**COUNCIL MEETING**

**AGENDA DECEMBER 15, 2015**

**APPROVAL OF MINUTES**

**November 10, 2015 Regular**

**Meeting Minutes**

**PRESENTATIONS**

**“GOOD NEIGHBORS”**

**Kathy Sanders & Felicia Connors**

**FIRST WARD COUNCILMAN**

**Christopher Kolibas**

**FORMER SEVENTH WARD COUNCILMAN**

**Michael Minarchenko**

**PROCLAMATION FOR CAR SHOW SPONSORS**

**Joe and Mike Bontempo**

**Bob Barkoff**

**George Withers**

**Joe Birch**

**Bruce Deehl**

**Paul Dudley**

**Mark Manuzza**

**PROCLAMATION FOR BRIS AVROHOM**

**Rabbi Avremy Kanelsky**

**ORDINANCE TABLED FROM THE MEETING OF OCTOBER 20, 2015**

**#59-43 An Ordinance amending Chapter 19-1.3 of the City Code entitled “permits” by the City**

**council of the City of Linden. (Section 1 striking the language allowing for permits for use of recreation facilities can be signed by a staff official of the Recreation Department).**

**ORDINANCE – HEARING**

**59-48 ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER VII, TRAFFIC 7-12, TIME LIMITED METERED PARKING SHALL BE AMENDED AS FOLLOWS: Delete 7-12.2b1(a) Time Limited Metered Parking, Pennsylvania RR Avenue, North Side, 12 hours Monday through Saturday (except holidays) from Wood Avenue to Carteret Street**

* 1. **ORDINANCE TO AMEND AND SUUPLEMENT CHAPTER VII, TRAFFIC 7-33 HANDICAPPED PARKING REGULATIONS SHALL BE AMENDED AS FOLLOWS: 7-33.1A Handicapped Parking On-Street**

**Add: 535 Grant Street**

**1400 Eddy Avenue**

**201 W. 16th Street**

**3 Berlant Avenue**

* 1. **ORDINANCE CREATING A NEW CHAPTER IN THE CODE OF THE CITY OF LINDEN ENTITLED ROUTE 1 SPECIAL IMPROVEMENT DISTRICT.**
  2. **ORDINANCE CREATIGN A NEW CHAPTER IN THE CODE OF THE CITY OF LINDEN ENTITLED ST. GEORGES AVENUE SPECIAL IMPROVEMENT DISTRICT.**

**CONSENT AGENDA**

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

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

2016 Taxes $46,043.60

2015 Taxes $26,941,108.15

2014 Taxes $12.92

Garbage Fee Payments $95,470.57

Garbage Fee Penalty $7,450.00

Municipal Lien Redemption $0.00

Tax Search $0.00

Lien Redemption Request Fee $100.00

Year End Penalty $0.00

Returned Check Fee Paid $80.00

Returned Check Fee Garbage Paid $20.00

Returned Check 2015 ($12,643.53)

Returned Check Interest ($20.93)

Returned Online Payment 2015 Taxes ($0.00)

Returned Online Interest ($0.00)

Returned Check Garbage Fee ($0.00)

Returned Check Garbage Fee Penalty ($0.00)

Counterfeit Funds ($0.00)

Arrears $0.00

Sewer Clean out charge $1,500.00

DPW Reso payments $850.00

Tax Sale Cost/Before Tax Sale Cost $0.00

Premium $0.00

Interest $30,141.64

Total $27,110,112.42

**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

6 11 12/3/15 14-00005 $2,500.00

106 1 11/23/15 14-00080 $2,900.00

172 26 11/2/15 14-00139 $1,500.00

176 27 10/29/15 14-00224 $3,500.00

334 2 12/3/15 14-00233 $1,400.00

558 2.04 10/29/15 14-00353 $2,600.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $14,400.00 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 2015 tax sale on the following block & lot.

Block Lot Redemption Date CTF# Amount

20 12 11/23/15 14-00017 $900.00

158 11 11/2/15 14-00131 $1,200.00

252 30 11/5/15 14-00204 $1,200.00

352 6 11/19/15 14-00242 $900.00

439 14 11/10/15 14-00281 $114,700.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $118,900.00 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 2015 tax sale on the following block & lot.

Block Lot Redemption Date CTF# Amount

149 14 11/6/15 14-00119 $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.

**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

150 3 11/19/15 12-00114 $700.00

541 12 11/12/15 12-00267 $3,500.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $4,200.00 payable to: US Bank Cust-Pro Cap III, LLC, 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

150 9 12/1/15 14-00121 $1,300.00

491 12 10/30/15 13-00433 $57,800.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $59,100.00 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

393 11 11/13/15 13-00355 $1,300.00

409 6 12/3/15 13-00369 $1,000.00

416 8 11/23/15 13-00374 $1,300.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $3,600.00 payable to: 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 2014 tax sale on the following block & lot.

Block Lot Redemption Date CTF# Amount

406 8 12/2/15 13-00367 $800.00

457 24.01 11/2/15 13-00403 $800.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,600.00 payable to: US Bank Cust for Pro Cap 4 & Crdtrs, 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

430 8 11/30/15 14-00280 $41,600.00

572 5 11/23/15 14-00364 $4,200.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $45,800.00 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 2012 tax sale on the following block & lot.

Block Lot Redemption Date CTF# Amount

540 9 11/12/15 11-00220 $9,800.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $9,800.00 payable to: Amaco, 125 Rockey Blvd # 623, Bear, DE 19701, charging same to account #-5-01-55-276-999-956.

**Credit Balance** Block 20 Lot 5

Old Owner: Milton Burbano

New Owner: Juana De Felix

603 Adams Street

There now exists a credit balance on the above referenced block & lot due to an overpayment by Mortgage Company on the 2014-4th quarter. The overpayment amount is $2,014.50.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $2,014.50 payable to Core Logic Tax Services, Attention: Kathy Bishop, 92-16 220th Street, Queens Village, NY 11428 charging same to account #5-01-55-288-999-904..

**Credit Balance** Block 172 Lot 16 400 Maple Avenue

After reviewing a lien account, it was found a lien was sold void abinitio on the above property at the 2014 tax sale, and just being notified. As advised by legal council, this certificate has to be cancelled and the monies must be refunded to the outside lien holder.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $393.98 payable to: Martella Investments, 71 Arthur Avenue, Carteret, NJ 07036, charging same to account #-5-01-55-288-999-904.

**Refund** Chestwall C/O Diversified Prop.

Block 212 Lot 25, 300-322 N. Wood Avenue

2010-Tax Court Docket#-004373-2010

2011-Tax Court Docket#-005776-2011

The below referenced property owner is entitled to a refund due to a Tax Court of New Jersey judgment reducing the assessment by Tax Court for tax year 2010 & 2011 by 229,000.

2010- $12,157.61

2011- $12,663.70

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $24,821.31, payable to: Blau & Blau, C/O Chestwall c/o Diversified Prop., 223 Mountain Ave, P.O. Box 50, Springfield, NJ 07081, charging same to account #-5-01-55-288-999-904.

**Credit Balance** Block 330 Lot 13, Christopher Jones

347 Rosewood Terrace, 2015 4th quarter overpayment

There now exists a credit balance on the above referenced block & lot due to an overpayment by the mortgage company on the 2015-4th quarter. The overpayment amount is $1,261.68.

Therefore, it would be in order for the council to authorize the treasurer to issue a CitiMortgage, Inc. P.O. Box 23689, Rochester, NY 14692, charging same to account #-5-01-55-288-999-904.

**Cancel** Cancellation of Taxes, Block 410 Lot 13

**Taxes** Francisco A. Guzman, 1821 N. Stiles Street

Requesting your approval to cancel the part if the 2nd, 3rd & 4th quarter 2015 property taxes on the above referenced block & lot and refund the amounts paid. This cancellation is due to the Tax Assessor, Michael Frangella, and granting full exemption for a disabled veteran per state statute 54:04-03.30 as of June 18, 2015. All taxes from this time forward will be exempt status. The breakdown is as follows:

2015-2nd (part) $185.22

2015 3rd quarter $1,768.31

2015 4th quarter $1,725.32

Total Refund $3,678.85

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $3,678.85 payable to: Francisco A. Guzman, 1821 N. Stiles Street, Linden, NJ 07036, charging same to account #5-01-55-288-999-904.

**Refund** Block 421 Lot 9, Stiles Circle Associates

Tax Court Docket #-000862-2009, 002187-2010 & 005803-2011

The above referenced property owners are entitled to a refund due to a Tax Court of New Jersey judgment reducing the assessment by 846,300 for 2009, 746,300 for 2010 & 696,300 for 20111

2009- $41,604.11

2010- $39,621.07

2011- $38,505.39

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $119,730.57 payable to: Blau & Blau Attorney for Stiles Circle Associates, 223 Mountain Avenue, P.O. Box 50, Springfield, NJ 07081, charging same to account #5-01-55-275-999-000.

**Refund** Block 450 Lot 15, Verizon New Jersey, Inc.

Tax Court Docket #-010579-2014

The above referenced property owners are entitled to a refund due to a Tax Court of New Jersey judgment reducing the assessment by 200,000 for 2014.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $12,310.00 payable to: Verizon New Jersey, Inc. Kevin H. Giordano, Assistant Counsel, One Verizon Way, VC54S230, Basking Ridge, NJ 07920, charging same to account #5-01-55-275-999-000.

**Credit Balance** Block 483 Lot 10, Former owner: Maria Bocanegra

New Owner: Cesar Espejo, 841-843 Mc Gillvray Place

2015 3rd quarter overpayment

There now exists a credit balance on the above referenced block & lot due to an overpayment by the mortgage company and the Title Agency on the 2015-3rd quarter. The overpayment amount is $2,588.38.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $ 2,588.38 to : Wells Fargo Real Estate Tax Service, LLC, Attention: Financial Support Unit-1, Home Campus, MAC X 2302-04D, Des Moines, IA 50328, charging same to account #-5-01-55-288-999-904.

**Refund** Block 580 Lot 13, Linden Plaza C/O Wharton

Tax Court Docket #-014263-2014 & 000573-2015

The above referenced property owners are entitled to a refund due to a Tax Court of New Jersey judgment reducing the assessment by 500,000 for the tax year 2014 & 2015.

2014- $276,975.00

2015- $313,850.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $590,825.00 payable to: Linden Plaza C/O Wharton, Zipp, Tannenbaum & Caccavelli, LLC, 280 Raritan Center Parkway, Edison, NJ 08837, charging same to account #5-01-55-275-999-000.

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

1. Requesting approval of a refund in the amount of $105.55 for a railroad parking permit

To Morris Williams, 1017 Morris Street, Roselle, NJ charging same to 5-01-08-609-013.

Requesting approval of a refund in the amount of $44.56 for service that was provided on

July 20, 2015. Payable to Aetna, PO Box 14079, Lexington, KY 40512-4079. Charging same to account 5-01-08-629-011.

Requesting approval of a refund in the amount of $384.20 for service that was provided on May 16, 2015. Payable to Horizon BCBS NJ, PO Box 420, Newark, NJ 07101-0420.Charging same to account 5-01-08-629-011.

Requesting approval of a refund in the amount of $810.00 or service that was provided on February 27, 2015. Payable to Dorothy Materowski, 97 W. 13th Bayonnne, NJ 07002. Charging same to account 5-01-08-629-011.

**(\*\*\*) CITY CLERK’S OFFICE:**

1. Advising that the following bingo/raffle applications have been submitted for approval:

**Raffle Application Organization** **Event** **Fees**

RA-1484 Highland Avenue #10 50/50 $20.00

RA-1485 Highland Avenue #10 Tricky Tray $20.00

**(\*\*\*)** Please be advised that the following City of Linden employees have filed for retirement:

**Department            Employee                             Title                            Date**

   Police Dept.             Walter Antoniewicz              Police Lieutenant                          Jan. 1, 2016

   Fire Dept.                 Anthony Pirozzoli                 Fire Captain                                  Jan. 1, 2016

   DPW                        John Sibilski                         Super. Mechanic Diesel        Jan. 1, 2016

DPW Mark Scott Sr. Mechanic Jan. 1, 2016

**(\*\*\*) MEDICARE REIMBURSEMENTS:**

1. Advising that under Chapter 88, 54 & 436, the City of Linden reimburses

retired employees for the monthly premiums which the retiree paid to Social Securityfor his/her Part B coverage, and that of his/her spouse, under the Federal Medicare Program. Total reimbursements $206,751.70 (List is on file in the City Clerk’s Office).

**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.**

**RESOLUTIONS FOR CONSIDERATION AT THE DECEMBER 15, 2015 MEETING**

**2015-393 Resolution requesting the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of year 2015 which is now available as a revenue from: Drive Sober or Get Pulled Over Year End Holiday in the amount of $5,500.00.**

* 1. **Resolution requesting the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of year 2015 which is now available as a revenue from: Drunk Driving Enforcement Fund $11,944.16.**

**2015-395 Resolution requesting the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of year 2015 which is now available as a revenue from: Safe Corridors – Highway Safety Fund $57,971.13**

**2015-396 Resolution to amend, close out grants, trust accounts & Neighborhood Preservation Accounts. There remains appropriations and receivable balances which are now to be cancelled in the total amount of $517,588.91**

* 1. **Resolution authorizing the cancellation of various performance bond escrow accounts. There are bond balances which can now be cancelled in the total amount of $73,342.55.**
  2. **Resolution authorizing the cancelation of tax sale certificate premium monies for Block 100, Lot 14 in the total amount of $12,500.00.**
  3. **Resolution supporting the Drive Sober or Get Pulled Over 2015 Year End Holiday Crackdown enforcement from December 11, 2015 through January 1, 2016.**
  4. **Resolution authorizing the issuance of a Duplicate Tax Sale Certificate pursuant to Chapter 99 of the Public Laws of 1997 for property known as Block 121, Lot 8 for a fee of $100.00. (replacement of a lost certificate)**
  5. **Resolution of the Governing Body of the City of Linden designating January 11th of each year as Human Trafficking Awareness Day.**
  6. **Resolution authorizing that a lien be placed on various premises for work completed by the Department of Public Property and Division of Public Works for the removal of heavy growth of weeds, grass and debris. (Block 377, Lot 13 $275.00) and (Block 230, Lot 19 $275.00)**
  7. **Resolution amending Resolution 2015-48 passed January 20, 2015 retaining the services of Afonso & Afonso, Edward Cooper, Esq., Cotell Solensky & Semple, PA and Bruno & Ferraro Esqs., as temporary public defender in the Linden Municipal Court. Because of the ongoing nature of the services for Edward Cooper, Esq., there is a need for additional funds not to exceed $1,000.00 for legal services. Inclusive of the additional funds the total expenditures paid to date under the original contract is $7,200.00.**
  8. **Resolution amending the contract with Guido G. Karcher, P.E. as expert witness for defense of the Gulf Oil and Citgo Tax Appeals for 2015. Due to the ongoing nature of said tax appeals, it is necessary to provide for additional funds said purpose in an amount not to exceed $1,500.00. Inclusive of the additional funds the total expenditures paid to date under the contract is $21,500.00.**
  9. **Resolution authorizing an amendment to the Contract with DAS Industrial, LLC for the demolition of 1100-1122 E. BaltImore Avenue which was approved at the July 21, 2015 council meeting. A Change Order in the amount of $14,180.00 is required for soil erosion devices. Inclusive of these additional funds the total expenditures for said contract is $223,180.00.**
  10. **Resolution approving the award of a Contract to Alliance Bus Group, Inc., for the purchase of one New 2016 Startrans Senator HD Bus or equal at their bid of $88,950.00.**
  11. **Resolution approving the award of a contract to Binsky & Snyder Service, LLC for the replacement of HVAC Units at the Multi-Purpose Center the City of Linden at their bid of $74,998.00.**
  12. **Resolution authorizing the Tax Collector to forward monies to lien holders for property known as Block 200, Lot 16 C2036 in the amount of $433.76.**
  13. **Resolution authorizing an agreement between the City of Linden and Friends of Linden Animal Shelter, Inc., (“FOLAS”).**
  14. **Resolution to accept an Emergency Management Performance Grant Program EMAA Funding for FY15 on behalf of the Office of Emergency Management. The City will accept the $7,000.00 grant on behalf of the local office of emergency management and provide the $7,000.00 required matching grant.**
  15. **Resolution permitting the City Attorney or his designee to authorize the release of Neighborhood Preservation Liens on City of Linden properties after ten (10) years in good standing.**
  16. **Resolution recognizing Kathy Sanders and Felicia Connors as “Good Neighbors” for their assistance with the maintenance of the geese control devices in James Iozzi Park.**
  17. **Resolution authorizing the implementation of the Union County Deer Control Program in the City of Linden during Permit Shotgun Season of 2016.**
  18. **Resolution for the Associated Human Societies, Inc., for Animal Control Services for the City of Linden in an amount not to exceed $6,000.00 for services rendered from December 31, 2015 through January 5, 2016.**
  19. **Resolution of the City of Linden authorizing the submission of and the execution of a grant contract with the NJ Department of Transportation for the Safe Corridors Project.**
  20. **Resolution authorizing the transfer of 2015 appropriations to be made in accordance with the provisions of Revised Statute 40A:4-58 in a total of $362,000.00.**
  21. **Resolution honoring Christopher Kolibas for his dedicated service as Councilman of the First Ward.**
  22. **Resolution honoring Michael Minarchenko for his dedicated service as Councilman of the Seventh Ward.**
  23. **Resolution approving certain payments made by the Municipal treasurer that didn’t appear on the claims list during the month of November 2015.**
  24. **Resolution qualifying certain professionals for certain positions for the calendar year 2016.**
  25. **Resolution authorizing a Memorandum of Understanding between the Regional Marine Vessels and the City of Linden Fire Department to participate in Regional Marine response and dispatching.**
  26. **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 which is not available as a revenue from: Union County: Greening of Union County Grant in the amount of $11,500.00.**
  27. **Resolution approving the execution of an Extraordinary, Unspecifiable Services Agreement with RD Parisi Associates to act as the broker for the city in securing dental coverage for the year 2016.**
  28. **Resolution approving the execution of an Extraordinary, Unspecifiable Services Agreement with Acrisure and BGIA to act as Risk Managers for the City of Linden for calendar year 2016.**
  29. **Resolution approving the execution of an Extraordinary, Unspecifiable Services Agreement with Acrisure and BGIA to act as the city’s broker for the city in securing employee medical, prescription and voluntary benefits for the year 2016.**
  30. **Resolution authorizing the Planning Board to investigate whether the property commonly known on the City’s Tax Maps as Block 288, Lots 3, 4.01, 4.02, 8.01, 9, 10 & 12 should be designated as an area in need of the redevelopment.**
  31. **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 $100,000.00 which is available as revenue from Railroad Crossing Activity.**
  32. **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 $14,000.00 which is available as revenue from Reverse 911 Communications System, Phillips 66 Grant.**

**ORDINANCE – FIRST READING**

**NONE**