**COUNCIL MEETING**

**AGENDA JUNE 16, 2015**

**APPROVAL OF MINUTES**

**MAY 19, 2015 Regular**

**Meeting Minutes**

**PRESENTATION**

**LHS Varsity Basketball Coach**

**Philip Colicchio**

**Linden High School Varsity**

**Boys Basketball Team**

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**ORDINANCE – HEARING**

**#59-26 Bond Ordinance providing an appropriation of $55,000.00 for the acquisition of**

**computer equipment for the Finance Department and authorizing the issuance of $52,250.00 in bonds or notes to finance part of the appropriation.**

**#59-27 Bond Ordinance authorizing the acquisition of various items of Capital**

**Equipment for the Public Property Department and appropriating $271,700.00 and authorizing the issuance of $258,115.00 in bonds or notes to finance part of the cost.**

**Exercise Equipment $82,500.00**

**Pick-Up Truck $35,200.00**

**Tractor with Hitch $49,500.00**

**Senior Citizen Bus $104,500.00**

**#59-28 Ordinance to amend and supplement Chapter VII, Traffic, Section 7-12 Parking Time Limited shall be amended as follows: Add to 7-12.1, 15 Minute Parking**

**Street Side Hours Days Location**

**South Wood Avenue East 5am-3pm Mon-Fri From a point 28 feet**

**South of the southern curbline of E. 18th Street to a point 37 feet**

**CONSENT AGENDA**

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

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

2015 Taxes $21,337,825.80

2014 Taxes $167,814.61

2013 Taxes $250.00

Garbage Fee Payments $90,648.19

Garbage Fee Penalty $6,060.00

Municipal Lien Redemption $8,966.48

Tax Search $10.00

Lien Redemption Request Fee $50.00

Year End Penalty $2,982.37

Returned Check Fee Paid $20.00

Returned Check Fee Garbage Paid $20.00

Returned Check 2015 ($1,728.60)

Returned Check Interest ($0.00)

Returned Online Payment 2015 Taxes ($2,380.45)

Returned Online Interest ($13.15)

Returned Check Garbage Fee ($120.00)

Returned Check Garbage Fee Penalty ($5.00)

Counterfeit Funds ($0.00)

Arrears $0.00

Sewer Clean out charge $2,317.38

DPW 2014 Reso payments $251.15

State Audit Payment/Disallowed Deductions $0.00

Tax Sale Cost/Before Tax Sale Cost $12,584.95

Premium $0.00

Interest $37,041.53

Total $21,662,595.26

**Tax Court** Block 582 Lot 27

**Refund** Elnore Moustafa- Bankers Trust of CA

Tax Court Docket #-013220-2014

The above referenced property owners are entitled to a refund due to a Tax Court of New Jersey judgment reducing the assessment by 12,000 for 2014.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $738.60, payable to: Jacobus & Associates, LLC, T

rustee for Moustafa, Elnore, 301 South Livingston Avenue, Suite #105, Livingston, NJ 07039, charging same to account #5-01-55-275-999-000.

**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**

5 15 5/12/15 13-00005 $1,400.00

148 5 5/22/15 13-00191 $1,300.00

432 13 5/29/15 13-00389 $1,300.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $4,000.00 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 2012 tax sale on the following block &

lot.

**Block Lot Redemption Date CTF# Amount**

29 22 5/27/15 11-00016 $500.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $500.00 payable to: US Bank/Cust-Pro Capital I, LLC, US Bank 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 2014 tax sale on the following block &

lot.

**Block Lot Redemption Date CTF# Amount**

51 33 5/22/15 13-00056 $100.00

66 7 5/22/15 13-00084 $1,600.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,700.00 payable to: US Bank Cust BV001 Trust, 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**

52 12 5/29/15 13-00058 $2,600.00

306 7 5/29/15 13-00303 $2,900.00

359 10 5/29/15 13-00335 $2,300.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $7,800.00 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 2014 tax sale on the following block &

Lot.

**Block Lot Redemption Date CTF# Amount**

121 13 5/29/15 12-00093 $1,000.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,000.00 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 2007 tax sale on the following block &

lot.

**Block Lot Redemption Date CTF# Amount**

128 10 10/1/08 060091 $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: Frederick H. Schieferstein, 385 Madison Hill Road, Clark, NJ 07066 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**

226 8 5/22/15 13-00268 $23,600.00

464 12 5/22/15 13-00408 $700.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $24,300.00 payable to: US Bank Cust for PC4 Firstrust, 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 2008 tax sale on the following block &

lot.

**Block Lot Redemption Date CTF# Amount**

507 11 6/1/15 07-00198 $500.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $500.00 payable to: MACWCP II, LLC, 8895 N. Military Trail, Suite # 23-D, Gardens, FL.,33410, charging same to account #-5-01-55-276-999-956.

**Tax Sale** Requesting the refund of the premium paid at the 2011 tax sale on the following block &

lot.

**Block Lot Redemption Date CTF# Amount**

573 8 5/22/15 10-00274 $6,000.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $6,000.00 payable to: US Bank-Cust/Sass Muni VI DTR, TLSG- 2 Liberty Place- 50 South 16th Street-Ste 1950, Philadelphia, PA 19102 charging same to account # 5-01-55-276-999-956.

**(\*\*\*) STREET CLOSURE APPLICATION, 201 SHERMAN STREET:**

1. Requesting permission to close Sherman Street between Essex Avenue and Bergen Avenue to hold a BBQ on Saturday, July 4, 2015 between the hours of 12noon and 10pm. The application has been approved by the Police Chief and the Certificate of Liability Insurance has been received and approved by the Municipal Attorney.

**STREET CLOSURE APPLICATION, MORNINGSTAR COMMUNITY CENTER:**

Requesting permission to close Chandler Avenue from Union Street to Middlesex Street, Middlesex Street at Chandler Avenue to Bishop Evans Way and Paul Street between Union and Middlesex Street on Saturday, August 29, 2015 between the hours of 10am and 5pm. The application has been approved by the Police Chief and the Certificate of Liability Insurance has been received and approved by the Municipal Attorney.

**STREET CLOSURE APPLICATION, 1213 BOWER STREET:**

Requesting permission to close Bower Street, on July 18, 2015.

\*The application has not been signed off on by the Police Chief, the Certificate of Liability Insurance has been received and approved by the Municipal Attorney.

**(\*\*\*) LINDEN MAYOR’S YOUTH COMMISSION:**

1. Advising that on April 29, 2015 the Mayor’s Youth Commission voted on and approved the following appointments to the commission:

Mayor Armstead 3yr term 1/1/2015 to 12/31/2017

Reverend Donelson 3yr term 1/1/2015 to 12/31/2017

Lt. Keith Aslin 3yr term 1/1/2015 to 12/31/2017

Laura Lee Wade 2yr term 1/1/2015 to 12/31/2016

J. Gary Luciano 2yr term 1/1/2015 to 12/31/2016

Lolita Slater 2yr term 1/1/2015 to 12/31/2016

Franchette Black 1yr term 1/1/2015 to 12/31/2015

Estelle Maynarde 1yr term 1/1/2015 to 12/31/2015

Lisa Ormon 1yr term 1/1/2015 to 12/31/2015

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

1. Requesting a refund in the amount of $25.00 for a Taxi Cab License payable to Lionel Prophete, 751 Vine Street, 1B, Elizabeth, NJ 07202. (The Records Bureau collected payment for a taxi cab license on error, said fee is collected by the City Clerk’s Office)

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

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

Department Employee Title Date

Municipal Court Leslie MacDonald Principal Acct Clerk July 1, 2015

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

1. Advising that the Board of Health issued fifty-four (54) Certificates of Occupancy for the month of May.

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

1. Requesting approval to reimburse retired employees who paid for Medicare coverage in accordance with Chapters 88, 54 & 436 for the period of January 1, 2015 to June 30, 2015 for a total amount of $203,846.20. The 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 JUNE 16, 2015 COUNCIL MEETING**

* 1. **Resolution appointing Michael Stathum a Constable in the City of Linden for a three (3) year term commencing June 20, 2015 and terminating June 19, 2018.**

**2015-228 Resolution appointing James Schulhafer as the Coordinator of the Office of Emergency Management for a three (3) year term commencing, May 1, 2105 and terminating May 1, 2018.**

**2015-229 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 in the sum of $72,486.30 which is now available as revenue from: Clean Communities 2015**

* 1. **Resolution authorizing the purchase of a Case Cracker Interview System from Mack Camera & Video Services in an amount not to exceed $17,940.00.**
  2. **Resolution authorizing the purchase of one (1) four (4) tom Falcon RMW Hot Patch Recycling Trailer from McGrath Municipal Equipment, Inc., for the Public Works Department in an amount not to exceed $33,582.00.**
  3. **Resolution authorizing the purchase of One (1) Toro Groundmaster 3280, from Storr Tractor through the Middlesex Regional Co-Op Pricing System in an amount not to exceed $20,351.85.**

**2015-233 Resolution approving the 2014 Audit Corrective Action Plan and Audit Recommendations.**

* 1. **Resolution approving the Governing Body Certification of the 2014 Annual Audit.**
  2. **Resolution authorizing the cancelation of Tax Sale Certificate #08-00217, Block 439, Lot 14. (Tax Collector has verified that no redemption has taken place and the lien holder has foreclosed on the property and recommends the premium of $20,000.00 be canceled and turned over to the Municipal Treasurer.**
  3. **Resolution commemorating the dedication of the Ziga Roshanski Mikvah by Congregation Anshe Chesed.**
  4. **Resolution appointing Karen Lukenda a member of the Housing Authority of the City of Linden to fill the unexpired term of Thomas Sharkey which commenced June 15, 2014 and terminating June 14, 2019.**
  5. **Resolution amending Resolution 2015-48 which was passed on January 20, 2015 retaining the services of Acting Public Defenders for 2015. Because of the ongoing nature of the services for Ed Cooper, Esq., there is a need for additional funds not to exceed $1,200.00 for legal services. Inclusive of these additional funds the total expenditures paid to date under the original contract is $6,200.00.**
  6. **Resolution authorizing an amendment to the Contract with Underground Utilities Corp., for emergency repairs to the Dill Avenue sanitary sewer. A Change Order in the amount of $2,925.00 is require for an additional three (3) feet of sewer. Inclusive of these additional funds the total expenditures for said contract is $57,725.00.**
  7. **Resolution amending a contract with CME Associates for services related to Landfill Engineering. Resolution passed April 21, 2015 retained the services of a landfill engineer for a period of four (4) months. The City is extending the contract until December 31, 2015 and it is necessary to provide additional funds in an amount not to exceed $153,975.00. Inclusive of the additional funds the total expenditures paid to date under the original contract is $230,975.00.**
  8. **Resolution approving entering into a Hold Harmless Agreement with the County of Union for work on sections of curb on South Wood Avenue through the City of Linden Wood Avenue Streetscape Project.**
  9. **Resolution approving the award of a lease agreement with New York SMSA, Limited Partnership d/b/a Verizon Wireless for real property owned by the City of Linden and located at 302 S. Wood Avenue, more commonly known as Firehouse #1, for the construction, operation and maintenance of a rooftop wireless telecommunications facility at an annual lease payment of $9,600.00 to the City per year.**
  10. **Resolution approving the execution of a professional services agreement with T&M Associates for the design review services of the proposed bridge at Tremley Point Road to be constructed by Linden Property Holdings in an amount not to exceed $24,563.00. (Linden Property Holdings is reimbursing the City cost associated with this project)**
  11. **Resolution authorizing certain payments made by the Municipal Treasurer which did not appear on the claims list.**
  12. **Resolution honoring Coach Philip Colicchio for his dedication to the Linden High School Varsity Boys Basketball Team.**
  13. **Resolution recognizing the 2014-2015 Linden High School Boys Varsity Basketball Team.**
  14. **Resolution approving the award of a contract to Mark Paving Co., Inc., for resurfacing of Dill Avenue, Charles Street, Garfield Street, Edgewood Road, Lucien Place, Chatham Place, Hillside Road, Palisade Road and Center Street in an amount of $449,127.25. ($63,500.00 will be paid by grant funds)**
  15. **Resolution supporting the Click It or Ticket Mobilization of May 18 -31, 2015.**
  16. **Resolution requesting the refund of deposits from the 2015 online tax sale (Refunds from unsuccessful bidders)**
  17. **Resolution authorizing the State Contract purchase of a citywide First Responder Emergency Communication System from Motorola Solutions, Inc., Montvale, NJ in an amount not to exceed $1,932,251.88. (NJ State Contract No. 83909).**

**ORDINANCE – FIRST READING**

**#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.**