**COUNCIL MEETING**

**AGENDA AUGUST 18, 2015**

**APPROVAL OF MINUTES**

**July 21, 2015 Regular**

**Meeting Minutes**

**SPECIAL IMPROVEMENT DISTRICT**

**BUDEGT HEARING**

**\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\***

**ORDINANCE – HEARING**

#59-33 Bond Ordinance amending Bond Ordinance #58-45 adopted by the City Council on June

17, 2014 providing an appropriation of $60,000.00 for speed humps and authorizing $57,000.00 to finance part of the cost. The ordinance is hereby amended by adding after the phrase “construction of speed humps on various roads in the City” the phrase “and repaving/resurfacing City owned parking lots.”

#59-34 Ordinance to amend and supplement Chapter VII, Traffic, Section 7-42 Parking Fines,

7-42.1 Fines Established, shall be amended as follows: (amending various parking fines,

complete ordinance is available in the City Clerk’s office)

#59-35 An ordinance to amend Chapter IX of the City Code entitled “Personnel Policies”

establishing specific procedures for the implementation of said regulations in disciplinary matter involving municipal employees. (Not including the Police Department)

#59-36 An ordinance to amend an ordinance entitled” An ordinance establishing a schedule of

titles, salary ranges and regulations for maintaining the classification and salary standardization plan of all employees of the City of Linden,” passed august 15, 1995 and approved August 16, 1995. Add: Schedule 4-JJ-4

#59-37 An ordinance to amend and supplement Chapter VII, Traffic, Section 7-33 Handicapped Parking, 7-33.1A Handicapped Parking on-Street. Delete: 522 Miltonia Street, 1 space

#59-38 An ordinance to amend Chapter 2-26 entitled “Department of Construction and Inspections” eliminating the position of Elevator Sub-Code Official.

**CONSENT AGENDA**

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

1. The amount of money collected during the month of July 2015 and turned over to the treasurer’s office is as follows:

2015 Taxes $15,658,386.88

2014 Taxes $2,018.40

2013 Taxes $0.00

Garbage Fee Payments $25,800.91

Garbage Fee Penalty $795.00

Municipal Lien Redemption $36,232.29

Tax Search $0.00

Lien Redemption Request Fee $0.00

Year End Penalty $0.00

Returned Check Fee Paid $20.00

Returned Check Fee Garbage Paid $0.00

Returned Check 2015 ($2,203.12)

Returned Check Interest ($0.00)

Returned Online Payment 2015 Taxes ($0.00)

Returned Online Interest ($0.00)

Returned Check Garbage Fee ($60.00)

Returned Check Garbage Fee Penalty ($0.00)

Counterfeit Funds ($0.00)

Arrears $0.00

Sewer Clean out charge $900.00

DPW 2014 Reso payments $0.00

State Audit Payment/Disallowed Deductions $0.00

Tax Sale Cost/Before Tax Sale Cost $0.00

Premium $0.00

Interest $14,461.22

Total $15,736,351.58

**Tax Sale** Requesting the refund of the premium paid at the 2015 tax sale on the following block &

lot.

**Block Lot Redemption Date CTF# Amount**

7 22 8/4/15 14-00007 $25,800.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $25,800.00 payable to: US Bank Cust. for Phoenix, 2 Liberty Place-TLSG 50 South 16th Street-Ste 1950, Philadelphia, PA 19102 charging same to account #-5-01-55-276-999-956.

**Tax Sale** Requesting the refund of the premium paid at the 2015 tax sale on the following block &

lot.

**Block Lot Redemption Date CTF# Amount**

12 22 7/24/15 14-00011 $900.00

40 43 8/4/15 14-00033 $900.00

148 2 7/25/15 14-00113 $900.00

198 36 8/6/15 14-00165 $1,200.00

308 15 7/28/15 14-00220 $900.00

333 15 8/4/15 14-00232 $900.00

352 5 8/4/15 14-00241 $900.00

377 13 8/4/15 14-00254 $900.00

389 1 8/4/15 14-00263 $1,000.00

472 31 7/15/15 14-00295 $1,200.00

473 7 8/4/15 14-00297 $900.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $10,600.00 payable to: US Bank Cust for PC5 Sterling National, 50 South 16th Street, Suite #2050, Philadelphia, PA 19102, charging same to account #-5-01-55-276-999-956.

**Tax Sale** Requesting the refund of the premium paid at the 2014 & 2015 tax sale on the following block & lot.

**Block Lot Redemption Date CTF# Amount**

25 7 7/31/15 13-00031 $2,900.00

28 7 7/17/15 14-00025 $2,300.00

40 34 7/31/15 13-00045 $3,200.00

62 2 7/28/15 13-00075 $2,600.00

75 6 7/31/15 14-00060 $4,500.00

76 2 7/31/15 14-00061 $3,600.00

105 4 8/11/15 14-00077 $2,400.00

129 20 8/4/15 13-00175 $2,500.00

137 14.01 7/31/15 14-00105 $2,600.00

141 5 8/3/15 13-00184 $3,200.00

149 21 8/3/15 14-00120 $1,500.00

167 6 8/3/15 13-00216 $3,100.00

178 9 7/31/15 14-00146 $1,400.00

179 1 7/15/15 14-00147 $1,900.00

192 14 7/31/15 13-00235 $7,800.00

212 21 8/11/15 14-00178 $1,400.00

215 34 7/29/15 14-00180 $1,600.00

238 34 8/3/15 14-00196 $2,100.00

291 8 8/3/15 14-00216 $1,300.00

313 8 8/4/15 14-00224 $1,600.00

344 14 8/4/15 14-00239 $1,400.00

468 2 7/20/15 14-00288 $3,300.00

469 13 8/3/15 14-00291 $5,900.00

472 14.01 8/11/15 14-00293 $3,000.00

479 8 7/31/15 14-00302 $1,400.00

495 12 8/4/15 14-00310 $1,400.00

506 9 8/4/15 14-00313 $1,500.00

524 13 7/28/15 14-00318 $1,600.00

555 12 8/3/15 14-00347 $2,900.00

560 2.02 7/28/15 14-00355 $1,600.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $77,500.00 payable to: TTLBL, LLC, Attention: John Lemkey, 4747 Executive Drive, Suite 1, San Diego, CA 92121 charging same to account #-5-01-55-276-999-956.

**Tax Sale** Requesting the refund of the premium paid at the 2013 tax sale on the following block & lot.

**Block Lot Redemption Date CTF# Amount**

57 4 8/4/15 12-00045 $900.00

439 70 8/4/15 12-00221 $1,200.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $2,100.00 payable to: MTAG Cust Caz Creek NJ, LLC, P.O. Box 54303, New Orleans, LA 70154, charging same to account #5-01-55-276-999-956.

**Tax Sale** Requesting the refund of the premium paid at the 2013, 2014 & 2015 tax sale on the following block & lot.

**Block Lot Redemption Date CTF# Amount**

65 9 8/11/15 14-00052 $3,800.00

148 8 8/4/15 12-00112 $900.00

312 10 7/24/15 14-00222 $16,200.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $20,900.00 payable to: US Bank Cust BV001 Trst & Crdtrs, 50 South 16th Street, Suite #19, Philadelphia, PA 19102, charging same to account #-5-01-55-276-999-956.

**Tax Sale** Requesting the refund of the premium paid at the 2014 tax sale on the following block & lot.

**Block Lot Redemption Date CTF# Amount**

76 13 7/23/15 13-00095 $1,400.00

103 20 7/31/15 13-00128 $12,400.00

116 15 7/22/15 13-00145 $1,300.00

209 28 8/3/15 13-00251 $1,300.00

323 4 7/31/15 13-00315 $1,000.00

475 31 7/31/15 13-00424 $1,300.00

506 2 7/22/15 13-00438 $1,700.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $20,400.00 payable to: MTAG Cust Fig Cap Invest NJ, 13, P.O. Box 54472, New Orleans, LA 70154, charging same to account #5-01-55-276-999-956.

**Tax Sale** Requesting the refund of the premium paid at the 2015 tax sale on the following block &

lot.

**Block Lot Redemption Date CTF# Amount**

125 2 7/31/15 14-00096 $5,200.00

194 9 7/31/15 14-00157 $7,900.00

343 1 8/11/15 14-00237 $50,300.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $63,400.00 payable to: PFS Financial 1, LLC US Bank Custodian, 50 South 16th Street-Suite 2050, Philadelphia, PA 19102 charging same to account #5-01-55-276-999-956.

**Tax Sale** Requesting the refund of the premium paid at the 2015 tax sale on the following block & lot.

**Block Lot Redemption Date CTF# Amount**

448 24 7/27/15 12-00226 $1,100.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,100.00 payable to: FWDSL & Associates, LP, Attention: Jared Cucci, 5 Cold Hill Road, S. #11, Mendham, NJ 07945 charging same to account ##5-01-55-276-999-956.

**Tax Sale** Requesting the refund of the premium paid at the 2012 tax sale on the following block & lot.

**Block Lot Redemption Date CTF# Amount**

504 1 7/31/15 12-00249 $14,500.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $14,500.00 payable to: Sunshine State Certificates IV, LLLP, Bank United Trustee, 7900 Miami Lakes Drive West, Miami Lakes, FL 33016, charging same to account #-5-1-55-276-999-956.

**Refund** Block 207 Lot 25, 834 N. Wood Avenue - 2015 Partial Garbage Fee Refund

There now exists a credit balance on the above referenced block & lot due the Tax Assessor advising that the Commercial part of the building is in fact vacant and is not expected to be rented out, but has a 2 residential units which are occupied. I am adjusting the billing to reflect the corrected current billing. The property owner has paid the entire amount due for 2015 and is entitled to a refund of $240.00.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $240.00 payable to: George R. Meigs, 199 Westfield Avenue, Clark NJ 07066, charging same to account *#*5-01-08-607-011.

**Tax Sale** Requesting the refund of the premium paid at the 2015 tax sale on the following block &

lot.

**Block Lot Redemption Date CTF# Amount**

555 4 6/11/15 14-00345 $200.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $200.00 payable to: Public Tax Investments, LLC, 575 Route 70, 2nd Floor, Brick, NJ, 08723, charging same to account #-5-1-55-276-999-956.

**Refund** Block 418 Lot 3, 1115 Debra Drive Title Agency Overpaid

There now exists a credit balance on the above referenced block & lots due to the Owner’s Mortgage Company and the Title Agency paying the 2009 2nd quarter twice in error in the amount of $1,901.19.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,901.19, payable to: Markicia Roundtree, 11115 Debra Drive, Linden, NJ 07036, charging same to account #-5-01-55-288-999-904.

**Refund** Estate of Max Medeiros, Block 463 Lot 14.03

360 Mitchell Avenue

There now exists a credit balance on the above referenced block & lots due to the Owner’s Mortgage & Wife paying the 2015 3rd quarter twice in error in the amount of $3,025.45.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $3,025.45 payable to: Estate of Max Medeiros, Executrix Maria Medeiros, 97 Quaker Avenue, Randolph, NJ 07869 charging same to account #-5-01-55-288-999-904.

**Refund** Block 562 Lot 24, 1303 Mopsick Avenue

Title Agency Overpaid

There now exists a credit balance on the above referenced block & lots due to the Owner’s Mortgage Company and the Title Agency paying the 2015 2nd quarter twice in error in the amount of $1,433.44.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,433.44, payable to: Juan & Marta Ramos, 1303 Mopsick Avenue, Linden, NJ 07036, charging same to account #-5-01-55-288-999-904.

**Refund** Block 207 Lot 25, 834 N. Wood Avenue

2015 Partial Garbage Fee Refund

There now exists a credit balance on the above referenced block & lot due the Tax Assessor advising that the Commercial part of the building is in fact vacant and is not expected to be rented out, but has a 2 residential units which are occupied. I am adjusting the billing to reflect the corrected current billing. The property owner has paid the entire amount due for 2015 and is entitled to a refund of $240.00.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $240.00 payable to: George R. Meigs, 199 Westfield Avenue, Clark NJ 07066, charging same to account *#*5-01-08-607-011.

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

1. **Advising that the Board of Health issued (41) Certificates of Occupancy during the month of July 2015.**

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

1. **Requesting approval of the following refunds:**

BCBS of Michigan is entitled to a refund of $ 76.28 for ambulance service that was provided on 3/21/2015. Therefore, it would be in order for the council to authorize the treasurer to issue a check to: BC BS of Michigan, 600 Lafayette East, Detroit, MI 48226 charging account 5-01-08-629-011.

Alex Davorson is entitled to a refund of $35.00 for a Certificate of Smoke Detector and Carbon Monoxide Alarm Compliance that was already paid by the previous bank owner. Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $35.00 payable to: Alex Davorson, 123 S. Munn Ave., Apt PH1, E. Orange, NJ 07018 charging same to 5-01-09-699-069.

Jennifer Altman is entitled to a refund of $150.00 for a quarterly parking permit.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $150.00 payable to: Jennifer Altman, 827 Lamberts Mill Road, Westfield, NJ 07090 charging same to 5-01-08-609-013.

**(\*\*\*) STREET CLOSURE APPLICATION:**

1. **810 Ercama Street: Requesting permission to close off the 800 block of Ercama Street between Gibbons Street and the beginning of the Wells Fargo Bank property on August 21, 2015 during the hours of 9am to 1pm. (Insurance has been provided & approved by the City Attorney and the Police Chief has approved the application)**

**1500/501 Westover Road: Requesting permission to close Westover Road between 1500/1501 to 1510 Westover Road on August 22, 2015 between the hours of 12noon and 10pm. (Insurance has been provided & approved by the City Attorney and the Police Chief has approved the application)**

**(\*\*\*) CITY CLERK’S OFFICE:**

1. **Requesting approval of the following bingo/raffle applications which were received by the City Clerk’s Office:**

**Raffle Application Organization Event Fees**

**RA-1461/1465 Kiwanis Club (2) 50/50 $40.00**

**RA-1462 Mongil Corporation 50/50 $20.00**

**RA-1463 Mongil Corporation Tricky Tray $20.00**

**RA-1464 Mongil Corporation Casino Night $100.00**

**RA-1466 St. Theresa Church 50/50 $20.00**

**(\*\*\*) LINDEN CULTURAL & HERITAGE COMMITTEE:**

1. **Requesting permission to close North Wood Avenue from East Elizabeth Avenue to Curtis Street to hold the annual September to Remember on Saturday, September 26, 2015 with a rain date of Sunday, September 27, 2015 between the hours of 11am and 9pm. Additionally, they are requesting to hang banners throughout various cities in Union County.**

**RESOLUTIONS**

**Public comments will be permitted for those specific resolutions to be removed from the consent approval. Please read the synopsis of the resolutions, which have been prepared by the City Clerk’s office. Each is informative and self- explanatory. However, if you wish to address a specific resolution, the Council, will entertain questions on it.**

**2015-284 Resolution authorizing an application to the Union County Trust Fund Grant through Kids Recreation Trust Fund for a grant in the amount of $204,000.00. The City will match the grant for the recreational grant subject to the approval of the City of Linden 2016 Budget (For renovations of Martin Luther King Park)**

* 1. **Resolution approving the acceptance of a donation in the amount of $15,000.00 from Phillips 66 to the Police Department for the purchase of laptop computers for the investigative units.**
  2. **Resolution approving the acceptance of a donation in the amount of $5,000.00 from NuStar to the Fire Department for the purchase of educational material to promote fire prevention.**
  3. **Resolution approving the donation of $1,500.00 from Phillips 66 to the Fire Department for the purchase of educational material to promote fire prevention.**
  4. **Resolution to amend the 2015 Capital Budget as follows:**

**AMEND THE CAPITAL BUDGET OF THE CITY OF LINDEN, NEW JERSEY**

**Projects Schedules for 2015 Method of Financing**

**Est. Budget Capital Grants General**

**Project Cost Approp. Imp. Fund In Aid Bonds**

**Gas Generator $320,000.00 $320,000.00 $16,000.00 $304,000.00**

**City Hall**

* 1. **Resolution authorizing certain payments made by the Municipal Treasurer during the month of July 2015 which did not appear on the claims list.**
  2. **Resolution qualifying Parking Management Consultant pursuant to a Fair & Open FRQ Process and appointing Bier Associates as the parking management and consulting firm for RPA projects for 2015 in an amount not to exceed $24,000.00.**
  3. **Resolution appointing members of the Rent Leveling Board for a one year term effective July 1, 2015.**

**2015-292 Resolution supporting the 2015 Summer Statewide Crackdown for Drive Sober or Get Pulled Over from August 21 through September 7, 2015.**

* 1. **Resolution appointing Theodore A. Chesney as a member of the Linden Board of Alcoholic Beverage Control to serve a three (3) year term commencing June 5, 2015 and terminating June 4, 2018.**
  2. **Resolution appointing John Hreha a member of the Linden-Roselle Sewerage Authority to serve a five (5) year term commencing May 1, 2015 and terminating April 30, 2020.**
  3. **Resolution in support of America’s 9/11 Foundation, Inc.**
  4. **Resolution authorizing the City of Linden to participate in the National Joint Powers Alliance (NJPA) Cooperative Purchasing Program.**
  5. **Resolution requesting the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2015 in the sum of $5,000.00 which item is now available as a revenue from: Drive Sober or Get Pulled Over Labor Day**
  6. **Resolution amending the contract with Appraisal Consultants Corp. for real estate appraisal services for 2015 Tax Appeals. Due to the ongoing nature of the various tax appeals, it is necessary to provide additional funds for said purpose in an amount not to exceed $25,000.00. Inclusive of the additional funds the total expenditures paid to date under the original contract is $45,000.00.**

**2015-299 Resolution appointing Deputy Chief Lawrence J. Kolesa as Fire Official/Fire Inspector effective August 20, 2015. Deputy Chief Kolesa has been certified by the State of NJ, Department of Community Affairs, Bureau of Fire Safety.**

* 1. **Resolution approving an award of contract to Mark Paving Co., Inc., for the resurfacing of Harrison Place, McGillvray Place, Mitchell Avenue, Nora Drive, Sherwood Road and Lincoln Street in an amount not to exceed $411,344.00.**
  2. **Resolution approving and ratifying a subordination of mortgage held through the Neighborhood Preservation Program for property known as 72 Pallant Avenue as the homeowners have sought to refinance their first mortgage on the property.**
  3. **Resolution authorizing the submission of an application to the County of Union for a Greening Union County Grant for tree planting 2015 in an amount of $11,500.00. The City will match the grant or a total of $23,000.00.**
  4. **Resolution awarding a contract to MNC General Contracting, Inc., for the reconstruction of curbs and sidewalks throughout the City of Linden at their bid of $114,640.00.**
  5. **Resolution authorizing the Tax Collector to forward monies to the lien holder, for Block 200 Lot 16 C2036 in the amount of $369.76.**
  6. **Resolution honoring John Moon for his accomplishments in the sport of Track & Field.**
  7. **Resolution in support of the NJ Turnpike Extension Bridge in the City of Linden.**
  8. **Resolution approving a contract with CME Associates for Wetlands Mitigation Services at a fee not to exceed $137,000.00.**

**ORDINANCE – FIRST READING**

**#59-39 BOND ORDINANCE PROVIDING AN APPROPRIATION OF $450,000.00 FOR THE**

**2015 SAFE ROUTES TO SCHOOLS PROJECT AND AUTHORIZING THE ISSUANCE OF $237,500.00 IN BONDS OR NOTES OF THE CITY FOR FINANCING PART OF THE APPROPRIATION.**

**#59-40 BOND ORDINANCE AMENDING B0ND ORDINANCE NUMBER 58-27 FINALLY**

**ADOPTED BY THE CITY COUNCIL ON MAY 20, 2014 PROVIDING FOR AN APPROPRIATION OF $880,000.00 FOR THE ACQUISITION OF A GAS GENERATOR FOR CITY HALL.**

**#59-41 ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER VII, TRAFFIC, SECTION 7-12 PARKING TIME LIMITED, SHALL BE AMENDED AS FOLLOWS: Delete from 7-12.1 Two Hour Parking: St. Georges Avenue, North, between the hours of 9am-5pm Monday to Friday from Summit Terrace to Columbia Place.**