**COUNCIL MEETING**

**AGENDA MAY 19, 2015**

**APPROVAL OF MINUTES**

**APRIL 21, 2015 REGULAR MINUTES**

**APRIL 28, 2015 SCOUT GOVERNMENT DAY MINUTES**

**2015 SPECIAL IMPROVEMENT DISTRICT**

**BUDGET HEARING**

**PRESENTATIONS**

**Honoring Eleanor “Elli” Barbarich**

**for her service to the City of Linden**

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

**Recognizing the Linden Fire Department**

**Lifesaving Efforts on December 17, 2014**

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

**ORDINANCE – HEARING**

* 1. **AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER VII, TRAFFIC, SECTION 7-12 PARKING**

**TIME LIMITED SHALL BE AMENDED AS FOLLOWS: Add to 7-12.1 Two Hour Parking**

**Street East 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 southern therefrom**

**59-20 AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER VII, TRAFFIC, SECTION 7-33 HANDICAPPED PARKING REGULATIONS SHALL BE AMENDED AS FOLLOWS: Add to 7-22.1A Handicapped Parking On-Street**

**Add: 2609 Grasselli Avenue (for 108 Buchanan Street) 1 Space**

1. **Irene Street 1 Space**

**59-21 BOND ORDINANCE PROVIDING AN APPROPRIATION OF $38,500.00 FOR THE ACQUISITION OF FIREFIGHTING EQUIPMENT FOR THE FIRE DEPARTMENT AND AUTHORIZING THE ISSUANCE OF $36,575.00 BONDS OR NOTES TO FINANCE PART OF THE COST.**

**59-22 BOND ORDINANCE PROVIDING AN APPROPRIATION OF $2,200,000.00 FOR ACQUISITION OF RADIO COMMUNICATION SYSTEM FOR THE POLICE DEPARTMENT AND AUTHORIZING THE ISSUANCE OF $2,090,000.00 IN BONDS OR NOTES TO FINANCE PART OF THE COST.**

* 1. **BOND ORDINANCE AUTHORIZING VARIOUS CAPITAL IMPROVEMENTS FOR THE ENGINEERING**

**DEPARTMENT, APPROPRIATING $478,500.00 AND AUTHORIZING THE ISSUANCE OF $454,575.00 IN BONDS OR NOTES TO FINANCE PART OF THE COST.**

* 1. **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: 4-JJ-4**

* 1. **AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER XVI, SOLID WASTE MANAGEMENT AS**

**FOLLOWS: Section 16-2.3 Containers for Garbage & Refuse Disposal**

**Add Section 16-2.3(a) Additional Automated Cart Fee $60.00 for one additional city issued cart**

**Amend Section 16-2.5(a) Collection of Garbage and Refuse**

**Add New Section 16-15 Violations and Penalties**

**CONSENT AGENDA**

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

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

2015 Taxes $17,157,521.16

2014 Taxes $441,665.64

2013 Taxes $0.00

Garbage Fee Payments $119,250.25

Garbage Fee Penalty $8,205.00

Municipal Lien Redemption $23,821.82

Tax Search $0.00

Lien Redemption Request Fee $50.00

Year End Penalty $3,361.15

Returned Check Fee Paid $20.00

Returned Check Fee Garbage Paid $40.00

Returned Check 2014 ($0.00)

Returned Check 2015 ($1,771.10)

Returned Check Interest ($0.00)

Returned Online Payment 2014 Taxes ($0.00)

Returned Check Garbage Fee ($115.00)

Returned Check Garbage Fee Penalty ($15.00)

Counterfeit Funds ($0.00)

Arrears $0

Sewer Clean out charge $2,611.42

DPW 2014 Reso payments $567.86

State Audit Payment/Disallowed Deductions $0.00

Tax Sale Cost/Before Tax Sale Cost $5,416.87

Premium $0.00

Interest $45,598.06

Total $17,806,228.13

**Tax Sale** Requesting the refund of the premium paid at the 2011 & 2014 tax sale on the following

blocks & lots.

**Block Lot Redemption Date CTF# Amount**

8 23 4/30/15 10-00007 $5,700.00

33 15 4/22/15 13-00040 $44,100.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $49,800.00 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 tax sale on the following block &

lot.

**Block Lot Redemption Date CTF# Amount**

40 35 4/21/15 13-00046 $4,700.00

121 20 4/16/15 13-00160 $2,300.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $7,000.00 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**

114 16 4/29/15 13-00141 $43,000.00

188 8 5/7/15 13-00231 $900.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $43,900.00 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 2012 tax sale on the following blocks

& lots.

**Block Lot Redemption Date CTF# Amount**

209 27 4/30/15 11-00111 $58,000.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $58,000.00 payable to: US Bank Cust. For Tower DBW II, 50 South 16th Street, Suite 1950-TOW, 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**

545 10 4/20/15 13-00464 $1,300.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,300.00 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.

**Credit Balance** Block 6 Lot 6, 2022 E. St George Avenue

2015 Partial Garbage Fee Refund

There now exists a credit balance on the above referenced block & lot due to a property being listed as a 2 family and is utilized as a 1 family per documentation provided from the owner. The property owner has paid the entire amount due and is entitled to a refund of $120.00.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $120.00 payable to: Reinhard Schoen, 2022 E. St George Avenue, Linden, NJ 07036 charging same to account *#*5-01-08-607-011.

**Credit Balance** Block 111 Lot 2, 413 Carnegie Street

2015 Partial Garbage Fee Refund

There now exists a credit balance on the above referenced block & lot due to a property being listed as a 2 family and is utilized as a 1 family per documentation provided from the owner. The property owner has paid the entire amount due and is entitled to a refund of $120.00.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $120.00 payable to: Martha McNiel, P. O. Box 1134, Dunn, NC 28335-1134 charging same to account #5-01-08-607-011.

**Credit Balance** Block 171 Lot 2, 615 Roselle Street

2015 Partial Garbage Fee Refund

There now exists a credit balance on the above referenced block & lot due to a property being listed as a 2 family and is utilized as a 1 family per documentation provided from the owner. The property owner has paid the entire amount due and is entitled to a refund of $120.00.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $120.00 payable to: Martin & Margaret Tuohy, 615 Roselle Street, Linden, NJ 07036 charging same to account # 5-01-08-607-011.

**Credit Balance** Block 174 Lot 25, Edward J. Brzyski Living Trust

226 Maple Avenue, 2013 & 2014 Garbage Bill

There now exists a credit balance on the above referenced block & lot due to a billing error for the 2013 & 2014 garbage billing as this property was billed as a commercial property and 3 residential units and this is a 4 residential property. The owner has just brought this to my attention. The owner is entitled to a refund.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $ 360.00 payable to: Edward J. Brzyski Living Trust, 81 Green Avenue, Belle Mead, NJ 08502 charging same to account *#*5-01-08-607-011.

**Credit Balance** Block 250 Lot 7.02, 304 Ainsworth Street

2015 Partial Garbage Fee Refund

There now exists a credit balance on the above referenced block & lot due to a property being listed as a 2 family and is utilized as a 1 family per documentation provided from the owner. The property owner has paid the entire amount due and is entitled to a refund of $120.00 for 2015.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $120.00 payable to: Joseph M. & Anna Barone, 304 Ainsworth Street, Linden, NJ 07036 charging same to account *#*5-01-08-607-011.

**Credit Balance** Block 287 Lot 14, 110 Donaldson Place

2015 Partial Garbage Fee Refund

There now exists a credit balance on the above referenced block & lot due to a property being listed as a 2 family and is utilized as a 1 family per documentation provided from the owner. The property owner has paid the entire amount due for 2015 and is entitled to a refund of $120.00.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $120.00 payable to: Carmella & Felice Lettini, 110 Donaldson Place, Linden, NJ 07036 charging same to account *#*5-01-08-607-011.

**Credit Balance** Refund of Overpayment, Due to Homestead Benefit Credit

Block 399 Lot 5, Maria Piotrowski - 827 Ercama Street

There now exists a credit balance on the above referenced block & lot due to the payment of the 2015 2nd taxes prior to the Homestead Benefit Credit being issued by the State of New Jersey. Required the Homestead Benefit Credit was applied to the 2015 2nd quarter.

Therefore, it would be in order for the council to authorize the treasurer to issue a check

in the amount of $537.06payable: Maria Piotrowski, 827 Ercama Street, Linden, NJ 07036 refunds charging same to account # 5-01-55-288-999-904.

**Credit Balance** Block 403 Lot 4, 1217 W. Curtis Street

2015 Partial Garbage Fee Refund

There now exists a credit balance on the above referenced block & lot due to a property being listed as a 2 family and is utilized as a 1 family per documentation provided from the owner. The property owner has paid the entire amount due for 2015 and is entitled to a refund of $120.00.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $120.00 payable to: Helen Klutkoski, 1217 W. Curtis Avenue, Linden, NJ 07036 charging same to account #-5-01-08-607-011.

**Credit Balance** Victor & Odette Cardoso, Block 408 Lot 6

724 Willick Road, Owner overpaid

There now exists a credit balance on the above referenced block & lots due to the owner paying the 2015 2nd quarter twice in error in the amount of $2,525.09.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $2,525.09, payable to: Victor & Odette Cardoso, 724 Willick Road, Linden, NJ 07036, charging same to account #-5-01-55-288-999-904.

**Credit Balance** Block 444 Lot 13, 137 Cedar Avenue

2015 Partial Garbage Fee Refund

There now exists a credit balance on the above referenced block & lot due to a property being listed as a 2 family and is utilized as a 1 family per documentation provided from the owner. The property owner has paid the entire amount due and is entitled to a refund of $120.00 for 2014.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $120.00 payable to: Lillian Kuduk, 137 Cedar Avenue, Linden, NJ 07036 charging same to account *#*5-01-08-607-011.

**Credit Balance** Block 454 Lot 1, 4 Union Avenue

Partial Garbage Fee Refund

There now exists a credit balance on the above referenced block & lot due to a property being listed as a 2 family and is utilized as a 1 family. The property owner has paid the entire amount due and is entitled to a refund of $120.00 for 2015.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $120.00 payable to: Kathleen Murzenski, 4 Union Avenue, Linden, NJ 07036 charging same to account #-5-01-08-607-011.

**Credit Balance** Vanessa L. Scozzarro, Block 466 Lot 14

318 Jefferson Avenue, Title Agency Overpaid

There now exists a credit balance on the above referenced block & lots due to the owner paying the 2015 2nd quarter twice in error in the amount of $1,694.17.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,694.17, payable to: Vanessa L. Scozzarro, 318 Jefferson, Linden, NJ 07036, charging same to account #-5-01-55-288-999-904.

**Credit Balance** Block 524 Lot 60, 1301 Woodland Avenue 2015 Partial Garbage Fee Refund

There now exists a credit balance on the above referenced block & lot due to a property being listed as a 2 family and is utilized as a 1 family. The property owner has paid the entire amount due and is entitled to a refund of $120.00 for 2015.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $120.00 payable to: G-Pop, LLC, 1305 Woodlawn Avenue, Linden, NJ 07036 charging same to account #-5-01-08-607-011.

**Credit Balance** Block 526 Lot 14, 119 E. 19th Street

2015 Partial Garbage Fee Refund

There now exists a credit balance on the above referenced block & lot due to a property being listed as a 2 family and is utilized as a 1 family per documentation provided from the owner. The property owner has paid the entire amount due and is entitled to a refund of $120.00.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $120.00 payable to: Roy & Margaret Herman, 119 E. 11th Street, Linden, NJ 07036 charging same to account # 5-01-08-607-011.

**Credit Balance** Block 537 Lot 21, 1621 S. Wood Avenue 2015 Partial Garbage Fee Refund

There now exists a credit balance on the above referenced block & lot due to a property being listed as a 2 family and is utilized as a 1 family per documentation provided from the owner. The property owner has paid the entire amount due and is entitled to a refund of $120.00.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $120.00 payable to: Geraldine E. Worthen, 1621 S. Wood Avneue, Linden, NJ 07036 charging same to account # 5-01-08-607-011.

**Credit Balance** Block 566 Lot 13, Carols & Blanca Uzhca

312 W. 16th Street 2015 Garbage Bill

There now exists a credit balance on the above referenced block & lot due to the new owner paying the 2015 garbage fee as well as the closing attorney. The new owner has just brought this to my attention. The owner is entitled to a refund.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $ 125.00 payable to: Carols Paredes & Blanca Uzhca, 312 W. 16th Street, Linden, NJ 07036, charging same to account *#*5-01-08-607-011.

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

1. Advising that their department issued thirty-nine (39) Certificates of Occupancy during the month of April 2015.

**(\*\*\*) MAYOR ARMSTEAD:**

1. Advising that he is appointing the following individuals to the Environmental Commission:

Joseph Labiak as a member of the Environmental Commission effective June 15, 2015 and terminating June 14, 2018.

Renee Banks as Alternate Member #1 to fill the unexpired term of Sonia Hunter who has resigned. This appointment shall be effective immediately and terminate December 31, 2017.

**(\*\*\*) STREET CLOSURE APPLICATION, FIRST BAPTIST CHURCH:**

1. Requesting permission to close Dill Avenue between Carnegie and Lincoln Street to hold a Community Cook Out, Tent Service and Volleyball Tournament on the following dates and times. June 6, 2015 11:00am – 6:00pm

August 8, 2015 11:00am – 6:00pm

August 9, 2015 11:00am – 1:00pm

**(\*\*\*) UNION COUNTY COMMUNITY DEVELOPMENT REVENUE SHARING COMMITTEE:**

1. The City Engineer wishes to advise that the UCCDRSC has approved the following City sponsored projects for 2015-2016:
2. Home Improvement Program $235,000.00
3. Resurfacing Nora Dr., Harrison Pl., Sherwood Rd.,

McGillvray Pl., and Mitchell Ave. $250,000.00

1. Multi-Purpose Center Cooling Units $57,000.00

Total: $542,000.00

**(\*\*\*) CITY CLERK’S OFFICE:**

1. Organization Event Fees

RA-1453 Deerfield School #9 50/50 $20.00

RA-1454 Retired Men’s Club 50/50 $20.00

RA-1455 Friends of Linden Library (6) 50/50 $120.00

RA-1456 Friends of Linden Library 50/50 $20.00

RA-1457 Friends of Linden Library 50/50 $20.00

RA-1458 Tuesday Social Club 50/50 n/a

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

1. Advising that the following employees have filed for retirement:

Department Employee Title Date

Fire Department Richard Faughnan Fire Lieutenant June 1, 2015

Public Property Alices Stiles Principal Account Clerk June 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 requesting the Director of Local Government Services to approve**

**the insertion of an item of revenue in the budget of the year 2015 in the sum of $4,000.00 which item is now available as revenue from: Click It/Ticket 2015 Memorial Day**

* 1. **Resolution approving certain payments made by the Municipal Treasurer**

**during the month of April 2015 which did not appear on the claims list.**

* 1. **Resolution declaring surplus computer equipment scrap for sale or disposition**

**in accordance with N.J.S.A. 40A:11-36.**

* 1. **Resolution approving the award of a contract to JTG Construction, Inc., for the**

**resurfacing of Washington Avenue, Lumber Street, Todd Place, E. Henry Street, Karen Terrace, E. Elm Street, Chandler Avenue and Bacheller Avenue and the resurfacing of Newton Street Parks at a total bid of $510,448.00. ($290,000.00 will be paid through grants)**

* 1. **Resolution authorizing the execution of a Professional Services Agreement**

**with Harbor Consultants, Inc., for the soil testing, specifications and inspection of underground tanks at the Animal Control and JTG Centers in the City of Linden in an amount not to exceed $25,400.00.**

* 1. **Resolution authorizing the Tax Collector to forward monies to lien holders for**

**Block 200, Lot 16 C2036 in an amount of $369.76.**

* 1. **Resolution authorizing the issuance of a Duplicate Tax Sale Certificate on**

**property known as Block 128, Lot 10, said fee for the duplicate certificate is $100.00.**

* 1. **Resolution approving a correction to the tax record for property located at**

**1700 South Styles Street, to reflect ownership by the City of Linden, Block 580, Lot 31.09.**

* 1. **Resolution recognizing the lifesaving actions of the Linden Fire Department on**

**December 17, 2014.**

* 1. **Resolution amending the contract with Integra Realty Resources as an expert**

**witness for defense of the Gulf Oil, Citgo Oil Tax and Buckeye Pipeline State Tax Court appeals for 2015. Due to the ongoing nature of the various tax appeals, it is necessary to provide for additional funds in an amount not to exceed $20,000.00. Inclusive of the additional funds the total expenditures paid to date under the original contract is $35,000.00.**

* 1. **Resolution approving the one (1) year renewal of the Shared Services**

**Agreement for Solid Waste Services involving Bulky Waste-Type 13 and Vegetative Waste-Type 23 with the Plainfield Municipal Utilities Authority. (no increase in rates))**

* 1. **Resolution declaring surplus for sale or disposition which is no longer needed**

**for government use in accordance with NJSA 40A:11-36. (Outdated law books)**

* 1. **Resolution approving the donation of ten (10) dell computers to the Linden**

**Library.**

* 1. **Resolution authorizing that a lien be placed on 940 S. Park Avenue for work**

**completed by the Department of Public Property and Division of Public Works in an amount of $359.69 for removal of heavy growth of weeds, grass and debris.**

* 1. **Resolution authorizing the execution of a discharge of mortgage for property**

**located at 33 E. 14th Street in the amount of $19,970.00 which was held through the neighborhood preservation program.**

* 1. **Resolution authorizing the execution of a discharge of mortgage for property**

**located at 14 E. 18th Street in the amount of $6,373.00 which was held through the neighborhood preservation program.**

* 1. **Resolution approving a subordination of mortgage for 902 Knopf Street, the**

**mortgage was held through the Neighborhood Preservation Program.**

* 1. **Resolution approving a professional services agreement with Boswell**

**Engineering for construction management services for the Wood Avenue Streetscape Project at a fee not to exceed $32,230.00.**

* 1. **Resolution requesting approval to submit a grant application and execute a**

**grant agreement with Union County for improvements to East Blancke Street, from Wood Avenue to Roselle Street in an amount of $125,000.00.**

* 1. **Resolution designating the property commonly known as Block 450, Lot 1 as an**

**area in need of redevelopment pursuant to the Local Redevelopment and Housing Law. (Old Firehouse #1)**

* 1. **Resolution authorizing the submission of an application for enrollment of the**

**Linden Police Department in the United States Department of Defense 1033 Program. (Distribution of surplus federal property intended for use by the US Armed Forces)**

* 1. **Resolution authorizing the City of Linden Tax Collector to waive a late fee**

**charge associated with the Garbage User Fee due to the Post Office failed to**

**timely delivery.**

**ORDINANCE – FIRST READING**

**#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**