**COUNCIL MEETING**

**AGENDA SEPTEMBER 15, 2015**

**APPROVAL OF MINUTES**

**August 18, 2015 Regular**

**Meeting Minutes**

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**PRESENTATIONS**

**Miss Junior Teen New Jersey**

**Natyely M. Frias**

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**LINDEN PULASKI PARADE COMMITTEE**

**2015 Linden Marshal Richard J. Gerbounka**

**2015 Linden Miss Polonia Aleksandra Scieszka**

**2015 Linden Junior Miss Polonia Madison Krowicki**

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**Linden Lion’s Club 70th Anniversary**

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**Friends of the Linden Library**

**Declaring October 18-24, 2015 as Friends of Libraries Week**

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**Recognizing the Accomplishments of John Moon**

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**Linden Police Officer of the Year**

**Brian Fech**

**ORDINANCE – HEARING**

**#59-39 BOND ORDINANCE PROVIDING AN APPROPRIATION OF $450,000.00 FOR THE**

**2015 SAFE ROUTES TO SCHOOLS PROJECT AND AUTHORIZING THE ISSUANCE OF $237,500.00 IN BONDS OR NOTES OF THE CITY FOR FINANCING PART OF THE APPROPRIATION.**

**#59-40 BOND ORDINANCE AMENDING B0ND ORDINANCE NUMBER 58-27 FINALLY**

**ADOPTED BY THE CITY COUNCIL ON MAY 20, 2014 PROVIDING FOR AN APPROPRIATION OF $880,000.00 FOR THE ACQUISITION OF A GAS GENERATOR FOR CITY HALL.**

**#59-41 ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER VII, TRAFFIC, SECTION 7-12 PARKING TIME LIMITED, SHALL BE AMENDED AS FOLLOWS: Delete from 7-12.1 Two Hour Parking: St. Georges Avenue, North, between the hours of 9am-5pm Monday to Friday from Summit Terrace to Columbia Place.**

**CONSENT AGENDA**

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

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

2015 Taxes $26,224,421.18

2014 Taxes $2,882.36

2013 Taxes $0.00

Garbage Fee Payments $32,859.76

Garbage Fee Penalty $1,535.00

Municipal Lien Redemption $0.00

Tax Search $0.00

Lien Redemption Request Fee $0.00

Year End Penalty $0.00

Returned Check Fee Paid $60.00

Returned Check Fee Garbage Paid $0.00

Returned Check 2015 ($21,292.64)

Returned Check Interest ($89.48)

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

State Audit Payment/Disallowed Deductions $0.00

Tax Sale Cost/Before Tax Sale Cost $0.00

Premium $0.00

Interest $29,560.76

Total $26,270,936.94

**Tax** Requesting the refund of the premium paid at the 2015 tax sale on the following block &

**Sale** lot.

**Block Lot Redemption Date CTF# Amount**

9 14.01 8/31/15 14-00009 $29,800.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $29,800.00 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** Requesting the refund of the premium paid at the 2015 tax sale on the following block & lot.

**Sale Block Lot Redemption Date CTF# Amount**

16 26 8/26/15 14-00015 $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** Requesting the refund of the premium paid at the 2014 tax sale on the following block & lot.

**Sale**  **Block Lot Redemption Date CTF# Amount**

29 17 8/27/15 13-00035 $1,400.00

211 23 8/13/15 13-00255 $900.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $2,300.00 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.

**Tax** Requesting the refund of the premium paid at the 2014 & 2015 tax sale on the following block & **Sale** lot.

**Block Lot Redemption Date CTF# Amount**

62 5 8/15/15 13-00076 $3,300.00

88 1 8/24/15 14-00068 $2,400.00

187 7 8/31/15 14-00153 $2,100.00

314 14 8/28/15 14-00225 $1,600.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $9,400.00 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** Requesting the refund of the premium paid at the 2015 tax sale on the following block & lot.

**Sale Block Lot Redemption Date CTF# Amount**

72 14.01 8/31/15 14-00057 $1,000.00

106 17 8/17/15 14-00081 $1,200.00

244 21 8/17/15 14-00199 $900.00

282 1 8/24/15 14-00212 $1,100.00

392 24 8/31/15 14-00270 $900.00

457 29.01 8/17/15 14-00286 $900.00

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 for PC5 Sterling National, 50 South 16th Street, Suite #2050, Philadelphia, PA 19102, charging same to account #-5-01-55-276-999-956.

**Tax** Requesting the refund of the premium paid at the 2015 tax sale on the following block & lot.

**Sale**  **Block Lot Redemption Date CTF# Amount**

77 5 8/17/15 13-00097 $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** Requesting the refund of the premium paid at the 2015 tax sale on the following block & lot.

**Sale Block Lot Redemption Date CTF# Amount**

251 6 8/19/15 14-00203 $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: 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.

**Cancel** Cancellation of Taxes, Block 65 Lot 6

**Taxes** 1230 Dill Avenue

Requesting your approval to cancel the 2015 1st and part of 2015 2nd. 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 May 1, 2015. All taxes from this time forward will be exempt status. The owner has paid the taxes as well as being awarded a Homestead Benefit Credit from the Division of Taxation. The owners are entitled to a refund. The breakdown is as follows:

Amount due from Tax Payer Amount paid by Tax payer

2015 1st $1,507.65 2015 1st $1,989.61

2015 2nd  $1,989.60

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $2,471.56 payable to: Bessie R. & Edward C. St. John, 1230 Dill Avenue, Linden, NJ 07036, charging same to account #5-01-55-288-999-904.

**Refund** Refund of Property Taxes, Block 99 Lot 12

312 Carnegie Street

This property owner has been deemed a 100% Disabled Veteran by the V.A. as of January 6, 2014. Mr. Witherspoon purchased his home on January 9, 2014 and is entitled to the 100% Disabled Veteran Status per Michael Frangella. The following is the amount billed that needs to be cancelled for 2014. This will be tax exempt going further. However, the Mortgage Company Wells Fargo has paid the property taxes in error and are entitled to a refund in the amount of $ 1,740.33.

February $1,528.93

May $1,678.12

August Not known

November Not Known

**Refund** Block 147 Lot 1, 1418 Roselle Street

Private Garbage

There now exists a credit balance on the above referenced block & lot due the property has a private garbage company. The property owner has paid the entire amount due for 2013 & 2014 and is entitled to a refund of $360.00.

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: Pietro Cucaro, 177 E. Edgar Road, Linden, NJ 07036, charging same to account *#*5-01-08-607-011.

**(\*\*\*) 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-1467 FOLAS 50/50 $20.00**

**RA-1468 FOLAS Tricky Tray $20.00**

**RA-1469 FOLAS Prize Raffle $20.00**

**RA-1470 Kiwanis Club 50/50 $20.00**

**RA-1471 School #10 50/50 $20.00**

**RA-1472 Linden Boxing Assoc. 50/50 $20.00**

**RA-1473 Linden Boxing Assoc. Tricky Tray $20.00**

**RA-1474 Loyal Order of Moose 50/50 $20.00**

**RA-1475 Loyal Order of Moose Tricky Tray $20.00**

**RA-1476 LHS NJROTC Prize Raffle $20.00**

**RA-1477 Lions Club of Linden 50/50 $20.00**

**RA-1478 Lions Club of Linden Tricky Tray $20.00**

**(\*\*\*) COUNCIL PRESIDENT ALVAREZ, LEDC APPOINTMENT:**

1. **Advising that he has re-appointed Elizabeth Garcia as a representative to the Linden Economic Development Corporation for a two (2) year term, commencing January 1, 2015 and terminating December 31, 2016.**

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

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

* Service date of 3/23/15 - BCBS of Michigan is entitled to a refund of $ 77.20 for ambulance service that was provided on 3/23/2015.

Therefore, it would be in order for the council to authorize the treasurer to issue a check to: BC BS of Michigan, 600 Lafayette East, Detroit, MI 48226 charging account 5-01-08-629-011.

* Service date of 4/22/15 - BCBS of Michigan is entitled to a refund of $ 85.49 for ambulance service that was provided on 4/22/2015.

Therefore, it would be in order for the council to authorize the treasurer to issue a check to: BC BS of Michigan, 600 Lafayette East, Detroit, MI 48226 charging account 5-01-08-629-011.

* Service date of 1/15/2015 - Horizon BCBS NJ is entitled to a refund of $ 428.34 for ambulance service that was provided on 1/15/2015.

Therefore, it would be in order for the council to authorize the treasurer to issue a check to: Horizon BC BS NJ, PO Box 420, Newark, NJ 07101-0420 charging account 5-01-08-629-011.

* Service date of 6/27/2014 - Aetna Inc. is entitled to a refund of $ 324.81 for ambulance service that was provided on 6/27/2014.

Therefore, it would be in order for the council to authorize the treasurer to issue a check to: Aetna Inc., PO Box 14079, Lexington, KY 40512-4079 charging account 5-01-08-629-011.

* John McSharry is entitled to a refund of $225.00 for a quarterly parking permit.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $225.00 payable to: John McSharry, 27 Algonquin Drive, Cranford, NJ 07016 charging same to 5-01-08-609-013.

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

1. Please be advised that the following City of Linden employee has filed for retirement:

**Department              Employee                             Title                                          Date**

   Fire Dept.                  Stephen Kolesa                  Fire Lieutenant                       Sept. 1, 2015

   D.P.W.                      Allen Lubas                         Sr. Laborer Tier 1                  Oct. 1, 2015

   Police Dept.              Michael Petrusky                Police Officer                        Oct. 1, 2015

**(\*\*\*) CITY CLERK’S OFFICE:**

1. **Requesting permission to close Rosewood Terrace between Myrtle Terrace and DeWitt Terrace on Saturday, September 26, 2015 between the hours of 11am and 5pm to hold a Block Party. (Insurance has been provided & approved by the City Attorney and the Police Chief has approved the application)**

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

1. **Advising that thirty-seven (37) certificates of occupancy were issued during the**

**month of August.**

**(\*\*\*) Linden Halloween Parade**

1. **Requesting permission to close North Wood Avenue from Routes 1&9 to East Gibbons Street to hold the annual Halloween Parade on Sunday, October 25, 2015 between the hours of Noon and 6:00 pm.**

**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 SEPTEMBER 15, 2015 COUNCIL MEETING**

* 1. **Resolution approving the award of a contract to Storr Tractor, for the purchase of one (1) case model Farmall 55C CVT Series Tractor through the Middlesex Regional Education Services Commission Co-Op (Contract 14/15-04) for the Public Property Department in an amount not to exceed $42,178.40.**
  2. **Resolution approving the award of a contract to Storr Tractor, for the purchase of one (1) case model Farmall 50C Series ROPS Tractor through the Middlesex Regional Education Services Commission Co-Op (Contract 14/15-04) for the Public Works Department in an amount not to exceed $27,653.48.**

**2015-310 Resolution approving the award of a contract to Beyer Ford, for the purchase of one 2016 Ford F-250 4WD Reg Cab 137” with options for Public Works in an amount not to exceed $25,441.00.**

* 1. **Resolution approving the award of a contract to Stertil-Koni, c/o Hoffman Services, Inc., for the purchase of mobile column lifts for the Public Works Department (inclusive of delivery, set up and training) in an amount not to exceed $87,899.50.**
  2. **Resolution approving an Extraordinary, Unspecifiable Services Agreement with Linden Pop Warner Football Program in an amount of $15,000.00 for the Year 2015.**
  3. **Resolution authorizing the assignment of Tax Sale Certificate in the amount of $4,431.00 for property known as Block 458, Lot 5.02 - 114 South Wood Avenue.**
  4. **Resolution authorizing the assignment of Tax Sale Certificate in the amount of $40,987.48 for property known as Block 458, Lot 6 - 116 South Wood Avenue.**
  5. **Resolution authorizing the Tax Collector to forward monies to the lien holders for Block 200, Lot 16 C2036 in the amount of $373.26.**
  6. **Resolution appointing Laurence Price a Constable in the City of Linden to hold an office for a three year term commencing October 22, 2015 and terminating October 21, 2018.**
  7. **Resolution honoring the 70th Anniversary of the Linden Lion’s Club.**

**2015-318 Resolution referring to the Planning Board for review and comment certain amendments to the redevelopment plan for the DuPont Redevelopment Area, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.**

* 1. **Resolution declaring October 18-24, 2015 as Friends of Libraries week in Linden.**
  2. **Resolution authorizing certain payments made by the Municipal Treasurer during the month of August 2015 which did not appear on the claims list.**
  3. **Resolution approving an award of contract to Mark Paving Co., Inc., for the resurfacing of E. Blancke Street, E. Price Street and Tremley Point Road at their low bid of $409,020.50.**
  4. **Resolution amending the contract with Guido G. Karcher as an expert witness for defense of the Gulf Oil and Citgo Tax Appeals for 2015 to increase the contract by an additional $10,000.00.**
  5. **Resolution amending the contract with Robert Renaud, Esq. of the firm Palumbo & Renaud, as special tax counsel to include other various tax appeals to increase the contract by an additional $10,000.00 for a total contract of $20,000.00.**
  6. **Resolution approving a contract with Remington & Vernick Engineers for maintaining tax maps for the year 2015 in an amount not to exceed $2,000.00.**
  7. **Resolution authorizing the State of New Jersey to enforce the Elevator Subcode due to the elimination of the position of Elevator Sub Code official in the City of Linden.**
  8. **Resolution authorizing that a lien be placed on various premises for work completed at the direction of the Board of Health.**
  9. **Resolution for approval to submit a grant application and execute a grant agreement with the N.J. Department of Transportation for improvements to W. Henry St., W. Baltimore Ave., and Academy Terrace in the amount of $600,000.00.**

**2015-328 Resolution approving an agreement between the County of Union and the City of Linden for the Union County’s Prosecutors office to subsidize all first year cost of implementing a body-worn camera system in the Linden Police Department.**

* 1. **Resolution designating September 18, 2015 as POW/MIA Remember Day in the City of Linden.**
  2. **Resolution approving and ratifying a subordination of mortgage for 432 Elmwood Terrace, Linden, N.J. to Quicken Loans, Inc.**
  3. **Resolution honoring Richard J. Gerbounka as the 2015 Marshal of the Linden Contingent to the Pulaski Memorial Parade.**
  4. **Resolution honoring Aleksandra Scieszka as the 2015 Linden Contingent Miss Polonia.**
  5. **Resolution honoring Madison Krowicki as the 2015 Linden contingent Junior Miss Polonia.**
  6. **Resolution permitting the City Attorney or his designee to authorize request for subordination of mortgage in connection with the Neighborhood Preservation Program and the Linden Home Improvement Program in the City of Linden.**
  7. **Resolution authorizing the preparation and publication of a request for proposals for a solar farm on the City of Linden’s former municipal landfill.**
  8. **Resolution authorizing a shared services agreement with Linden of Board of Education for nursing services for the year 2015-2016 in the amount of $9,485.00.**
  9. **Resolution amending a contract with Bier Associates for Parking Management and Consultant Services to increase the contract by $2,500.00 for a total contract of $26,500.00.**
  10. **Resolution selecting ADP as the City of Linden’s Affordable Care Act reporting agency at a cost not to exceed $20,000.00.**
  11. **Resolution requesting the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the 2015 budget in the sum of $157,030.00 from the Port Security Grant 2015.**
  12. **Resolution rejecting proposals for a solar farm at the City of Linden’s former municipal landfill and initiating a competitive contracting process.**
  13. **Resolution authorizing a voluntary furlough program for the City of Linden’s employees.**
  14. **Resolution approving and adopting the City of Linden’s Personnel Manuel.**
  15. **Resolution restating, reiterating and publicly pronouncing the time off policy of the City of Linden**
  16. **Resolution approving a memorandum of understanding between The County of Union and the City of Linden for the First Alert System.**

**ORDINANCE – FIRST READING**

**#59-42 An Ordinance amending Chapter 3-33 of the City Code entitled “Graffiti and providing**

**for remediation of same” by the City Council of the City of Linden. (Amending the time frame for removal of graffiti from ninety (90) days to thirty (30) days.**

**#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).**