**COUNCIL MEETING**

**AGENDA NOVEMBER 10, 2015**

**APPROVAL OF MINUTES**

**October 20, 2015 Regular**

**Meeting Minutes**

**PRESENTATIONS**

**VETERAN’S DAY REGONITION**

**GEORGE JOHN SPILICH**

**SELECTION OF A 7TH WARD COUNCILPERSON**

**\*Swearing-in of 7th Ward Councilperson**

**\*(If a selection is approved)**

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**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**

**#59-44 BOND ORDINANCE PROVIDING AN APPROPRIATION OF $605,000.00 FOR THE**

**ACQUISITION OF INFORMATION TECHNOLOGY EQUIPMENT AND RELATED SOFTWARE FOR THE DISASTER RECOVERY PROJECT AND AUTHORIZING THE ISSUANCE OF $574,750.00 IN BONDS OR NOTES FOR FINANCING PART OF THE COST.**

**#59-45 BOND ORDINANCE AMENDING BOND ORDINANCE NUMBER 59-10 FINALLY ADOPTED**

**ON MARCH 17, 2015. PROVIDING AN APPROPRIATION OF $2,328,000.00 AND AUTHORIZING THE ISSUANCE OF $551,600.00 IN BONDS OR NOTES TO FINANCE PART OF THE COST. (RELATIVE TO THE WETLANDS REMEDIATION FOR THE LANDFILL AND AIRPORT)**

**#59-46 AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER VII, TRAFFIC SHALL BE AMENDED AS FOLLOWS: 7-33 HANDICAPPED PARKING REGULATIONS, 7-33.1 Handicapped Parking On-Street Delete: 817 West Elm Street 1 space**

**335 Spruce Street 1 space**

**#59-47 AN ORDINANCE TO AMEND AND SUPPLEMENT AN ORDINANCE ENTITLED, “AN**

**ORDINANCE ESTABLISHING A SCHEDULE OF TITLES, SALARY RANGES AND REGULATIONS FOR MAINTAINING THE CLASSIFICATION AND SALARY STANDARDIZATION PLAN FOR ALL EMPLOYEES OF THE CITY OF LINDEN, “PASSED AUGUST 15, 1995 AND APPROVED AUGUST 16**

**CONSENT AGENDA**

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

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

2016 Taxes $432,768.81

2015 Taxes $14,474,587.46

2014 Taxes $500.00

2013 Taxes $160.25

Garbage Fee Payments $184,605.00

Garbage Fee Penalty $485.00

Municipal Lien Redemption $0.00

Tax Search $0.00

Lien Redemption Request Fee $100.00

Year End Penalty $0.00

Returned Check Fee Paid $20.00

Returned Check Fee Garbage Paid $0.00

Returned Check 2015 ($1865.37)

Returned Check Interest ($38.66)

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 $1,000.00

DPW 2014 Reso payments $0.00

Tax Sale Cost/Before Tax Sale Cost $0.00

Premium $0.00

Interest $14,088.66

Total $15,106,411.15

**Credit** Block 226 Lot 2, Stephen Drastura

**Balance** 17 Furber Avenue

There now exists a credit balance on the above referenced block & lot due to an overpayment by Mortgage Company, Green Servicing on the 2014-4th quarter. The overpayment amount is $2,596.22.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $2,596.22 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** Block-241 Lot-13, Romon Soriano

**Balance** 44 W. Gibbons Street

There now exists a credit balance on the above referenced block & lot due to an overpayment paid by the owner’s title agency and mortgage company for the 2014-4th quarter. The overpayment amount is $2,059.12.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of **$2,059.12** payable to: Freedom Mortgage, 907 Pleasant Valley Avenue, Suite 3, Mount Laurel, NJ 08054 refunds charging same to account # 5-01-55-288-999-904.

**Credit** Block 278 Lot 11, 318 W. Henry Street

**Balance** Water Damaged Home

There now exists a credit balance on the above referenced block & lot due the property

having water damage due to broken pipes and inspected by Mike Frangella, Tax Assessor. The property owner has paid the 1st half 2015 and is entitled to a refund of $60.00.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $60.00 payable to: Kathleen Curtin, 36 King Street, Edison, NJ 08820, 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

35 18 10/13/15 13-00043 $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: 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 2014 & 2015 tax sale on the following block & lot.

**Block Lot Redemption Date CTF# Amount**

52 8 10/14/15 13-00057 $2,900.00

385 8 10/19/15 14-00257 $25,700.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $28,600.00 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**

138 4 10/26/15 14-00106 $1,500.00

191 10 10/19/15 13-00234 $2,400.00

228 32 10/26/15 14-00188 $1,500.00

282 21 10/14/15 14-00213 $1,800.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $7,200.00 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 2015 tax sale on the following

block & lot.

**Block Lot Redemption Date CTF# Amount**

143 12 10/23/15 14-00109 $22,400.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $22,400.00 payable to: Murray Hill Investments, LLC, 83 Hunterdon Boulevard, Murray Hill, NJ, 07974, charging same to account #-5-1-55-276-999-956.

**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**

174 3 10/13/15 14-00143 $900.00

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

234 3 10/13/15 14-00194 $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**

373 3 10/13/15 13-00344 $900.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $900.00 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 2014 tax sale on the following block & lot.

**Block Lot Redemption Date CTF# Amount**

495 14 10/26/15 13-00435 $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: 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 2012 tax sale on the following block & lot.

**Block Lot Redemption Date CTF# Amount**

569 20 10/15/15 11-00234 $13,200.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $13,200.00 payable to: Virgo Municipal Finance Fund, LP, 1441 Broadway, Suite # 5010, New York, NY 10018, charging same to account #-5-01-55-276-999-956.

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

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

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

Police Dept. Edward Chabak Police Sergeant Dec. 1, 2015

Police Dept. Anthony Hatzlhofer Police Officer Dec. 1, 2015

Police Dept. Matthew Marcino Police Lieutenant Dec. 1, 2015

City Clerk Diane McKowne Senior Clerk Dec. 1, 2015

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

1. Advising that the total reimbursement to City Employees who have waived their health plan coverage for the year 2015 is $59,437.95.

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

1. Requesting approval of a refund in the amount of $126.66 for two months of a parking

Permit to Dona-Jean Solski, 532 Miller Avenue, Apt. 19A, Hamilton, NJ 08610.

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

1. Advising that he is appointing Judy McCarthy to the Shade Tree Commission to fill the unexpired term of former commissioner Diane Wilverding who resigned September 11. 2015. Ms. McCarthy’s term shall begin immediately and terminate December 31, 2018.

**(\*\*\*) CITY CLERK’S OFFICE:**

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

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

RA-1479 Linden Baseball PA 50/50 $20.00

RA-1480 Linden Baseball PA Tricky Tray $20.00

BA-1481 Linden Baseball PA Bingo $20.00

RA-1482 Deerfield School PTA #9 (3) 50/50 $60.00

RA-1483 Deerfield School PTA #9 Prize Raffle $20.00

**(\*\*\*) TRANSPORTATION & PARKING:**

1. Requesting permission to cover the parking meters for the Holiday Season for the period of December 18, 2015 through January 4, 2016.

**(\*\*\*) CAR, TRUCK, BIKE & AIRPLANE SHOW – SCHOLARSHIP FUNDRAISER:**

1. Advising that the City of Linden will be co-sponsoring the event along with Jardims Auto Body and the Linden PBA on November 15, 2015 at Linden Airport on Sunday, November 15, 2015 between the hours of 10am and 4pm. And authorizing the waiving of permit fees and insurance requirements relative to City Ordinance 4-21 Circuses and Carnivals. Insurance will be provided to Linden Airport Corp. by the City of Linden in the amount of $2,000,000.00 as required.

**(\*\*\*) TREE LIGHTING CEREMONY:**

1. Requesting approval from the County of Union to close Wood Avenue between Elm Street and Price Street on Friday, December 4, 2015 between the hours of 4pm to 9pm to hold the Annual Tree Lighting Ceremony.

**(\*\*\*) SEVENTH WARD COUNCIL PERSON:**

**(9)** Advising that Seventh Ward Councilman, Mike Minarchenko has resigned from his

position effective October 21, 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 declaring surplus for sale or disposition no longer needed for government use in accordance with N.J.S.A. 40A:11-36. (Computer equipment, printers etc.)
  2. 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 $10,519.10 which item is now available as a revenue from: Body Armor Replacement Grant
  3. Resolution authorizing the transfer of $435,260.00 in 2015 appropriations in accordance with the provisions of Revised Statute 40A:4-58.
  4. Resolution authorizing certain payments made by the Municipal Treasurer during the month of October 2015 which did not appear on the Claims List.
  5. Resolution authorizing an amendment to the agreement appointing Eric Bernstein, Esq., of Eric Bernstein & Associates, LLC for the representation of the Mayor and certain members of the Governing Body relative to the Local Finance Board complaint.
  6. Resolution amending the contract with Integra Realty Resources retaining their services as an expert witness for the defense of the Gulf Oil, Citgo Oil and Buckeye Pipeline State Tax Court appeals for 2015. Due to the ongoing nature of the various appeals, it is necessary for additional funds in an amount not to exceed $15,000.00. Inclusive of the additional funds, total expenditures paid to date under the original contract is $50,000.00.
  7. Resolution authorizing an amendment to the contract with CMS Construction, Inc., for the Transit Village Streetscape Phase 3, in the amount of $206,370.25. A second Change Order in the amount of $41,000.00 is required for extending the project. Inclusive of the additional funds the total expenditures for said contract is $247,370.25.
  8. Resolution requesting the Union County Community Development Revenue Sharing Committee to approve the proposals hereinafter listed and priorities for year XXXXI Funding (2016-2017).

**Project** **Priority**

Street Improvements 1

Home Improvement Program 2

* 1. Resolution of continuing support for the goals and purposes of the 2004 Highlands Water Protection and Planning Act.
  2. Resolution approving the award of a contract to FAI-GON Electric, Inc., for the ball field lighting at Memorial Park and Tremley Park in the City of Linden at their bid of $701,935.00.
  3. Resolution approving a Shared Services Agreement with the Township of Cranford for the use of the City of Linden Firearms Range for its Police Department. In exchange for waiving the $400.00 per week fee to use said range, the Township of Cranford has agreed to store City of Linden property in Cranford.
  4. Resolution Authorizing the Tax Collector to forward monies to lien holders in the amount of $373.26. (Block 200, Lot 16 C2036)

2015-388 Resolution honoring GEORGE JOHN SPILICH for his outstanding service as a veteran in the United States Armed Forces.

* 1. Resolution of the City Council authorizing the Planning Board to investigate whether the former Linden Sanitary Landfill for property known as Block 581, Lots 11.03 and 17 on the City Tax Maps should be designated as an area in need of redevelopment.
  2. Resolution fixing the regular meeting dates of the City Council for the year 2016.
  3. Resolution authorizing the City of Linden to process an involuntary disability retirement application for Jeffrey Moreno.
  4. Resolution approving a contract with Remington & Vernick Engineers, in an amount not to exceed $10,000.00 for work related to the establishment of a “Quiet Zone” at the Lower Road at Grade Railroad Crossing.

**ORDINANCE – FIRST READING**

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.