**COUNCIL MEETING**

**AGENDA JULY 21, 2015**

**APPROVAL OF MINUTES**

**June 16, 2015 Regular**

**Meeting Minutes**

**ORDINANCE – HEARING**

**#59-29 BOND ORDINANCE PROVIDING AN APPROPRIATION OF $82,500.00 FOR THE ACQUISITION OF A PICK UP TRUCK WITH PLOW AND TURF TRACTOR FOR THE PUBLIC WORKS DEPARTMENT AND AUTHORIZING THE ISSUANCE OF $78,375.00 IN BONDS OR NOTES TO FINANCE PART OF THE COST.**

**59-30 BOND ORDINANCE PROVIDING AN APPROPRIATION OF $99,000.00 FOR THE ACQUISITION OF PORTABLE TRUCK LIFTS FOR THE PUBLIC WORKS DEPARTMENT AND AUTHORIZING THE ISSUANCE OF $94,050.00 IN BONDS OR NOTES TO FINANCE PART OF THE COST.**

* 1. **BOND ORDINANCE PROVIDING AN APPROPRIATION OF $497,200.00 FOR THE ACQUISITION OF AN AUTOMATED SANITATION TRUCK AND SANITATION CONTAINERS FOR THE PUBLIC WORKS DEPARTMENT AND AUTHORIZING THE ISSUANCE OF $472,340.00 IN BONDS OR NOTES TO FINANCE PART OF THE COST.**
  2. **AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER XVII, SEWER AND WATER, OF AN ORDINANCE ENTITLED, “AN ORDINANCE ADOPTING AND ENACTING THE REVISED GENERAL ORDINANCES OF THE CITY OF LINDEN, 1999,” PASSED NOVEMBER 23, 1999 AND AS AMENDED AND SUPPLEMENTED. AMEND SECTION 17-14, CROSS CONNECTION CONTROL AND BACKFLOW PREVENTION.**

**CONSENT AGENDA**

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

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

2015 Taxes $1,182,334.88

2014 Taxes $359,824.04

2013 Taxes $250.00

Garbage Fee Payments $108,968.37

Garbage Fee Penalty $7,355.00

Municipal Lien Redemption $14,566.88

Tax Search $10.00

Lien Redemption Request Fee $0.00

Year End Penalty $1,595.71

Returned Check Fee Paid $20.00

Returned Check Fee Garbage Paid $20.00

Returned Check 2015 ($4,900.20)

Returned Check Interest ($147.96)

Returned Online Payment 2015 Taxes ($1,366.41)

Returned Online Interest ($10.32)

Returned Check Garbage Fee ($180.00)

Returned Check Garbage Fee Penalty ($15.00)

Counterfeit Funds ($0.00)

Duplicate Tax Sale Certificate $100.00

Sewer Clean out charge $1,200.00

DPW 2014 Reso payments $6,254.92

Tax Sale Cost/Before Tax Sale Cost $51,970.98

Premium $1,913,200.00

Interest $75,913.60

Total $3,716,964.49

**Tax Sale R**equesting the refund of the premium paid at the 2014 & 2015 tax sale on the following

block & lot.

**Block Lot Redemption Date CTF# Amount**

4 3 7/1/15 14-00003 $1,300.00

47 2 7/2/15 14-00040 $2,100.00

98 11 6/18/15 13-00119 $20,900.00

107 2 6/16/15 13-00130 $1,300.00

108 2 7/2/15 13-00133 $1,300.00

122 13 6/16/15 14-00093 $33,400.00

129 14 6/29/15 13-00174 $1,300.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $61,600.00 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 & 2015 tax sale on the following block & lot.

Block Lot Redemption Date CTF# Amount

7 8 6/9/15 14-00006 $2,300.00

36 4 6/9/15 14-00030 $1300.00

63 4 6/30/15 14-00050 $28,900.00

105 6 6/30/15 14-00079 $1,400.00

152 12 6/19/15 14-00128 $3,600.00

164 12 6/18/15 14-00134 $3,000.00

173 23 7/8/15 14-00142 $3,100.00

191 14 6/22/15 14-00156 $1,600.00

198 35 6/9/15 14-00164 $1,600.00

209 31 6/30/15 14-00173 $2,000.00

212 1 6/30/15 14-00177 $4,900.00

222 24 6/30/15 14-00183 $2,200.00

271 11 6/11/15 14-00207 $1,800.00

272 6 6/9/15 14-00208 $32,600.00

277 4 6/9/15 14-00209 $1,900.00

285 7 6/16/15 14-00214 $1,700.00

386 4 6/16/15 14-00258 $2,400.00

392 20 6/11/15 14-00269 $27,200.00

486 33 6/16/15 14-00290 $2,300.00

526 18 6/16/15 13-00449 $2,800.00

530 11 6/9/15 14-00325 $2,000.00

538 19 6/25/15 14-00330 $9,100.00

550 20 6/30/15 14-00341 $1,700.00

554 9 6/9/15 14-00342 $1,400.00

555 28 7/7/15 14-00350 $2,200.00

582 55 6/9/15 14-00371 $2,200.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $147,200.00 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

21 12 6/9/15 12-00015 $15,500.00

103 19 6/16/15 12-00074 $10,100.00

184 12 7/7/15 14-00152 $23,300.00

445 13 5/26/15 12-00223 $16,500.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $65,400.00 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

41 8 6/16/15 14-00035 $900.00

72 10 6/9/15 14-00056 $1,200.00

108 8 6/10/15 14-00082 $1,000.00

196 31 6/9/15 14-00161 $1,000.00

292 10 7/9/15 14-00218 $900.00

317 21 6/25/15 14-00226 $1,200.00

391 29 6/25/15 14-00268 $1,000.00

475 3 7/2/15 14-00298 $900.00

477 5 6/25/15 14-00299 $1,000.00

529 24 6/19/15 14-00324 $1,000.00

550 2 6/11/15 14-00339 $1,200.00

577 1 7/13/15 14-00369 $900.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $12,200.00 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

111 1 6/23/15 14-00083 $17,200.00

173 14 7/1/15 14-00140 $50,300.00

224 7 6/16/15 14-00184 $31,900.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $99,400.00 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 blocks &

lots.

Block Lot Redemption Date CTF# Amount

69 20 6/18/15 14-00055 $28,200.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $28,200.00 payable to: Ace Plus, LLC, 1416 Ave L, Brooklyn, NY 11230, 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

53 16 6/19/15 13-00064 $100.00

159 1 6/16/15 14-00132 $7,500.00

464 17 7/9/15 14-00287 $13,700.00

542 3 6/29/15 13-00462 $1,000.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $22,300.00 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 2015 tax sale on the following block &

lot.

Block Lot Redemption Date CTF# Amount

119 22 6/11/15 14-00091 $900.00

155 16 7/7/15 14-00130 $27,900.00

479 20 6/16/15 14-00303 $7,900.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $36,700.00 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

385 23 6/30/15 11-00160 $800.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $800.00 payable to: JNH Funding Corp., 90 Dayton Ave. Bldg. #6C Passaic, NJ 07055 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

178 1 6/25/15 12-00132 $700.00

309 1 6/18/15 12-00179 $53,900.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $54,600.00 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.

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

1. **Advising that the Board of Health issued (66) Certificates of Occupancy during the month of June 2015.**

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

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

**Horizon BCBS NJ is entitled to a refund of $173.85 for service that was provided on 1/31/2015 payable to Horizon BCBS NJ, PO Box 420, Newark, NJ 07101-0420 charging account 5-01-08-629-011.**

**United Healthcare is entitled to a refund of $434.06 for service that was provided on 12/08/2014 payable to United Healthcare, PO Box 30555, Salt Lake City, UT 84130-555 charging account 5-01-08-629-011.**

**United Healthcare is entitled to a refund of $186.01 for service that was provided on 1/19/2015 payable to United Healthcare Oxford, 48 Monroe Turnpike, Trumbull CT 06611 charging account 5-01-08-629-011.**

**AETNA INC., is entitled to a refund of $226.99 for service that was provided on 6/6/2014 payable to AETNA, INC., PO Box 14079, Lexington, KY 40512-4079 charging account 5-01-08-629-011.**

**AETNA INC., is entitled to a refund of $435.11 for service that was provided on 1/17/2015 payable to AETNA, INC., PO Box 14079, Lexington, KY 40512-4079 charging account 5-01-08-629-011.**

**AETNA USHC Blue Bell Greensboro is entitled to a refund of $658.00 for service that was provided on 9/9/2014 payable to AETNA, USHC Blue Bell Greensboro, PO BOX 981106, El Paso, TX charging account 5-01-08-629-011.**

**Horizon BCBS NJ is entitled to a refund of $173.85 for service that was provided on 12/22/2014 payable to Horizon BCBS NJ, PO Box 420, Newark, NJ 07101-0420 charging account 5-01-08-629-011.**

**Horizon BCBS NJ is entitled to a refund of $84.89 for service that was provided on 12/25/2014 payable to Horizon BCBS NJ, PO Box 420, Newark, NJ 07101-0420 charging account 5-01-08-629-011.**

**Horizon BCBS NJ is entitled to a refund of $84.43 for service that was provided on 11/11/2013 payable to Horizon BCBS NJ, PO Box 420, Newark, NJ 07101-0420 charging account 5-01-08-629-011.**

**Blue Cross/Blue Shield of Michigan is entitled to a refund of $77.46 for service that was provided on 2/11/2015 payable to Blue Cross/Blue Shield of Michigan, 600 Lafayette East, Detroit, MI 48226 charging account 5-01-08-629-011.**

**UMR UT is entitled to a refund of $441.20 for service that was provided on 9/5/2014 payable to UMR UT, PO Box 30541, Salt Lake City, UT 84130-0541 charging account 5-01-08-629-011.**

**United Healthcare Community Plan is entitled to a refund of $76.00 for service that was provided on 5/25/2014 payable to United Healthcare Community Plan, Attn: Refunds, PO Box 31364, Salt Lake City, UT 84131 charging account 5-01-08-629-011.**

**United Healthcare is entitled to a refund of $177.27 for service that was provided on 1/26/2014 payable to United Healthcare, PO Box 31362, Salt Lake City, UT 84130 charging account 5-01-08-629-011.**

**United Healthcare is entitled to a refund of $144.70 for service that was provided on 10/24/2013 payable to United Healthcare, PO Box 740802 Atlanta, GA 30374 charging account 5-01-08-629-011.**

**Stephen Fortuna is entitled to a refund of $48.61 for service that was provided on 5/11/2014 payable to Stephen Fortuna, 80 Claridge Place, Colonia, NJ 07067 charging same to account 5-01-08-629-011.**

**Geraldine Dudek is entitled to a refund of $760.00 for service that was provided on 7/27/2014 payable to Geraldine Dudek, 1732 Dill Avenue, Linden, NJ charging same to account 5-01-08-629-011.**

**Germaine Girod is entitled to a refund of $548.40 for service that was provided on 8/30/2014 payable to Germaine Girod, 837 Hampden Street, Linden, NJ charging same to account 5-01-08-629-011.**

**Joseph Sokoloski is entitled to a refund of $29.00 for service that was provided on 9/30/2014 payable to Joseph Sokolowski, 701 Inwood Road, Linden, NJ charging same to account 5-01-08-629-011.**

**(\*\*\*) STREET CLOSURE APPLICATION, EMMANUAL TABERNACLE A/G:**

1. **Advising that permission has been requested to hold a block party and close Blancke Street between Bower Street and McCandless Street on August 16, 2015 between the hours of 12noon and 5pm to hold a church cookout. (The certificate of liability insurance has been approved by the Municipal Attorney and the application has been approved by the Police Chief)**

**(\*\*\*) 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-1459 FOLAS 50/50 $20.00**

**RA-1460 Highland Ave #10 50/50 $20.00**

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

1. **Advising that the following City employee has filed for retirement:**

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

**Public Property Stephen Benish HVAC Mechanic (Tier 2) July 1, 2015**

**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.**

* 1. Resolution authorizing the purchase of one Ford F250 Pickup Truck from Route 23 Automall, LLC through the Morris County Co-Op Program, in an amount of the service not to exceed $29,439.00 for the Linden Police Department, and paid out of a NJ Highway Safety Grant.
  2. Resolution increasing the bid threshold for the Qualified Purchasing Agent to negotiate and award all contracts, goods and services which do not exceed the bid threshold of $40,000.00.
  3. Resolution approving the award of a contract to Modern Group, LTD for the purchase of one new brush chipper in an amount of $50,291.00. (Modern Group was the lowest responsible bidder)
  4. Resolution authorizing the execution of an Extraordinary, Unspecifiable Services Agreement with Talx Corporation for unemployment insurance tax control and consultation services including supervision of claims, survey of coverage, verification of contributions and making necessary reports. ($2,517 for July 1, 2015 – June 30, 2015; $2,642.85 July 1, 2016 – June 30, 2017; $2,775.00 for July 1, 2017 – June 30, 2018)
  5. Resolution authorizing that a lien be placed on various premises for work completed by the Board of Health for the removal of heavy growth of weeds, grass and debris. Block 178, Lot 19 – 1112 Walnut Street $725.00.
  6. Resolution authorizing an amendment to the agreement appointing McManimon, Scotland & Baumann as Special Redevelopment Counsel to represent the City in redevelopment matters for South Wood Avenue and Grasselli Road to be paid from escrow (funded by the developer). Because of the ongoing nature of the services in this matter, there is a need for additional funds not to exceed $29,000.00.
  7. Resolution authorizing an agreement between the City of Linden and Communities in Cooperation, Inc., to allow utilization of space at the Linden Multi-Purpose Center to provide computer training courses to Linden residents at no cost.
  8. Resolution making the provisions of Subtitle One of Title 39 applicable to the private road servicing NuStar, Citgo, Philips 66 and Linden Bulk, AKA Tremley Point Road pursuant to

NJSA 39:5A-1. (Authorizing the City to enforce the referenced title on said private roadway)

* 1. Resolution authorizing certain payments made by the Municipal Treasurer during the period of January through June 2015 which did not appear of the claims list.
  2. Resolution authorizing an amendment to the agreement appointing Anthony Palumbo, Esq., for the representation of Councilman Sadowski relative to a legal matter. Due to the ongoing nature of the services in this matter, there is a need for additional funds not to exceed $1,527.50. Inclusive of these additional funds the total expenditures paid to date under the original contract is $2,527.50.
  3. Resolution rescinding Resolution #2015-209 authorizing a contract with Harbor Consultants, Inc., for the soil testing, specifications and inspection of underground tanks at the Animal Control Facility and JTG Center. Harbor Consultants, Inc., did not respond to the City’s prior request for qualifications and therefore was not qualified by the City to perform the work.
  4. Resolution authorizing an amendment to the agreement appointing McManimon, Scotland & Baumann as Special Redevelopment Counsel to represent the City in redevelopment matters pending in the City of Linden. Because of the ongoing nature of the services in this matter, there is a need for additional funds not to exceed $35,000.00.
  5. Resolution authorizing the award of a non-fair and open contract with ETI Management, LLC in an amount not to exceed $17,350.00 to provide an analysis/operational assessment of the City of Linden Division of Public Works and the assistance with the search for a qualified Director of Public Works.
  6. Resolution authorizing a refund relative to a quarterly parking permit. A longtime customer and commuter, Mr. Hagen passed away and the family no longer needs the parking pass and requested a refund in the amount of $150.00.
  7. Resolution approving a Professional Service Agreement with Boswell Engineering for soil testing, specifications and inspection of underground tanks at a fee not to exceed $20,000.00 for 2015.
  8. Resolution amending a Contract with C&S Engineers to provide construction administration services at Linden Airport for the infield drainage improvement project. There is a need for additional funds in an amount not to exceed $32,200.00. Inclusive of these additional funds the total expenditures paid to date under the original contract is $46,200.00. (paid out of grant funds)
  9. Resolution approving the award of a contract to DAS Industrial, LLC for the demolition of 1100-1122 E. Baltimore Avenue at their bid of $209,000.00. (DAS was the lowest responsible bidder)
  10. Resolution authorizing entering into a New Jersey Interoperable Communications System (NJICS) User Agreement with the County of Union. (The County Manager has been authorized to enter into an agreement with the State of NJ, Office of Information Technology to provide emergency telecommunications services as per the FCC’s Narrow Banding Mandate effective Jan. 1, 2013, the City of Linden has been designated as an agency that qualifies for the radio interoperability services)
  11. Resolution authorizing a payment from the Comcast Grant for the upgrade of the Linden Library’s Website in the sum of $16,700.00 to be used for the payment of a proposal from AlphaDog Solutions.
  12. Resolution authorizing the Mayor and Municipal Clerk to execute an agreement with the County of Union to modify the Cooperative Agreement dated June 2011 relative to the Community Development Block Grant Program.
  13. Resolution waiving the fee and required application for a City Wide Garage Sale to be held October 3, 2015 with a rain date of October 4, 2015.
  14. Resolution authorizing the cancelation of a tax sale certificate on Block 128, Lot 10 in the amount of $100.00.
  15. Resolution authorizing the cancelation of a tax sale certificate on Block 507, Lot 11 in the amount of $500.00.
  16. Resolution authorizing the Tax Collector to forward monies to lien holders for Block 200, Lot 16 C2036 in the amount of $369.76. (The City has held tax sales, where bidders purchased certificates, where the property owners have filed for bankruptcy)
  17. 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 $35,000.00 which item is now available as a revenue from: Fire Department donation from Phillips 66 (upgrading fire apparatus and laptop computers)
  18. Resolution accepting the donation of $35,000.00 from Phillips 66 Company to the Fire Department for upgrading fire apparatus and laptop computers.
  19. Resolution re-introducing the 2015 Special Improvement District Budget to reflect a change in the corrected amount of the maximum assessment amount of $200,940.50.
  20. Resolution of the City of Linden authorizing the commencement of studies and the development of preliminary plans and specifications relating to the creation of a Special Improvement District along the Route 1 & 9 Corridor and Route 27 Corridor.
  21. Resolution opposing the NJ Transit Rate Increase.
  22. Resolution authorizing the purchase of one 2015 Ford F-250 4WD Reg. Cab 137” Pickup Truck from Beyer Ford, through State Contract A88727 in an amount not to exceed $33,645.50.
  23. Resolution authorizing the Planning Board to investigate whether Block 496, Lot 3 should be designated an area in need of redevelopment
  24. Resolution authorizing the Planning Board to investigate whether Block 423, Lot 4.02 should be designated an area in need of redevelopment.

**ORDINANCE – FIRST READING**

#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.