; 415 – why; She noted that she got an answer to 417; Mr. Pantina, Mr. Bodek, Mr. Dann, and Mr. Antonelli supplied answers to her questions.

Hans Herberg, 1501 Westover Rd. Mr. Herberg asked the following questions: On 397 – asked about the purpose, and if it would allow police to see who is coming in and out of the building. On 407- noted that he has seen lots of council investigative committees, and why; On 411 – is the appointment of Mr. Matlosz a conflict of interest; on 418 – who is going to oversee it. Mr. Bodek, the Mayor, Mr. Antonelli and Chief Hart provided responses.

John Kazor, 23 West Munsel Ave. – Mr. Kazor said his questions were answered.

Ed Kaminski, 201 Maple Ave. – Mr. Kaminski said his questions were answered.

**Mr. Strano moved for approval of Resolutions #2019-397, #2019-398, #2019-399, #2019-404, #2015-405, #2019-406, #2019-407, #2019-410, #2019-411, #2019-412, #2019-413, #2019-415, #2019-417, and #2019-418. The motion was seconded by Ms. Cosby. President Yamakaitis asked for discussion.**

Mr. Roman spoke about how busy Public Works was with the removal of trees. This has resulted in a net loss of trees, and asked for Council to consider providing additional funding to replace them. He noted that on resolution 2019-411 he was reserving judgment, and would be voting no. Mr. Roman asked, on resolution 412, if Paul Ricci was the only individual who worked for the firm. Mr. Antonelli responded yes, and that the increase in the work was also due to Mr. Ricci’s work on the master plan. Mr. Roman also inquired, on resolution 417 when the services were rendered. Mr. Antonelli stated over the last sixty days. Mr. Roman responded and pointed out the Mr. Strazza is also the Chief Public Defender in Union, and is not on Linden’s RFQ list. Mr. Roman then asked Mayor Armstead if he had ever been represented by this lawyer. The Mayor asked what did that have to do with the resolution. To which Mr. Roman provided a response. Mr. Antonelli stated that the question was not an appropriate one.

Ms. Cosby spoke about resolution 407, and stated that for a number of years she has been saying that we have issues in our personnel practices, as far as following our own policies. She noted that the policies are update frequently. She explained her concerns about violating a number of our own policies, and the Statute N.J.S.A. 40A:9-22.5. She detailed the violations, including her allegation of insurance fraud, work place bullying, work place harassment, changing of time records, improper FMLA records, violation of the written discipline policy, and failure to properly secure proper credentials before someone is allowed to begin employment. She explained her reasons for supporting other investigations. She spoke of her support for transparency. Ms. Cosby informed all as to who the members of the Committee would be, and the reasons why they were chosen. She requested that the Council support this that it is not a witch hunt, that she is not going after any individual, and that she treats people the way she wants to be treated, fairly. She noted other areas of concern as further reasons for the need for this committee. Ms. Cosby appreciated that the resolution was drafted, and asked all to watch how the members vote.

Mr. Mohammed thanked Ms. Cosby for her remarks, and stated that he declined to be on the committee as he did not think it was needed, as the Personnel committee is sufficient. He urged Ms. Cosby to bring, to the attention of the of the Personnel Committee, or this body, any violations of personnel matters. He noted that any of the investigatory committees he served on were for the purpose of investigating, and never were a witch hunt. He finished by stating that he is not for wasting government time or money.

Mrs. Hickey stated that she does have the same concerns as Ms. Cosby. She noted that she has had several residents, over the years that have been Linden residents their whole lives, including one whose family has worked for the City, in the same department, for his whole life. She spoke about how, individuals, in the Tenth Ward, never come up to get a job. She stated, that as Ms. Cosby has said, there have been many unqualified people hired. She noted several of the issues, including the transfer of a City employee and the possible reasons why and the need for them to be discussed and investigated.

Ms. Ormon noted that during her first year on Council, there were ten seasonal positions to be filled. Collectively, as a body, it was decided to allow each member to pick one person, from their ward to give a six month seasonal job too. The Chairperson of the Personnel Committee was absent. The next day when that person was present, everything changed, including giving jobs to individual who had only lived in Linden for thirty days. She asked where the justice was in that. She asked where the justice in that was, and said lets go back eight years and see some of what went on back then. She then spoke about the proposed makeup, of the Committee, and provided reasons on why she did not believe that the chairperson could not be fair and objective.

Ms. Cosby responded stating that she was not investigating an individual, and noted the words and actions of an individual, in the Personnel Division. We are investigating our failure to follow our personnel policies. She stated her objectivity and the reasons that she does not talk to this person. If Mr. Mohammed does not want to be on the Committee, then Mr. Blaine could serve and the reasons why.

Mr. Roman stated that he is not the personnel expert, it is one of the things that he was slowly learning, during my two years on council. He noted various topics that he has learned a lot about, but personnel is not one of them. He noted this as a reason that he would not offer himself to serve on this committee. There are issues and concerns. He suggested that the matter be turned over to Mr. Blaine, to replace Mr. Mohammed, then there would be three objective people on the Committee, and it would be overseen by the City attorneys. We can then fix the issues going on in the City.

Mr. Blaine noted that it was an honor to be mentioned, but his expertise was in finance, and he really did not have an expertise in personnel issues. He added that he is very new and he is getting to learn the process. He wanted all to understand that there is a process. We all need to follow the procedures and the process. Until that happens, Mr. Blaine stated that he would not be making a decision and did not want to be on a committee that he did not understand.

Ms. Cosby noted that the Council did have, in the past, committees with only two members on it. She recommended removing Mr. Mohammed’s name and voting on the resolution that way.

Ms. Ormon stated that there is a fine line between investigating policies, and the one that is in charge of those policies. She noted who the person that ultimately signs off on everything is, before it gets to Council. She stated that it isn’t that she does not trust an individual, but that she just doesn’t trust the process. She asked Ms. Cosby to step back from the Committee, to which Ms. Cosby responded no. Mrs. Hickey volunteered to be on the committee.

President Yamakaitis stated that if this committee goes through there will be another Salem witch hunt, noting that the body of the resolution, leaves it very open ended. She noted the number of tort claims that were filed against the City, when Ms. Cosby was chairman of the Committee. President Yamakaitis noted the efforts to have these matters discussed, through the Personnel Committee that Ms. Cosby turned down. Council President speculated as to the Councilwoman reasons. She stated that she would not be supporting the resolution.

Mayor Armstead stated that there were two investigative committees, this year, noting the purpose of each, and the status of each. He noted the purposes were set out clearly, while the purpose of the committee that the Councilwoman wants to form are very vague. He stated his belief that they are vindictive. He stated he did recall the conversation about going around the table, to pick seasonal help, and when Ms. Cosby arrived, it changed, with her picking all of the names.

Ms. Cosby stated that her record speaks for itself, and that the Mayor is not being honest. She started to provide the specifics that people were asking for, and was called out of order by the Council President.

**The motion was ordered approved by all voting yes with the exception of Mrs. Ormon, Mr. Javick, Mr. Mohammed, Mr. Strano and Mrs. Yamakaitis who voted no on Resolution #219-407 which was defeated, Mrs. Cosby who voted no on Resolutions #2019-397, #2019-410, #2019-413 and abstained on Resolutions #2019-412 and #2019-417, Mr. Roman who voted no on resolutions #2019-411, #2019-416 and #2019-417, Mr. Blaine who abstained on Resolution #2019-407, #2019-411 and #2019-412, Mr. Medina who voted no on Resolution #2019-411 and abstained on resolution #2019-417. Mrs. Hickey was absent from the room at the time of the vote. During the roll call vote Ms. Cosby stated that she was going to the State of New Jersey, Division of Consumer Affairs on every single councilperson who votes no to resolution 407, and give them specifics. Mr. Roman when he voted, stated that DCA is very good. Mr. Strano stated that he would not be threatened by anyone in this room. Before the conclusion of the vote Ms. Cosby and President Yamakaitis had a back and forth and Ms. Cosby left the stage, and took a seat in the back of the room. The clerk announced the vote on resolution, and that the resolution was defeated.**

**ORDINANCES FOR INTRODUCTION**

**An Ordinance entitled:**

63-53 An Ordinance authorizing the sale of Lot 11, Block 537, known as 1610 Clinton Street on the current tax atlas of the City of Linden, in the County of Union, not needed for public use, by auction and establishing a minimum bid price of $90.000.00 and setting December 27, 2019, at 11:00 AM as the date and time for said Public Action in the Council Conference room of the Linden City Hall.

Ordinance #63-53 was introduced by Mrs. Ormon and was read on first reading by the Deputy Clerk.

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

ordered approved, with all voting yes with the exception of Mr. Mohammed and Ms. Cosby who were absent from the

room.

**An Ordinance entitled:**

63-54 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.

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

Section 1. That Chapter VII, Traffic, Section 7-15, Parking by Permit Only in Designate Residential Areas, shall be and the same is hereby amended as follows:

DELETE SECTIONS 7-15.1 PARKING DECALS in its entirety

ADD NEW SECTION 7-15.1 PARKING DECALS.

Ordinance #63-54 was introduced by Mrs. Ormon and was read on first reading by the Deputy 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 Mr. Mohammed and Ms. Cosby who were absent from the

room.

**An Ordinance entitled:**

63-55 An Ordinance authorizing the sale of a portion of Lot 13, Block 580, known as 1601 West Edgar Road, on the current tax atlas of the City of Linden in the County of Union, and not needed for public use to the New Jersey Department of Transportation for $10,000.00. (Required for intersection improvements for Route 1&9 at Avenue C.

Ordinance #63-55 was introduced by Mrs. Ormon and was read on first reading by the Deputy Clerk.

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

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

room.

**An Ordinance entitled:**

63-56 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.

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

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 No. of Location

ADD:

817 Lincoln Street 1 On the southeasterly sideline of Lincoln Street, 30 feet more or less southeasterly from the

Projection of the southeasterly curbline of East

Henry Street in front of 817 Lincoln Street for a

Length of 22 feet. The aforesaid pace is specifically reserved and designated for a

` vehicle for Wilbur Taylor to be identified by a

License plate number and placard to be issued

By the City, and no other vehicle bearing or

Displaying handicapped license plates and/or

Placards, or not, shall be permitted to park in

Such space.

DELETE:

622 East Curtis Street 1 On the southeasterly sideline of East Curtis

Street, 216 feet more or less southwesterly

Curbline of Bower Street, in front of 622 East

Curtis Street, for a length of 22 feet. The

Aforesaid space is specifically reserved and

Designated for a vehicle for Rachel Williams

To be identified by a license plate number and a

Placard to be issued by the City, and no other

Vehicle bearing or displaying handicapped license plates and/or placards or not, shall be permitted to park in such place.

**An Ordinance entitled:**

Ordinance #63-56 was introduced by Mrs. Ormon and was read on first reading by the Deputy 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 absent from the

room.

63-57 BOND ORDINANCE AMENDING BOND ORDINANCE NUMBER 59-10 FINALLY ADOPTED BY THE CITY COUNCIL OF THE CITY OF LINDEN, NEW JERSEY ON MARCH 17, 2015, AS AMENDED. (Changing the amount of the amount of the bonds or notes to be issued from $501,600 to $2,211,600 and the amount of the down payment from $26,400 to $116,400.

Ordinance #63-57 was introduced by Mrs. Ormon and was read on first reading by the Deputy Clerk.

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

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

room.

**An Ordinance entitled:**

When the Deputy Clerk began reading Ordinance #63-58, Ms. Cosby, who was in the back of the room, and the Council President entered into an exchange, and the Council President had Ms. Cosby removed from the room.

63-58 An ordinance amending Chapter 2-7 entitled “Administrative Organization” by the City Council of the City of Linden. (amending 2-7.1, Creation of Committees; Appointment of Members; 2-7.2 Committees of the City Council, and 2-7.3 Departments, Boards and Commissions)

Ordinance #63-58 was introduced by Mrs. Ormon and was read on first reading by the Deputy Clerk.

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

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

room.

**An Ordinance entitled:**

63-59 An ordinance to amend and supplement Chapter VII, Traffic, of an ordinance entitled, “An ordinance adopting and enacting the Revised General Ordinances of the City of Linden, 1999,” passed November 23, 199 and approved November 24, 1999, and as amended and supplemented.

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

**7-10 PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS**

Name of Street Side Location

**ADD:**

Washington Avenue West From a point approximately 232 feet north of the north

Curbline of East Curtis Street and continuing 16 feet in

Northerly direction.

South Wood Avenue East From south curbline of East Edgar Road for a distance

Of 130 feet to the south.

**An Ordinance entitled:**

Ordinance #63-59 was introduced by Mrs. Ormon and was read on first reading by the Deputy Clerk.

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

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

room.

63-60 An ordinance amending Chapter 4-37 entitled “Towing of unauthorized vehicles from private or quasi-private property within the City” by the City Council of the City of Linden.

Ordinance #63-60 was introduced by Mrs. Ormon and was read on first reading by the Deputy 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 absent from the

room.

President Yamakaitis announced that there was an additional ordinance, which was not on the agenda, and asked the Deputy Clerk to read it. The Deputy Clerk stated that it would become Ordinance 63-61 and read it in its entirety

63-61

**AN ORDINANCE ADDING A NEW SECTION IN CHAPTER 4, ENTITLED “MAYOR” CREATING THE DIVISION OF INFORMATION TECHNOLOGY AND ELIMINATING THE DIVISION OF COMPUTERS**

**Section 1.** There shall be added a new section in Chapter 4, entitled “Mayor” the following:

**2-4.5 Division of Information Technology.**

1. Within the Office of the Mayor there shall be a Division of Information Technology, which shall operate under the direction and supervision of the Mayor.
2. The Division shall direct, manage, support all information technology, software, hardware and communication systems throughout the City including but not limited to the procurement and development of new projects and equipment.
3. The Division is responsible for carrying out system planning and administration, operations, and production of the City's local area networks (LANS).
4. The Division shall install, test and implement systems for system operation and management, troubleshoot daily system problems and crises, and act as the computer help desk for City employees.
5. The Division will be responsible for implementing, managing and maintaining computer network systems and interrelated hardware.

**Section 2.** There shall be deleted in strikeout from Chapter 2-14 entitled “Department of Finance” the following:

**2-14 DEPARTMENT OF FINANCE.**

**2-14.1 Creation of Department; Divisions.**

There shall be a Department of Finance which shall have jurisdiction over the financial affairs of the City. The Department of Finance shall include the following Divisions:

a. Division of the Treasury

b. Division of the Tax Collections

c. Division of Purchasing

~~d. Division of Computers~~

#### ~~2-14.6 Division of Computers.~~

~~a. Within the Department of Finance there shall be a Division of Computers, the Head of which shall be the Systems Analyst. Under the direction and supervision of the Director of Finance, the Systems Analyst shall:~~

~~1. Be responsible for the acquisition and purchase of all computer related hardware and software for all Departments.~~

~~2. Advise all Departments regarding computer related problems.~~

~~3. Act as the liaison between the City and outside hardware and software consultants.~~

~~4. Install where feasible all software and hardware within City computers.~~

~~5. Repair and maintain all computers where feasible.~~

**Section 3.** If any section, subsection, provision, clause, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, such adjudication shall not affect the remaining sections, subsections, provisions, clauses, or portions, which shall be deemed severable therefrom.

**Section 4.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

**Section 5.** This ordinance shall take effect in the manner provided by law.

The ordinance was introduced by Mrs. Ormon.

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

Unanimously ordered approved,

**PUBLIC COMMENT**

Kelly Vlasic, 30 W. Curtis St. Ms. Vlasic stated that she wanted to talk about employment, in the City of Linden, from elected officials to employees. She talked about the involuntary transfer of Tracy Birch, from the Construction Code to the Recreation Department, by Mayor Armstead. She noted that this is the first time this has happened and speculated as to the reasons for her transfer. She spoke about the Rice Notice that Ms. Birch had received and how it was not a “legal” notice and the reasons why. She called this, and not just in regard to this one person, but all here, it is bullying. She noted the various actions of the governing body, while a meeting is going on, and stated that all should be ashamed of it.

John Kaczor, 23 W. Munsell Avenue. When asked to state his name for the record Mr. Kaczor responded that his name was Johnny Means. He then stood silent for most of his five minutes and at the conclusion offered a plug for a local pizzeria.

Edward Kaminski, Maple Ave. Mr. Kaminski offered his heart felt gratitude to the Veterans. He thanked them for their service. He then spoke about the recent September to Remember and Polish Day street fairs calling them wonderful, noting that he missed the Latin Day celebration. He suggested that, in the future, there should be more Linden Vendors at these events. He spoke about the good work, for others, that he sees happening. Mr. Kaminski spoke about the positive activity going on at the corner of Wood Ave and Price Street, after the site being empty for seventeen years. He returned to the topic of the Veterans Day event, thought it sad that there was not more publicity about it, and repeated some of the comments he had heard. He hoped the Council move forward, in a more inclusive type environment after 12/31. He noted that he was not surprised with what happened with the investigating committee and the Senator Scutari situation. filing suit against Linden. He stated that Council, without waiting for the Court case, can hold the supervision responsible. The supervisor should be let go, and the need to take action.

Craig Halloran, 120 Donaldson Place. Mr. Halloran spoke about Linden’s Port Authority, and asked if it will tax the citizens of Linden. He also stated that he would like to see, in the budget, $10,000.00 for each member of Council, to do projects in their wards with. He asked if the Environmental Commission, is seeking new members, reached out to the high school. Mr. Halloran spoke about the ID printer, at the JTG Center and its need for repair. He questions the responsibility, legally, of the homeowner, for the area between the curb and the sidewalk. He also suggested that buildings, over a certain size, should be required to provide off street parking.

Hans Herberg, 1501 Westover Road. Mr. Herberg offered his congratulations to the winners of the recent election.

He spoke about Mr. Blaine becoming a voice for the community. He spoke about the recent police safety campaign, and urged pedestrians, if they are going to cross a roadway, to use a crosswalk. He urged to stop complaining about the tickets, if they did not use a cross walk. Mr. Herberg talked about the need for member of Council to work together, and the drama that is happening is not good for the community. He concluded with a suggestion that a parade be held to honor the City’s veterans. He noted the sacrifices they made for freedom. Mr. Herberg talked about the plaques that he is able to make, and if there are request, he does volunteer his time.

Mrs. Ormon moved to close the public comment portion of the meeting. The motion was seconded by Mr. Javick and was unanimously ordered approved by a roll call vote.

**COMMENTS BY MEMBERS OF THE GOVERNING BODY**

Mr. Medina spoke about the North Wood Avenue paving project, and noted that he had forgot to thank his predecessor, Bob Frazier, and Freeholder Hudak for facilitating it.

Mrs. Hickey stated Mr. Herberg spoke a lot of great words tonight. She apologized to the Council President for speaking out of turn, earlier. She informed all that the large tree branch, she had spoken about, has been picked up, and the tree is being scheduled to be removed. She spoke to all of the employees, who have not been treated fairly, she offered her apologies, noting that she does try. She spoke about the young man, in her ward, the history of his family, and the reason she was given for him not being hired. She wished all a very happy Thanksgiving, from her family to yours.

Mr. Roman told Mr. Kaminski a good job on the veteran’s event, as he knew it was Mr. Kaminski’s idea, and how it brought it to council. Next he spoke about a publication called the Linden Progress, described it, and called it a twenty page campaign flyer. He noted that no council persons, except the Council President, and Mayor, were mentioned. He called it a campaign flyer and that it is illegal, and it will be investigated.

Mr. Mohammed stated that it is rather sickening that people come here to impugn people’s reputations. He noted that he was a US Navy veteran, and it gets very distributing. He stated that you can have a civil discussion without attacking someone’s charter. Attack their ideas, this is not theater. This is not a joke

Mayor Armstead some people do think these people are a joke, and brought to everyone’s attention a post, by Mr. Roman, regarding tonight’s Council meeting, calling it a party. The Mayor stated this type of activity encourages this type of nonsense. Council members need to take the meetings seriously, disagree with each other, but there has to be decorum. There shouldn’t be a back and forth

Mr. Blaine noted as the newest member on Council he would not be discouraged, he would not be dissuaded, and will stand for the people of Linden and do what is best for Linden. He provided an example of what he did during the recent election, and noted that you do not pick sides as we are all human beings, God’s children. There can be political differences. We are here to govern.

**ANNOUNCEMENTS**

President Yamakaitis made the following announcements:

Council Conference meeting, Monday, December 16, 2019, at 6:00 pm, in the Council Conference Room, 301 N. Wood Ave.,

Council Conference meeting prior to the Council meeting:

Tuesday, December 17, 2019 at 6:00 pm in the Council Conference Room, City Hall, 301 N. Wood Ave.

Council Meeting: Tuesday, December 17, 2019 at 7:00 p.m. in the Council Chambers, City Hall, 301 N. Wood Ave.

There being no further business to come before the Council, Mr. Roman moved to adjourn the meeting. The motion was seconded by Mrs. Ormon, and was unanimously ordered approved by a roll call vote. The meeting was adjourned at 11:19 pm.

Respectfully submitted,

Joseph C. Bodek

City Clerk