**Minutes of the Regular**

**Meeting of the 2015 Council of the**

**City of Linden, held Tuesday**

**April 21, 2015**

The regular meeting of the 2015 Council of the City of Linden, was held in the Council Chambers in the City Hall on Tuesday, March 17, 2015 at 7:00 pm., prevailing time.

The meeting was called to order by President of Council Jorge Alvarez and he announced that the notice of this meeting stating the date, place and time, has been disseminated as required under the Open Public Meeting Act, Chapter 231, P.L. 1975.

The Clerk rendered the opening prayer, after which the members of the Governing Body and the persons in attendance saluted the flag.

Council President Jorge Alvarez informed those present of the proper procedures for exiting the room in the event of an emergency.

Council President Jorge Alvarez asked all members of the public, wishing to speak during the public comment session to please sign in on the sign-in white sheets provided in the front of the room.

Council President Alvarez asked all to place their cell phones on vibrate, and if they must take a call to please leave the room to do so.

A roll call showed the following members were present:

Councilman Christopher Kolibas

“ Donald Beyer

“ Peter Brown

“ Monty Brooks

Councilwoman Rhashonna Cosby- Hurling

Councilman Robert Sadowski

“ Michael Minarchenko

Councilwoman Michele Yamakaitis

Councilman Armando Medina

Councilwoman Gretchen Hickey

Council President Jorge Alvarez

Mayor Dereck Armstead

**APPROVAL OF MINUTES**

Mr. Minarchenko moved for the approval of the Regular Meeting Minutes of March 17, 2015. The motion was seconded by Mr. Sadowski and was unanimously ordered approved on a roll call vote.

**PRESENTATIONS**

Recognizing Linden High School Championship Football Team

President Alvarez called upon Mayor Armstead, Mr. Brown, Mr. Brooks and Linden High School football coach Deon Candia to step forward for a presentation. Mayor Armstead noted that Coach Candia did something exceptional this year in bringing Linden its first Group IV High School Championship. He noted the hard work that Coach Candia put into it and commended him for all that he did. The Mayor noted that the Coach loves the children more than the game itself. Mayor Armstead read the Resolution honoring the Linden High School 2014 football team. The Mayor also acknowledged Mrs. Candia importance to the football program. Coach Candia spoke about the kids, how they love this town, and thanked all for their support of the program and of the kids. He then made presentations to the Mayor and Council.

Recognizing Chris Hennie, Joao “John” Lasheras and Eric Rios for their acts of heroism

President Alvarez asked the Mayor, Chief Schulhafer, Officer Conk, Mr. Hennie, Mr. Lasheras and Mr. Rios to come forward for a presentation. Mayor Armstead spoke about the spectacular efforts of these three individuals and thanked them for what they did. The Mayor then read the resolution honoring them for their acts of heroism. The Mayor thanked Chief Schulhafer and Officer Conk for bringing this act of heroism to his, and the Council’s attention.

Honoring Eleanor “Elli” Barbarich for her service to the City of Linden City Hall

President Alvarez announced that Mrs. Barbarich was ill, and that the presentation would be held to next month’s Council meeting.

**2015 BUDGET HEARING**

President Alvarez turned the floor over to Alexis Zack, Chief Financial Officer, who did a presentation explaining the 2015 municipal budget. At the conclusion of the presentation President Alvarez congratulated Mrs. Zack on the job she did.

President Alvarez then opened the public hearing, on the budget. He noted that Pat Hero was the only individual to sign up to speak.

Pat Hero, 1009 Wheatsheaf Road. Ms. Hero spoke about the magnificent job done by Mrs. Zack. Ms. Hero asked various questions, on specific items, contained in the budget, and questioned personnel staffing in certain offices that Mrs. Zack responded to. Ms. Hero also spoke about the need to preform preventative maintenance on the motor vehicle fleet. Mrs. Zack explained the programs that are in place and the need to purchase the vehicles contained in the budget.

Mr. Brown made the following statement regarding the budget:

The Budget represents a total of $100,371,367.38 in expenditures for the year 2015.

The Committee has worked hard to stabilize the budget and focused on adding more Police Officers and Public Works employees to address the quality of life issues of City residents.

I would like to thank all the members of the governing body for their assistance and recommendations on the 2015 budget. I would like to especially thank every Department Head for their dedication and diligence in preparing their 2015 municipal budgets.

The Clerk then read the budget resolution:

**Be it Resolved by the City Council of the City of Linden County of Union that the budget hereinbefore set forth is hereby adopted and shall constitute and appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:**

1. $ 56,906,327.02 (Item 2 below) for municipal purposes, and
2. $ \_\_\_\_\_\_\_\_\_\_\_ (Item 3 below) for school purposes in Type I school District only (N.J.S. 18A:9-2) to be raised by taxation and,

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (Item 4 below) to be added to the certificate of amount to be raised by taxation for local school purposes in Type II School Districts only (N.J.S. 18A:9-3) and certification to the County Board of Taxation of the following summary of general revenues and appropriations.**

**(d) $ (Sheet 43) Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy**

**(e) $ (Item 5 below) Minimum Library Tax**

1. General Revenues

Surplus Anticipated 08-10 $ 5,000,000.00

Miscellaneous Revenues Anticipated 13-099 $34,490,558.22

Receipts from Delinquent Taxes 15-499 $ 2,364,000.00

1. Amount to be raised by taxation for municipal purposes

(item 6(a), Sheet 11) 07-190

1. amount to be raised by taxation for

item 6, sheet 11 07-195 $56,906,372.02

item 6 (b) sheet 11 (n.j.s. 40a:4-14) 07-191 0.00

total amount to be raised by the taxation

for schools in type I school districts only

1. to be added to the certificate for the amount to

be raised by taxation for schools in type II school

districts only:

Item 6(b), sheet 11 (n.j.s.40a:4-14) 07-191 $

1. Amount to be raised by taxation minimum library levy 07-192 $ 1,610,482.14

total revenues 13-299 $ 100,371,367.38

**SUMMARY OF APPROPRIATIONS**

5 GENERAL APPROPRIATIONS XXXXX XXXXXXXXXXXX

Within “CAPS” XXXXX XXXXXXXXXXXX

(a&b) Operations including Contingent 34-201 $ 71,015,405.86

(e) Deferred Charges and Statutory Expenditures-Municipal 34-209 $ 10,808,448.00

(g) Cash Deficit 46-885 $

Excluded from “CAPS” XXXXX XXXXXXXXXXXX

(a)Operations- Total Operations Excluded from “CAPS” 34-305 $ 3,774,063.52

(c)Capital Improvements 44-999 $ 400,000.00

(d)Municipal Debt Service 45-999 $ 10,275,450.00

(e)Deferred Charges- Municipal 46-999 $ 120,000.00

37-480

(n)Transferred to Board of Education for

Use of Local Schools (N.J.S. 40:48-17.1 & 17.3 29-405 $

(g)Cash Defecit 48-885 $

(k)For Local District School Purposes 29-410 $

(m)Reserve for Uncollected Taxes

(Included Other Reserves if Any) 50-899 $ 3,978,000.00

6. SCHOOL APPROPRIATIONS – TYPE I SCHOOL DISTRICTS ONLY 07-195 $

**Total Appropriations 34-499 $ 100,371,367.38**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution of the Governing Body on the 21st day of April, 2015. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 2014 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.**

Mr. Brown moved for approval of the 2015 budget. The motion was seconded by Mrs. Cosby-Hurling and was unanimously ordered approved by a roll call vote.

**ORDIANCES ON HEARING**

President of Council Jorge Alvarez announced that this is the date designated for the hearing and

further consideration respecting an ordinance entitled:

**59-11 BOND ORDINANCE PROVIDING AN APPROPRIATION OF $23,100.00 FOR ACQUISITION OF A GROUND MASTER GRASS CUTTER TORO WITH PLOW FOR THE PUBLIC WORKS DEPARTMENT AND AUTHORIZING THE ISSUANCE OF $21,945.00 IN BONDS OR NOTES FOR FINANCING PART OF THE APPROPRIATION.**

President of Council Jorge Alvarez announced that the hearing was now open, that all persons interested would be given an opportunity to be heard concerning the Ordinance and the Clerk will read the Ordinance. Thereupon President of Council Jorge Alvarez inquired if there were any written objections.

None were presented and the Clerk stated that therefore none had been received. President of Council Jorge Alvarez inquired if there was anyone who desired to be heard concerning the Ordinance read by the Clerk.

There being no persons to be heard, Mrs. Cosby-Hurling moved that the hearing be closed and the ordinance be adopted. The motion was seconded by Mr. Brown and on a roll call vote the foregoing ordinance was unanimously ordered approved.

President of Council Jorge Alvarez announced that this is the date designated for the hearing and

further consideration respecting an ordinance entitled:

**59-12 BOND ORDINANCE PROVIDING AN APPROPRIATION OF $39,600.00 FOR ACQUISITION OF A HOT PATCH TRAILER FOR THE PUBLIC WORKS DEPARTMENT AND AUTHORIZING THE ISSUANCE OF $37,620.00 IN BONDS OR NOTES FOR FINANCING PART OF THE APPROPRIATION.**

President of Council Jorge Alvarez announced that the hearing was now open, that all persons interested would be given an opportunity to be heard concerning the Ordinance and the Clerk will read the Ordinance. Thereupon President of Council Jorge Alvarez inquired if there were any written objections.

None were presented and the Clerk stated that therefore none had been received. President of Council Jorge Alvarez inquired if there was anyone who desired to be heard concerning the Ordinance read by the Clerk.

There being no persons to be heard, Mrs. Cosby-Hurling moved that the hearing be closed and the ordinance be adopted. The motion was seconded by Mr. Brown and on a roll call vote the foregoing ordinance was unanimously ordered approved.

President of Council Jorge Alvarez announced that this is the date designated for the hearing and

further consideration respecting an ordinance entitled:

**59-13 BOND ORDINANCE PROVIDING AN APPROPRIATION OF $71,500.00 FOR ACQUISITION OF A BRUSH CHIPPING MACHINE FOR THE PUBLIC WORKS DEPARTMENT AND AUTHORIZING THE ISSUANCE OF $67,925.00 IN BONDS OR NOTES FOR FINANCING PART OF THE APPROPRIATION.**

President of Council Jorge Alvarez announced that the hearing was now open, that all persons interested would be given an opportunity to be heard concerning the Ordinance and the Clerk will read the Ordinance. Thereupon President of Council Jorge Alvarez inquired if there were any written objections.

None were presented and the Clerk stated that therefore none had been received. President of Council Jorge Alvarez inquired if there was anyone who desired to be heard concerning the Ordinance read by the Clerk.

Virginia Malik, 166 Lenape Road. Ms. Malik noted that her comments also include Ordinance 59-11. Ms. Malik asked if the City currently has any of this equipment in its inventory. Mr. Venditto responded speaking the equipment that was lost in Hurricane Sandy due to flooding in the area. He also spoke the age and condition of the current brush chipping machine.

There being no further persons to be heard, Mrs. Cosby-Hurling moved that the hearing be closed and the ordinance be adopted. The motion was seconded by Mr. Brown and on a roll call vote the foregoing ordinance was unanimously ordered approved.

President of Council Jorge Alvarez announced that this is the date designated for the hearing and

further consideration respecting an ordinance entitled:

**59-14 BOND ORDINANCE PROVIDING AN APPROPRIATION OF $110,000.00 FOR ACQUISITION OF ASPHALT FOR THE PUBLIC WORKS DEPARTMENT AND AUTHORIZING THE ISSUANCE OF $104,500.00 IN BONDS OR NOTES FOR FINANCING PART OF THE APPROPRIATION.**

President of Council Jorge Alvarez announced that the hearing was now open, that all persons interested would be given an opportunity to be heard concerning the Ordinance and the Clerk will read the Ordinance. Thereupon President of Council Jorge Alvarez inquired if there were any written objections.

None were presented and the Clerk stated that therefore none had been received. President of Council Jorge Alvarez inquired if there was anyone who desired to be heard concerning the Ordinance read by the Clerk.

There being no persons to be heard, Mrs. Cosby-Hurling moved that the hearing be closed and the ordinance be adopted. The motion was seconded by Mr. Brown and on a roll call vote the foregoing ordinance was unanimously ordered approved.

President of Council Jorge Alvarez announced that this is the date designated for the hearing and

further consideration respecting an ordinance entitled:

**59-15 BOND ORDINANCE PROVIDING AN APPROPRIATION OF $110,000.00 FOR THE REPLACEMENT OF HVAC UNITS AT THE LINDEN MULTI PURPOSE CENTER AND AUTHORIZING THE ISSUANCE OF $104,500.00 IN BONDS OR NOTES FOR FINANCING PART OF THE APPROPRIATION.**

President of Council Jorge Alvarez announced that the hearing was now open, that all persons interested would be given an opportunity to be heard concerning the Ordinance and the Clerk will read the Ordinance. Thereupon President of Council Jorge Alvarez inquired if there were any written objections.

None were presented and the Clerk stated that therefore none had been received. President of Council Jorge Alvarez inquired if there was anyone who desired to be heard concerning the Ordinance read by the Clerk.

There being no persons to be heard, Mr. Brooks moved that the hearing be closed and the ordinance be adopted. The motion was seconded by Mr. Brown and on a roll call vote the foregoing ordinance was unanimously ordered approved.

President of Council Jorge Alvarez announced that this is the date designated for the hearing and

further consideration respecting an ordinance entitled:

**59-16 BOND ORDINANCE PROVIDING AN APPROPRIATION OF $440,000.00 FOR THE REPLACEMENT OF A ROOF AT THE LINDEN MULTI PURPOSE CENTER AND AUTHORIZING THE ISSUANCE OF $418,000.00 IN BONDS OR NOTES FOR FINANCING PART OF THE APPROPRIATION.**

President of Council Jorge Alvarez announced that the hearing was now open, that all persons interested would be given an opportunity to be heard concerning the Ordinance and the Clerk will read the Ordinance. Thereupon President of Council Jorge Alvarez inquired if there were any written objections.

None were presented and the Clerk stated that therefore none had been received. President of Council Jorge Alvarez inquired if there was anyone who desired to be heard concerning the Ordinance read by the Clerk.

There being no persons to be heard, Mr. Brooks moved that the hearing be closed and the ordinance be adopted. The motion was seconded by Mr. Brown and on a roll call vote the foregoing ordinance was unanimously ordered approved.

President of Council Jorge Alvarez announced that this is the date designated for the hearing and

further consideration respecting an ordinance entitled:

* 1. **ORDINANCE ESTABLISHING A CAP BANK FOR CALENDAR YEAR 2015.**

President of Council Jorge Alvarez announced that the hearing was now open, that all persons interested would be given an opportunity to be heard concerning the Ordinance and the Clerk will read the Ordinance. Thereupon President of Council Jorge Alvarez inquired if there were any written objections.

None were presented and the Clerk stated that therefore none had been received. President of Council Jorge Alvarez inquired if there was anyone who desired to be heard concerning the Ordinance read by the Clerk.

Virginia Malik, 1633 Lenape Road. Mrs. Zack responded to Ms. Malik and explained what a “CAP Bank” was and how it affected the budget.

There being no persons to be heard, Mr. Brown moved that the hearing be closed and the ordinance be adopted. The motion was seconded by Mr. Medina and on a roll call vote the foregoing ordinance was unanimously ordered approved.

President of Council Jorge Alvarez announced that this is the date designated for the hearing and

further consideration respecting an ordinance entitled:

* 1. **AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER XVIII SEWER AND WATER, SHALL BE**

**AMENDED AS FOLLOWS: DELETE SECTION 17-8.10 USER CHARGES**

**ADD NEW SECTION 17-8.10 USER CHARGES**

President of Council Jorge Alvarez announced that the hearing was now open, that all persons interested would be given an opportunity to be heard concerning the Ordinance and the Clerk will read the Ordinance. Thereupon President of Council Jorge Alvarez inquired if there were any written objections.

None were presented and the Clerk stated that therefore none had been received. President of Council Jorge Alvarez inquired if there was anyone who desired to be heard concerning the Ordinance read by the Clerk.

There being no persons to be heard, Mr. Brooks moved that the hearing be closed and the ordinance be adopted. The motion was seconded by Mr. Sadowski and on a roll call vote the foregoing ordinance was unanimously ordered approved.

**CONSENT AGENDA**

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

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

2015 Taxes $1,042,874.86

2014 Taxes $430,367.84

2013 Taxes $1,250.00

Garbage Fee Payments $780,149.41

Garbage Fee Penalty $4,570.00

Municipal Lien Redemption $0.00

Tax Search $10.00

Lien Redemption Request Fee $0.00

Year End Penalty $7.100.13

Returned Check Fee Paid $120.00

Returned Check Fee Garbage Paid $60.00

Returned Check 2014 ($0.00)

Returned Check 2015 ($1,861.02)

Returned Check Interest ($21.06)

Returned Online Payment 2014 Taxes ($120.00)

Returned Check Garbage Fee ($545.00)

Returned Check Garbage Fee Penalty ($10.00)

Counterfeit Funds ($0.00)

Sewer Clean out charge $3,150.00

DPW 2014 Reso payments $1,913.97

State Audit Payment/Disallowed Deductions $0.00

Tax Sale Cost/Before Tax Sale Cost $0.00

Premium $0.00

Interest $59,266.14

Total $2,328,275.27

Credit Overpayment due to Homestead Benefit Credit

Balance Block 417 Lot 24.03, Robert G. Junio - 1165 N. Stiles 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 $664.38payable: Robert G. Junio, 1165 N. Stiles Street, Linden, NJ 07036 refunds charging same to account # 5-01-55-288-999-904.

Credit Overpayment due to Homestead Benefit Credit

Balance Block 575 Lot 9.02, Fred D. Jr. & Romayne D. Baboo - 221 Buchanan 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 $382.33payable: Fred D. Jr. & Romayne D. Baboo, 221 Buchanan Street, Linden, NJ 07036 refunds charging same to account # 5-01-55-288-999-904.

County Refund Block 582 Lot 48, 230 Irene Street - CB # 09-1400031D

Storm damage Property Tax Refund

Due to excessive storm damage sustained to the home, and subsequently unable to be inhabited on the above referenced block & lot the 2014 property taxes have been reduced by way of County Board Judgment and 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 $1,287.57 payable to: Glenn Kocinski, 125 South Long Boat Drive, Little Egg Harbor, NJ 08087 charging same to account #-5-01-55-288-999-904.

Refund Block 116 Lot 11, 846 E. St George Avenue

Tax Sale Cert#-13-00142

Due to a calculation error for the above mentioned tax sale certificate the former property owner is entitled to the overpayment refunded in the amount of $1,277.91.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,277.91 payable to: Law office of M. Suarez, 473 Sylvan Avenue, 2nd Floor, Englewood Cliffs, Ridgewood, NJ 07451 charging same to account #-5-01-55-288-999-904.

Refund Block 117 Lot 20, 1306 Mc Candless Street

Tax Sale Cert#-13-00149

Due to a calculation error for the above mentioned tax sale certificate the property owner is entitled to the overpayment refunded in the amount of $215.81.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $215.81 payable to: Joan Moody, 1302 Mc Candless Street, Linden, NJ 07036 charging same to account #-5-01-55-288-999-904.

Refund Block 165 Lot 2, 1107 Roselle Street

Tax Sale Cert#-13-00212

Due to a calculation error for the above mentioned tax sale certificate the property owner is entitled to the overpayment refunded in the amount of $1,544.71.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,544.71 payable to: Robert Kontra, 6 Gayle Court, Colonia, NJ 07067 charging same to account #-5-01-55-288-999-904.

Refund Block 213.01 Lot 1.01, 2925 N. Wood Avenue

Tax Sale Cert#-13-00259

Due to a calculation error for the above mentioned tax sale certificate the property owner’s Mortgage Company is entitled to the overpayment refunded in the amount of $6,194.07.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $6,194.07 payable to: Core Logic Tax Services, LLC, Attention: Kathy Bishop, 92-16 220th Street, Queens Village, NY 11428 charging same to account #-5-01-55-288-999-904.

Refund Block 440 Lot 21, 11 Clinton Avenue

Tax Sale Cert#-13-00397

Due to a calculation error for the above mentioned tax sale certificate the assigned lien holder is entitled to the overpayment refunded in the amount of $593.50.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $593.50 payable to: Oscar L. Cortizio & Associates, 624 Wyoming Avenue, Elizabeth, NJ 07208 charging same to account #-5-01-55-288-999-904.

County Refund Block 582 Lot 48, 230 Irene Street - CB # 09-1400031D

Storm damage Property Tax Refund

Due to excessive storm damage sustained to the home, and subsequently unable to be inhabited on the above referenced block & lot the 2014 property taxes have been reduced by way of County Board Judgment and 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 $1,287.57 payable to: Glenn Kocinski, 125 South Long Boat Drive, Little Egg Harbor, NJ 08087 charging same to account #-5-01-55-288-999-904.

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

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

Health during the month of March 2015.

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

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

Cathy Rotter, effective April 1, 2015 and expiring December 31, 2018.

Advising that he is reappointing the following individuals to the Environmental Commission:

Sonia Hunter, Alternate #1 effective January 1, 2015 and expiring December 31, 2017

James Powell, effective April 1, 2015 and expiring March 31, 2018

Joseph LaPlaca, effective April 1, 2015 and expiring March 31, 2018.

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

1. Advising that he is appointing the following individuals to the Planning Board:

Michael Anderson, Alternate #1 effective January 1, 2015 and expiring December 31, 2016

Noya Edem, Alternate #2 effective January 1, 2015 and expiring December 31, 2016

Advising that he is re-appointing the following individuals to the Planning Board effective January 1, 2015 and expiring December 31, 2018:

Joseph LaPlaca

Michael Aneson

George Doney

George Vircik

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

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

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

Municipal Garage Joseph Petty Sr. Mechanic Tier 1 May 1, 2015

\*Fire Department Michael Cybulski Deputy Fire Chief April 1, 2015

\*retro-active approval

**(\*\*\*) ST. JOHN THE APOSTLE R.C. CHURCH:**

1. Requesting permission to hold five (5) missions in front of City Hall on Sunday’s starting April 19, 2015 at 4:00pm for approximately one (1) hour each mission. Parish Members will walk on the sidewalks on Wood Avenue singing songs and inviting people to come and listen to the mission. (No one will sit on the steps during the missions & traffic will not be disrupted)

**(\*\*\*) STREET CLOSURE APPLICATION, HOMEOWNER AT 1013 MONMOUTH AVENUE:**

1. Requesting approval to close one (1) block of Monmouth Avenue from the corner of Carnegie Street to hold a block party on Saturday, April 25, 2015 from 2pm-7pm. Permission has been received from the Police Chief. The final approval is contingent on review of the certificate of insurance by the City Attorney and sign off by the Fire Chief of all necessary permits.

**(\*\*\*) CITY CLERK’S OFFICE:**

1. Requesting approval of the following bingo/raffle applications which have been submitted to the City Clerk’s Office.

Organization Event Fees

RA-1451 Loyal Order of Moose 2015 Pull Tabs $750.00

RA-1452 Loyal Order of Moose 50/50 $20.00

Mr. Brooks moved for approval of Consent Items #1 through #8. The motion was seconded by Mrs. Cosby-Hurling and was unanimously ordered approved on a roll call vote.

**COMMITTEE REPORTS AND COMMENTS FROM THE MEMBERS OF THE GOVERNING BODY**

**TENTH WARD**

Mrs. Hickey noted that the nice weather is here, children are out playing, and asked for motorist to slow down to make it safe for the children. Next she noted that on Sunday she drove around the Tenth Ward, and has a list of all the potholes that she will be turning in to DPW, who will get to them as soon as possible.

Mrs. Hickey spoke about Mark Evan, a Linden resident and police officer who passed away from cancer. She noted a Relay for Life team, composed of Linden and Clark residents that would be walking in Mr. Evan memory. She explained how to make donations in his name. Mrs. Hickey talked about a second Relay for Life team that was walking in honor of Jackie Frangella, a Linden resident who passed away from cancer. She provided contact information for those wishing to make donations to that team.

Mrs. Hickey provided details about a spectacular event that the SID was sponsoring on Wood Ave on June 20th. She urged all to keep the date open, and attend. She then offered congratulations to the new fire fighters who would be hired later this evening. Mrs. Hickey offered birthday wishes to her godson, and concluded by providing her contact information.

**NINTH WARD**

Mr. Medina spoke about cars being burglarized in the Ninth Ward, noting that in most instances, the cars are unlocked. He urged residents to lock their vehicles. He next spoke about the amazing job that Public Works is doing filling potholes, despite the large amount throughout the City. He asked residents to be patient. Mr. Medina then spoke about tree trimming and removal, and that he has turned in a lengthy list, and again asked residents to be patient do to the limited resources of Public Works.

Mr. Medina noted that the Capital Budget does contain funds for sidewalk repairs and street repaving in the Ninth Ward. He noted some projects that are getting underway. He spoke about the installation of four-way stop signs in the Ninth Ward, and the installation schedule. He noted the big impact on speeding that they have had on DeWitt Terrace. He asked that residents be patient as Council tries to improve things throughout the City.

**EIGHT WARD**

Mrs. Yamakaitis informed all that the Park Avenue Bridge is getting paved as well as the intersection of Park Ave and Route 1 & 9. She provided updates on the project, and is awaiting a start date.

Mrs. Yamakaitis gave the report of the Fire Committee. The Fire Prevention Bureau collected a total of $3,688.75 in fees for the month of March. She noted that Ambulance Reimbursement Systems, Inc. collected a total of $51,775.38 for the month of March, 2015, with year to date deposits totaling $157,743.74. Mrs. Yamakaitis gave a report of the efforts of the Linden Fire Department, the Red Cross and the Linden High School ROTC to install smoke detectors in the Fifth and Eighth Wards. Sixty-nine (69) smoke alarms were installed and seven batteries were replaced. She noted that reservations are being taken for the installation of smoke alarms, and plans include the canvassing of the entire city. She provided contact information to make a reservation.

Mrs. Yamakaitis spoke about the Eighth Ward spruce up – clean up that was held this past Saturday. She noted an overwhelming response from City employees who came to help out, and mentioned some of the Departments that participated. Mrs. Yamakaitis congratulated the new fire recruits who would be hired this evening.

Mrs. Yamakaitis announced, on behalf of the Board of Health, a delay in the annual rabies vaccination program due to a delay in the State providing the vaccines. It was anticipated that the program would be held sometime in June, with the Board of Health sending notices out to all licensed pet owners, and posted on Linden’s website. Mrs. Yamakaitis spoke about the Humane Society’s mobile van, the services it offers, and when it will be in Linden. She provided contact information for the Society. Mrs. Yamakaitis spoke about another area of concern, dogs attacking other dogs or people, which was occurring because of the dogs not being leashed. She asked all dog owners to keep their pets on leashes when out in public and noted the terms of a City ordinance on the matter, and summons can be issued when it is violated.

Mrs. Yamakaitis informed all that the Board of Health still has a supply of children’s bicycle helmets that are free, and provided information on obtaining them. She concluded by telling all that McGilvray Park would be reopening soon. There is a delay do to the rubber mats having been ordered, but have not yet arrived. She noted that when the park is complete she will host a grand re-opening celebration.

**SEVENTH WARD**

President Alvarez wished Mr. Minarchenko a happy birthday.

Mr. Minarchenko gave the report of the Construction Code Department. The department issued 123 permits, 13 certificates and collected $60,720.00 in fees for the month of March.

Mr. Minarchenko noted that he has also turned in a list of potholes. Public Works is doing a great job, but there are just so many it is difficult. Next he spoke about the problems in the Sixth and Seventh Ward regarding the water mail replacement by the water company’s contractor. He noted the horrendously bad and sloppy job they are doing. The streets look like a battlefield. Council has instructed the City attorney to contact the Board of Public Utilities regarding the problems, and see what they can do for us.

Mr. Minarchenko reported that the new railroad crossing signal has been installed on Lower Road, but it is not operational yet. He added that once it becomes operational, the City can apply for Quiet Zone designation, which should provide some relief for residents from the train whistle blowing all night long. Mr. Minarchenko spoke about the Blue Acres Program for Sixth and Seventh Ward residents. Those whose areas are in the program should be hearing from their case manager. The State is starting to make offers to those who are in flood prone areas. Mr. Minarchenko informed all that updated flood maps are available for the City of Linden and told residents that information regarding their property could be obtained from the City Engineers office. He also noted a presentation by Union County on flood risk, and provided information on it.

Mr. Minarchenko congratulated the new fire recruits, and singled out two who are residents of the Seventh Ward for special recognition.

**SIXTH WARD**

Mr. Sadowski asked the new fire recruits to stand and be recognized. He then congratulated them. He then reminded all that 2015 dog licenses are available in City Hall.

Mr. Sadowski spoke about the awful conditions, in the Sixth and Seventh Ward, as a result of the work being done by the Water Company. He reviewed a number of problems, with the work and how it affected residents. Next he talked about the issue of shopping carts being left on the streets of the Sixth Ward. He asked residents, if a cart has been left by their house, to call him and he will have DPW pick it up, as these carts are an eyesore.

Mr. Sadowski reported that he is going around the Sixth Ward and checking on sidewalks and trees that need trimming. Also trees are available and if anyone wants a tree planted by their house to please call him. He also spoke in the delay in the start of the rabies vaccination program. He asked residents to be patient with the filling of potholes.

Mr. Sadowski reported on a trip he took with a fifth grade class from Sixth School to Hawk Rise. He praised the NJ Audubon Society for the program they provided for the Children. He concluded by providing his contact information for those needing to reach him.

**FIFTH WARD**

Mrs. Cosby-Hurling thanked recreation and public property for the grand opening of Charles St. Park, and their help. She noted that there is still some work to be completed, but the park is now open. Next she spoke about, pressing, along with Mrs. Yamakaitis, for the start of the repaving of the Park Ave Bridge. They are pressing for the work on the bridge to be done next. She then spoke about streets, in the Fifth Ward, that will be repaved this year. Mrs. Cosby-Hurling noted that the installation of speed humps, authorized last year, should begin soon.

Mrs. Cosby-Hurling informed all that the School 4 will be doing a Mother’s day flea market, as a fundraiser, and are looking for vendors. She provided information on how those interested in having a table could obtain it, and provided contact information.

Mrs. Cosby-Hurling spoke about the restoration of employee break room in City Hall and the reasons why. She also spoke about Mr. Brown, and the concept of outsourcing of the maintenance of vacant property. She noted a possible source of funding to hire the contractors. She also spoke about the possibility of having a form of community service, from the Court, to help manage some of the vacant property.

Mrs. Cosby-Hurling announced that she and Mr. Brooks will be hosting an event, on May 16th, at Dr. Martin Luther King Park, entitled Kids in the Park day. She provided details on the event and its purpose. She also spoke about a resolution, on tonight’s agenda that would encourage the City’s vendors and concessionaires to provide health choice meals and snacks.

Mrs. Cosby-Hurling thanked the members of the Finance Committee, and those that worked so hard on the budget, noting the small size of the tax increase and all working hard together to bring businesses to Linden. Mrs. Cosby-Hurling announced that the City has been informed, by the County, that its portion of the taxes, for Linden residents, will decrease by an average of $62.00.

Mrs. Cosby-Hurling thanked her neighbor, Kathy, for her diligent in keeping the wooden dogs up at Iozzi Park. The wooden dogs are there to help control the Canadian geese population in the park. She wished happy birthday to Mr. Minarchenko, to her nephew, and provided her contact information.

**FOURTH WARD**

Mr. Brooks stated he wasn’t sure he liked the change in the order of the reports, as it makes a lot of what he was going to say repetitive. He then welcomed the new fire recruits and congratulated them. He thanked various City Departments for their efforts. He spoke about an incident he was involved in regarding the removal of graffiti in Dr. King Park, and the quick response he got from Public Works and Public Properties.

Mr. Brooks assured residents of the Fourth Ward that he is working hard on taking care of an issue associated with a club that is behind Duncan Donuts on St. Georges Ave, on the Roselle side. He also reported that he is working on the drainage issue that is affecting residents on Harrison Place. He spoke about his discussions with Engineering on this issue.

Mr. Brooks announced that the Department of Public Property and Community Services will be presenting their 56th annual Senior Citizen of the Year program on Friday, May 8th at the John T. Gregorio Recreation Center. He also announced details on a free blood pressure screening that would be held at the John T. Gregorio Recreation Center and a health fair that would be held at School 1 on April 29th. He concluded by providing his contact information.

**THIRD WARD**

Mr. Brown spoke about a joint budget meeting, for residents of the First, Second, and Third Wards, that was held on Saturday. He apologized for the short notice given for the meeting. He also spoke about having monthly joint ward club meetings, for the First, Second, and Third wards at the Linden Library. He provided the dates of the meetings, and the purpose of the meetings.

Mr. Brown thanked his colleagues, on Council, and the Mayor, for their support of the budget. He spoke about the budget process, and not only taking into consideration the request of the departments but also those of the Councilmembers regarding their wards.

Mr. Brown gave the following report of the Finance and Budget Committee:

1. The payment of bills totaling $1,176,661.95. The bills have been signed by the Mayor, Council President and Finance Chairman and a detailed check register and vouchers are on file in the Clerk’s Office.
2. We are in receipt of the investments made by the City Treasurer for the month of March at the rate of .1499%

Mr. Brown moved for approval of the Finance Report. The motion was seconded by Mrs. Cosby-Hurling and was unanimously ordered approved by a roll call vote.

Mr. Brown spoke about setting the direction for where Linden needs to be. He also talked about the need to rebuild the Police Department and the Public Works Department. He spoke about how the police department is short staffed and how hard the officers work and likewise Public Works.

President Alvarez thanked Mr. Brown for the great job he did.

**SECOND WARD**

Mr. Beyer noted several addresses that have been approved for handicapped parking signs, and ordinances will be to done to finalize the process. He noted the meeting of the Engineering Committee, and that they have selected the streets to be paved under the 2015 capital budget. He noted that they will be in odd numbered wards, and what the streets would be.

Mr. Beyer noted that he has been getting complaints about people, who have picked up after their dog, walking a couple of blocks and dumping it on someone’s front lawn. Also the bags are being hung on fences. He asked Second Ward residents to be aware of it and if someone is caught, he will ask for the maximum fine.

**FIRST WARD**

Mr. Kolibas gave the following report of the Personnel Committee:

1. In the Board of Health - the appointment of Alexis Rivera effective May 1,

2015 as a Clerk I at the rate of $34,548.00 subject to successful

completion the pre-employment exam and Board of Health approval.

2. The approval of FMLA/NJFLA and unpaid sick leaves for the following

personnel:

* Employee #108113 FMLA leave from 3/20/15 through 6/19/15;
* Employee #007779 FMLA leave from 3/20/15 through 6/19/15.
* Employee #091142 intermittent FMLA leave from 3/10/15 through 6/10/15

3. The approval of the DPW & Public Property seasonal list which is on file

in the Treasurer’s Office.

4. In the Department of Public Property and Community Services, Division of Public Works the hiring of three Laborers Tier 2, Pedro Calzado, William Telesco and Tyler Wiewiorski at the starting hourly rate of $11.50 effective May 1, 2015 pending successful completion of their pre-employment exams.

5. In the Law Department the change from clerk part time status to full time clerk 1 status for Zahirah Rodgers to clerk 1 at the annual salary of $34,548.00, effective May 1, 2015.

6. In the Department of Fire Department – the promotion of Lawrence

Kolesa from Fire Captain to Fire Deputy Chief at the salary of $143,339

effective May 1, 2015 to fill the existing vacancy created by a retirement.

7. In the Department of Fire Department – the promotion of Kevin Konecny

from Fire Lieutenant to Fire Captain at the salary of $113,829 effective

May 1, 2015.

8. In the Department of Fire Department – the promotion of Brian Ferraro

from Fire Fighter to Fire Lieutenant at the salary of $104,382.00 effective

May 1, 2015.

9. In the Police Department, Division of Central Dispatch the change in

status for Brittney Florio, Michael Chabak and Monika Solarska-Gnat as

per diem dispatchers to Telecommunication Operators Full-Time at the

salary of $34,547.00, effective May 1, 2015.

10. Policy Change Citywide – Increase City policy for employees who are

appointed to part-time positions to be permitted to work not to exceed

29.5 hours. Any current part-time employees shall continue to work the

hours assigned to them pursuant to their hiring resolution. Requests for

increased hours may be made to the Personnel Committee and reviewed

on a case by case basis.

11. In the Police Department – permission is granted to start conducting background investigations for up to 12 police candidates.

12. In the Fire Department, due to the requirements of the SAFER Grantand minimum manning requirements, the hiring of six probationary Firefighters: Eric Turon, Ryan Evan, Ryan Yusko, Gregory Boyne, Richard Raudys and Daniel Sura at the starting annual salary of $48,081.00 effective May 8, 2015 pending the successful completion of all background checks and pre-employment physicals.

13. In the Department of Public Property and Community Services the leave of absence without pay for a period of up to one year, effective May 8, 2015 for the following personnel: Ryan Yusko, Laborer and Richard Raudys, Mechanic.

Mr. Kolibas moved for approval of the Personnel Report. The motion was seconded by Mrs. Yamakaitis, and approved by a roll call vote, with all voting in favor, except Mrs. Cosby-Hurling who voted no to items #12 and #13 and Mr. Brown who voted no to item #12.

Mr. Kolibas asked all who were promoted or hired to stand and be recognized.

Mr. Kolibas gave the report of the City Clerk’s office. During the month of March, 2015, a total of $4,825.77. Also during the month of March, 2015, the City Clerk’s Licensing Division collected a total of $9,513.00.

Mr. Kolibas announced that on April 24, 2015 Linden High School will be having an accident simulation on Stiles St., by the Athletic Field. He noted the purpose of the simulation, and for residents not to be concerned over the police/fire activity that will be part of the event. He concluded by providing his contact information for those First Ward residents with questions or concerns.

**MAYOR’S REPORT**

Mayor Armstead thanked all of the council members for the outstanding job they have done reporting potholes. Next the Mayor announced that the Union County tax rate, for Linden, would decrease by an average of $62.00. per household. He thanked Mr. Brown, the Finance committee, and Finance Department for giving the City of Linden the lowest tax increase since 2006. He commended all for their hard work and diligence.

Mayor Armstead spoke about 911 dispatch, and the important role that they play in providing for the safety of Linden residents. He congratulated those receiving changes in status in that department. In also congratulated those, on the Personnel Report, being hired, promoted or a change in status. He talked about the special role that firemen play in the City.

Mayor Armstead spoke about the budget, the decrease in expenditures, and the importance of increasing revenues. He noted the Borough of Carteret, and what Mayor Daniel Reiman did with the SID District there. He talked about plans being formulated in Linden to include the Route 1 & 9 and St. Georges Ave corridors in the SID District. He explained what could be done with revenue generated from these new SID districts and the services that could be provided with that revenue. He urged Mr. Brown, and Council to run with this idea. The Mayor also informed all about a hazardous material response fund, created in Carteret, the revenue it raised, and the uses that the revenue was put to. The Mayor expanded on the importance of expanding the revenue basis of the City in turning it around.

Mayor Armstead discussed the proposal of HE Energy Company to build a facility in Linden and the estimated revenue, of between $3,000,000.00 and $4,000,000.00 it could bring to the City.

Mr. Brown left the meeting at the conclusion of the Mayor’s report. (9:05 pm)

**RESOLUTIONS**

President Alvarez announced that public comment 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.

**Mrs. Cosby-Hurling moved to remove Resolution #2015-174 from further consideration. The motion was seconded by Mr. Brooks and was unanimously ordered approved on a roll call vote.**

**Resolutions #2015-162, #2015-163, #2015-164, #2015-166, #2015-169, #2015-180, #2015-186, #2015-188, #2015-201 were removed at the request of Mrs. Malik.**

**Resolutions #2015-166, #2015-182, #2015-184, #2015-186, #2015-191, #2015-200, #2015-203 were removed at the request of Ms. Hero.**

**Mrs. Cosby-Hurling moved for approval of Resolutions #2015-162 through #2015-203 with the exception of Resolutions #2015-162, #2015-163, #2015-164, #2015-166, #2015-169, #2015-180, #2015-181, #2015-184, #2015-186, #2015-188, #2015-191, #2015-200, #2015-201, #2015-203. The motion was seconded by Mr. Brooks and was unanimously ordered approved on a roll call vote.**

**RESOLUTION: 2015-162**

**RESOLUTION FOR PURCHASE OF TWO 2015 POLICE INTERCEPTOR SUVS - FROM BEYER FORD THROUGH THE MORRIS COUNTY CO-OP TO REPLACE OBSOLETE FRONT LINE PATROL VEHICLES**

**WHEREAS**, the City of Linden wishes to obtain services from an authorized vendor under the Morris County Co-op (MCCPC) Contract #15A, Item #5. Awarded to Beyer Ford, 170 Ridgedale Avenue, Morristown, NJ 07936, an authorized vendor and,

**WHEREAS**, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-12; and,

**WHEREAS**, Beyer Ford, 170 Ridgedale Avenue, Morristown, NJ 07936, has been awarded Contract No.15A, Item 5 for the provision of trucks; and,

**WHEREAS**, the Purchasing Agent recommends the utilization of this contract on the grounds that it represents the best means available to obtain services for; and,

**WHEREAS**, the amount of the service is not to exceed $60,000.00 and,

**WHEREAS**, the Chief Finance Officer has certified the availability of funds for this contract, which will be charged to account number C-04-55-902-612-919 and,

**NOW THEREFORE BE IT RESOLVED** by the City of Linden that Beyer Ford be awarded a contract for a term of one year or until new awards are made; and,

**BE IT FURTHER RESOLVED,** that the Mayor, Council President, City Clerk and/or such other city officials as is necessary and proper be authorized to execute such documents as necessary to implement this resolution.

**REFER TO RESOLUTION #2015-164 FOR COMMENTS AND ROLL CALL.**

**RESOLUTION: 2015-163**

**RESOLUTION FOR PURCHASE OF TWO 2015 POLICE CHEVY TAHOE SUVS - FROM DAY CHEVROLET, INC. THROUGH THE MORRIS COUNTY CO-OP TO REPLACE OBSOLETE FRONT LINE PATROL VEHICLES**

**WHEREAS**, the City of Linden wishes to obtain services from an authorized vendor under the Morris County Co-op (MCCPC) Contract #15A, Item #11. Awarded to Day Chevrolet, Inc., 1600 Golden Mile Highway, Monroeville, PA 15146, an authorized vendor and,

**WHEREAS**, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-12; and,

**WHEREAS**, Day Chevrolet, Inc., has been awarded Contract No.15A, Item 11 for the provision of trucks; and,

**WHEREAS**, the Purchasing Agent recommends the utilization of this contract on the grounds that it represents the best means available to obtain services for; and,

**WHEREAS**, the amount of the service is not to exceed $70,000.00 and,

**WHEREAS**, the Chief Finance Officer has certified the availability of funds for this contract, which will be charged to account number C-04-55-902-612-919 and,

**NOW THEREFORE BE IT RESOLVED** by the City of Linden that Day Chevrolet, Inc. be awarded a contract for a term of one year or until new awards are made; and,

**BE IT FURTHER RESOLVED,** that the Mayor, Council President, City Clerk and/or such other city officials as is necessary and proper be authorized to execute such documents as necessary to implement this resolution.

**REFER TO RESOLUTION #2015-164 FOR COMMENTS AND ROLL CALL.**

**RESOLUTION: 2015-164**

**RESOLUTION QUALIFING FIRMS FOR PROJECT MANAGEMENT**

**AND COORDINATION SERVICES**

**WHEREAS,** in accordance with N.J.S.A. 40A:11-2(6) the City of Linden (the “City”), County of Union, a municipal corporation of the State of New Jersey, instituted a policy to negotiate agreements for Professional Services on the basis of demonstrated confidence and qualifications for types of Professional Services required by the City pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.4; and

**WHEREAS,** the Purchasing Agent of the City of Linden has received in accordance with a published notice, sealed qualifications for various positions; and

**WHEREAS,** pursuant to the fair and open process, and based upon review of the qualifications and recommendations therefore, certain professionals are qualified for certain positions for the calendar year 2015;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** thatin accordance with N.J.S.A. 40A:11-2(6) on such basis as necessary, and for each of the approved and qualified vendors, a resolution approving each individual specific contract shall be considered by the Mayor and Council;

**PROJECT MANAGEMENT AND COORDINATION SERVICES**

**Muller, Bohlin Associates, Inc.**

**PO Box 458**

**Lyndhurst, NJ 07071**

**BE IT FURTHER RESOLVED** that this Resolution shall take effect immediately.

**Virginia Malik, 1633 Lenape Road. Ms. Malik asked question regarding the disposal of vehicles coming out of the fleet and the number of various types of vehicles in the fleet. She also questioned the need for the SUV’s. Chief Schulhafer and Mayor Armstead provided responses.**

**Mrs. Cosby-Hurling moved for approval of Resolutions #2015-162 through #2015-164. The motion was seconded by Mr. Brooks and was ordered approved on a roll call vote with all voting yes with the exception of Mrs. Cosby-Hurling who voted no on Resolutions #2015-162 and #2015-163.**

**RESOLUTION: 2015-165**

**RESOLUTION AUTHORIZING THE**

**TAX COLLECTOR TO FORWARD MONIES TO**

**LIEN HOLDER**

WHEREAS, the City of Linden has held tax sales, where bidders purchased certificates, where the property owners have filed for bankruptcy, and

WHEREAS, the City has filed a proof of claim on behalf the lien holder, Amaco and Trustees have forwarded monies to the Tax Collector; and

WHEREAS, the monies should have been sent directly to the lien holders, for Block 200 Lot 16 C2036 in the amount of $369.76.

NOW, THEREFORE, BE IT RESOLVED, that the Tax Collector is hereby authorized to issue a check from the Tax Collector Tax Sale Redemption Account in the amount of $369.76 to Amaco, 125 Rocky Boulevard # 623, Bear, DE, 19701.

**RESOLUTION: 2015-166**

**RESOLUTION AWARDING A CONTRACT TO COMMERCIAL ACCEPTANCE COMPANY (CAC) FOR AMBULANCE DEBT COLLECTION SERVICES FOR THE CITY OF LINDEN**

**WHEREAS,** the City of Linden desires to retain the services of a debt collection company for ambulance debt collection; and

**WHEREAS,** there are day-to-day management and operation responsibilities associated with operating a debt collection program; and

**WHEREAS,** the City is in need of services related to both the establishment and the operation and administration of the program; and

**WHEREAS,** the provision of these services is subject to the award of a contract without public bid in accordance with N.J.S.A. 40A:11-5(1)(a)(ii) Extraordinary Unspecifiable Services; and

**WHEREAS,** the Local Public Contracts Law (N.J.S.A. 40A:11-2 et seq.) requires that the resolution authorizing the award of contract for Extraordinary Unspecifiable Services without competitive bids and the contract itself be available for public inspection; and

**WHEREAS,** Commercial Acceptance Company (CAC) is engaged in the business of collecting debts; and

**WHEREAS,** in accordance with the provisions of N.J.S.A. 19:44A-20.4, qualifications have been received through a fair and open process, and Commercial Acceptance Company (CAC) submitted a qualification to the City and has qualified for the aforesaid services for 2015; and

**WHEREAS,** the City of Linden desires to engage Commercial Acceptance Company to assist in the establishment of ambulance debt collection;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN, COUNTY OF UNION** as follows:

1. The Mayor and City Clerk are hereby authorized to execute an agreement with Commercial Acceptance Company (CAC), Debt Recovery Consultants, 2 West Main Street, Shiremanstown, Pennsylvania 17011 effective January 1, 2015 through December 31, 2016, to provide professional debt recovery in accordance with their proposal.

2. This contract is awarded without competitive bidding under the provisions of the Local Public Contracts Law N.J.S.A. 40A:11-5(1)(a)(i).

3. The contract is subject to cancellation by the City on 30 (thirty) days notice.

4. The City Clerk shall advertise a notice of this action in a legal newspaper pursuant to N.J.S.A. 40A:11-1 in compliance with Local Public Contract Law guidelines.

**REFER TO RESOLUTION #2015-186 FOR COMMENTS AND ROLL CALL.**

**RESOLUTION: 2015-167**

**RESOLUTION AUTHORIZING AN AMENDMENT TO THE AGREEMENT APPOINTING TODD PALUMBO, ESQ. OF THE FOR THE REPRESENTATION OF COUNCILMAN RICHARD KOZIOL**

**WHEREAS,** the City Council of the City of Linden passed Resolution No. 2014-241 on June 17, 2014 2014 retaining the services of Todd Palumbo, Esq. for the representation of Councilman Richard Koziol; and

**WHEREAS,** because of the ongoing nature of the services in this matter, there is a need for additional funds not to exceed $1,175.00 for legal services relative to the aforesaid matter; and

**WHEREAS,** in accordance with the provisions of N.J.S.A. 19:44A-20.4, qualifications have been received through a non-fair and open process; and

**WHEREAS,** inclusive of these additional funds the total expenditures paid to date to Todd Palumbo Esq. for services rendered under the original or substantially related contract is $2,175.00; and

**WHEREAS,** the Chief Financial Officer or her designee has certified to the availability of funds for this purpose, to be charged to Account No. 5-01-20-155-123-255;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that they do hereby approve the additional amount not to exceed $1,175.00 for services rendered by Todd Palumbo, Esq. and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary amendatory contract documents between Todd Palumbo, Esq. and the City of Linden; and

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk be and hereby are empowered and directed to execute an amendatory agreement for Professional Services consistent with the above; and

**BE IT FURTHER RESOLVED** that a notice of this action shall be published in accordance with applicable law.

**RESOLUTION: 2015-168**

**RESOLUTION AUTHORIZING THE EXTENSION OF NEGOTIATIONS OF AN AGREEMENT FOR A SOLAR ENERGY FARM TO BE LOCATED AT THE LINDEN LANDFILL**

**WHEREAS,** passed Resolution No. 2014-324 on August 19, 2014, authorizing the negotiations of an agreement for a solar energy farm to be located at the Linden Landfill; and

**WHEREAS,** said resolution authorized negotiations until December 31, 2014; and

**WHEREAS,** the City has determined that it is in its best interest to amend said resolution to extend negotiation terms through December 31, 2015.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN, NEW JERSEY AS FOLLOWS:**

1. The City hereby authorizes the extension of negotiations until December 31, 2015.

**RESOLUTION**: **2015-169**

**RESOLUTION AMENDING A CONTRACT WITH T&M ASSOCIATES FOR THE IMPROVEMENTS TO THE LEACHATE PUMP STATION AT THE LINDEN LANDFILL**

**WHEREAS,** the City Council of the City of Linden passed a resolution on June 18, 2013, No. 2013-241, retaining the services of a consultant for the improvements to the leachate pump station at the Linden Landfill; and

**WHEREAS,** in accordance with the provisions of N.J.S.A. 19:44A-20.4, qualifications have been received through a fair and open process; and

**WHEREAS,** T&M Associates, 11 Tindall Road, Middletown, New Jersey 07748 submitted a qualification to the City and has qualified for the aforesaid service for 2015; and

**WHEREAS,** due to the ongoing nature of various work, for electrical testing and preparation of bid documents, it is necessary to provide for additional funds not to exceed $26,475.00; and

**WHEREAS,** inclusive of these additional funds the total expenditures paid to date to T&M Associates for services rendered under the original or substantially related contract is $60,975.00; and

**WHEREAS,** the Chief Financial Officer has certified to the availability of funds for this purpose, to be charged to Account No. C-04-55-907-523-919;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that the agreement for Professional Services awarded to T&M Associates, 11 Tindall Road, Middletown, New Jersey, is hereby amended to increase the contract an additional sum of $26,475.00, for a total contract of $60,975.00; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary amended contract documents between T&M Associates and the City of Linden; and

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk be and hereby are empowered and directed to execute an amendatory agreement with T&M Associates to effectuate the foregoing; and

**BE IT FURTHER RESOLVED** that a copy of this Resolution be published in accordance with applicable law.

**REFER TO RESOLUTION # 2015-188 FOR COMMENTS AND ROLL CALL.**

**RESOLUTION: 2015-170**

**CITY OF LINDEN RESOLUTION**

**WHEREAS,** there were certain payments made by the Municipal Treasurer during the month of March 2015 which do not appear on the Claims list,

**WHEREAS,** said payment must be ratified by the Governing Body of the City of Linden,

**NOW, THEREFORE, BE IT RESOLVED** that the following payments be and hereby are approved:

**CURRENT**

**CK# DATE PAYABLE TO: PURPOSE AMOUNT**

3/3/15 Worker’s Comp. claims 16,942.77

3/4/15 Vision Service Plan claims 4,187.00

3/5/15 FICA payroll 7,729.92

3/5/15 Payroll payroll 98,880.46

3/11/15 Worker’s Comp. claims 9,566.35

3/11/15 Medco claims 87,880.06

3/12/15 Payroll payroll 55,297.18

3/12/15 Payroll payroll 1,470,303.86

3/12/15 SHBP March health premium 537,903.11

3/12/15 SHBP January health premium 672,833.02

3/17/15 Worker’s Comp. claims 12,350.43

3/20/15 Medco claims 85,257.54

3/26/15 Payroll FICA 5,769.04

3/26/15 Payroll payroll 1,641,848.11

**TRUST**

3/5/15 Payroll payroll 14,956.75

3/12/15 Payroll payroll 4,169.65

3/26/15 Payroll payroll 7,053.89

**GRANT**

3/12/15 Payroll payroll 24,028.51

3/26/15 Payroll payroll 24,028.51

**SANITARY LANDFILL**

3/5/15 Payroll payroll 1,199.20

3/12/15 Payroll payroll 4,277.28

3/26/15 Payroll payroll 4,277.28

**RESOLUTION: 2015-171**

RESOLUTION APPROVING A LICENSE AGREEMENT WITH DUKE LINDEN, LLC TO UTILIZE A PORTION OF THE PARKING AREA SERVING THE BUIDLING LOCATED AT 801 W. LINDEN AVENUE FOR MOTOR OFFICER TRAINING

WHEREAS, **the City is desirous of using the parking area serving the building located at 801 W. Linden Avenue, Linden for motor officer training; and**

WHEREAS**, Duke Linden, LLC is the owner of said property; and**

WHEREAS**, the City of Linden has determined it is in the best interests of the City to enter into a License Agreement to utilize the aforementioned property for said purposes.**

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN **as follows:**

1. The City hereby authorized entering into a License Agreement with Duke Linden, LLC to utilize a portion of the parking area serving the building located at 801 W. Linden Avenue, Linden for motor officer training until December 31, 2015.
2. The City of Linden shall pay the Duke Linden, LLC a sum not to exceed ten ($10.00) dollars for the term of said agreement, along with providing a certificate of insurance of a limit not less than $3,000,000.00 per occurrence as required by said agreement.
3. The Mayor and/or such officials that are appropriate, the City Clerk and/or such officials that are appropriate, are hereby authorized to execute and attest to said license in the form as approved by the Law Department.

**RESOLUTION: 2015-172**

RESOLUTION APPROVING THE AWARD OF CONTRACT TO PAVING MATERIALS AND CONTRACTING, LLC FOR THE INFIELD DRAINAGE IMPROVEMENTS AT THE LINDEN AIRPORT IN THE CITY OF LINDEN

WHEREAS, **sealed bids were received by the Purchasing Agent on March 31, 2015 for the infield drainage improvements at the Linden Municipal Airport; and**

WHEREAS**, a notice to bidders for said purpose was properly and legally advertised in the official publication (s); and**

WHEREAS**, the Chief Financial Officer or her designee has certified as to the availability of funds for this purpose, as attached hereto, which will be charged to account/line item C-02-40-165-009-220; and**

WHEREAS, **the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that Council pass a resolution authorizing the award of contracts;**

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN **as follows:**

1. A contract is awarded to Paving Materials and Contracting, LLC at their bid of $328,010.00, subject to New Jersey Department of Transportation.
2. This Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents between Paving and Contracting, LLC and the City of Linden.
3. The Mayor and City Clerk are hereby authorized to execute all documents to effectuate the purposes herein above expressed.

**RESOLUTION: 2015-173**

**A RESOLUTION CONFIRMING THE MAYOR’S APPOINTMENT OF ARMAND FIORLETTI AS A**

**MEMBER OF THE LINDEN ECONOMIC DEVELOPMENT CORPORATION OF THE CITY OF LINDEN**

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN:**

Confirming Mayor Derek Armstead’s appointment of Armand Fiorletti, to the Linden Economic Development Corporation of the City of Linden as a representative of the Planning   
Board to serve for the term of one (1) years, commencing January 1, 2015 and terminating December 31, 2015 and until his successor shall have been appointed and shall have qualified.

**RESOLUTION: 2015-174**

**A RESOLUTION CONFIRMING THE MAYOR’S APPOINTMENT OF ANDREA MARTONE A**

**MEMBER OF THE LINDEN ECONOMIC DEVELOPMENT CORPORATION OF THE CITY OF LINDEN**

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN:**

Confirming Mayor Derek Armstead’s appointment of Andre Martone to the Linden Economic Development Corporation of the City of Linden as a Business/Industrial Community representative to serve for the term of one (1) years, commencing January 1, 2015 and terminating December 31, 2015 and until her successor shall have been appointed and shall have qualified.

**RESOLUTION: 2015-175**

**A RESOLUTION CONFIRMING THE MAYOR’S APPOINTMENT OF NANCY SADLON AS A**

**MEMBER OF THE LINDEN ECONOMIC DEVELOPMENT CORPORATION OF THE CITY OF LINDEN**

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN:**

Confirming Mayor Derek Armstead’s appointment of Nancy Sadlon to the Linden Economic Development Corporation of the City of Linden as a representative of the Linden Industrial Association to serve for the term of one (1) years, commencing January 1, 2015 and terminating December 31, 2015 and until her successor shall have been appointed and shall have qualified.

**RESOLUTION: 2015-176**

**A RESOLUTION TO ACCEPT EMERGENCY MANAGEMENT PERFORMANCE GRANT PROGRAM EMAA FUNDING FOR FY14 ON BEHALF OF THE OFFICE OF EMERGENCY MANAGEMENT**

**WHEREAS,** the City of Linden, on behalf of the Office of Emergency Management is

applying for funding from the Emergency Management Performance Grant Program EMAA for FY2014; and

**WHEREAS,** the Office of Emergency Management and the City of Linden is

desirous of applying for said grant;

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF**

**THE CITY OF LINDEN** as follows:

1. That the City of Linden will accept the $5,000 grant on behalf of the local Office of Emergency Management, and provide the $5,000 required non-federal match for the Emergency Management Performance Grant EMAA FY 2014 funding as the subgrantee from the from the State of New Jersey, Department of Law and Public Safety, Division of State Police.

2. That the Mayor, City Clerk, Chief Financial Officer or other City Official

as required are hereby directed and empowered to execute any documents,

as needed, to effectuate the foregoing.

3. This Resolution shall take effect pursuant to law.

**RESOLUTION: 2015-177**

**RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN**

**APPROVED STATE CONTRACT VENDORS FOR CONTRACTING UNITS PURSUANT TO N.J.S.A. 40A:11-12a**

**WHEREAS,** the City of Linden, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of Treasury; and

**WHEREAS,** the City of Linden has the need on a timely basis to purchase goods or services utilizing State contracts; and

**WHEREAS,** the City of Linden intends to enter into contracts with the following State Contract vendors:

State Contract Number T- Number

5.11 Tactical 81360 T-0106

Akron 80964 T-0790

Avaya 42285 T-1316

Absolute Fire Protection 81340 T-0106

80960 T-0790

BRP/Evinrude 86336 T-0969

Bayer Ford LLC 83013

Black Diamond Group Inc 80957 T-0790

Cairns 80953 T-0790

Cardiac Science 84960 T-2478

Chase Winner Inc 83012

Continental Fire & Safety 80956 T-0790

81365                                                  T-106A

Cutters Edge 80965 T-0790

ED Bullard Company              80952                                                  T-0790

ESI                                        80967                                                  T-0790

Fire Dex 80946 T-0790

Fire Fighter Equipment           80961                                                  T-0790

80949

                                                80958

80953

80954

Firefighter I LLC 81374 T-0106

81340

Grace Industries 80965 T-0790

Guard Line Fire Equipment    80951                                        T-0106

                                                76361                                                  T-0790

Hertrich Fleet Services 83011

Infrared Systems Group LLC 80969 T-0790

Junkin 80949 T-0790

Majestic Fire Apparel Inc. 76360                                                  T-0790

Mine Safety Appliances 80953 T-0790

Morning Pride 80948

Motorola Communications   53804                                                  T-0109

Municipal Emergency Services 80966

New Jersey Fire Equipment   80961

                                                80953

                                                80954

Scott Health & Safety 80961

Stanfields LTD 80954

Tempest Technology 80974

Total Fire Group             80948                                                 T-0790

Turnout Fire and Safety 80947   T-0106

                                                80948                                                   S-0046

                                                80953

                                    81360

                                                 81329

                                                 78923

Through this resolution and properly executed contracts, which shall be subject to all the conditions applicable to the current State contracts;

**NOW, THEREFORE, BE IT RESOLVED,** that the City of Linden authorizes the Purchasing Agent to purchase certain goods or services from these New Jersey State Contract Vendors, pursuant to all conditions of the individual State contracts; and

**BE IT FURTHER RESOLVED,** that the governing body of the City of Linden pursuant to N.J.A.C. 50:30-5.5(b), the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Financial Officer; and

**BE IT FURTHER RESOLVED,** that the duration of the contracts between the City of Linden and the State Contract Vendors shall be from January 1, 2015 through December 31, 2015.

**RESOLUTION: 2015-178**

**RESOLUTION DECLARING SURPLUS SCRAP FOR**

**SALE OR DISPOSITION**

**WHEREAS,**  N.J.S.A. 40A:11-36 provides for the sale/disposal of surplus property not needed for government use; and

**WHEREAS,** the City of Linden desires to sell or dispose of certain surplus property; and **WHEREAS,** the item listed below is being declared surplus and not needed for municipal purpose;

**Dell Service Tag: BJW1XB1**

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** that pursuant to N.J.S.A. 40A:11-36 that the Purchasing Agent is hereby authorized to sell at public auction or dispose of, as appropriate, the attached items; and

**BE IT FURTHER RESOLVED** that the Purchasing Agent is hereby authorized to confirm the sale/disposal of said item as scrap.

**RESOLUTION: 2015-179**

**RESOLUTION FOR MUNICIPAL CLERKS WEEK**

**MAY 3 – 9, 2015**

**WHEREAS,** The Office of the Municipal Clerk, a time honored and vital part of local government exist throughout the world; and

**WHEREAS,** the office of the Municipal Clerk is the oldest among public servants; and

**WHEREAS,** the office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels; and

**WHEREAS,** Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all; and

**WHEREAS,** the Municipal Clerk serves as the information center of functions of local government and community; and

**WHEREAS,** Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, provincial, county and international professional organizations; and

**WHEREAS,** it is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the City of Linden that they do hereby declare the week of May 3, 2015 through May 9, 2015, as Municipal Clerks Week, and further extend appreciation to the Linden office of Municipal Clerk, and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

**RESOLUTION: 2015-180**

**RESOLUTION SUPPORTING HEALTH SNACKS AND CONCESSIONS**

**WHEREAS,** obesity rates have doubled in children and tripled in adolescents over the last two decades, and physical inactivity and excessive calorie intake are the predominant causes of obesity; and

**WHEREAS,** heart disease, cancer, stroke, and diabetes are responsible for two-thirds of deaths in the United States, and major risk factors for those diseases, including unhealthy eating habits, physical inactivity, and obesity, are often established in childhood; and

**WHEREAS,** the items most commonly sold from vending machines and concession stands include low-nutrition foods and beverages, such as soda, sports drinks, imitation fruit juices, chips, candy, cookies, and snack cakes; and

**WHEREAS,** the Mayor and City Council believe that children need access to healthful foods and opportunities to be physically active in order to grow, learn, thrive and develop healthy eating habits; and

**WHEREAS,** the Mayor and City Council, in order to promote healthful behavior in Linden’s youths, are committed to encourage them to consume fresh fruits, vegetables, low fat milk and whole grains; and

**WHEREAS,** in support of these goals vending machines and concession stands, operating on City property shall adapt their offerings to promote healthy eating habits.

**NOW THEREFORE BE IT RESOLVED,** by the Mayor and Council of the City of Linden food and beverages sold or served through vending machines and concession stands located on City property will transition to meet the nutrition recommendations of the U.S. Dietary Guidelines for Americans, and the USDA nutrition standards for National School Lunch, School Breakfast and/or After School Snack Programs; and

**BE IT FURTHER RESOLVED** that copies of this resolution be given to all vendors and concessionaires, by the appropriate City Department and urge them to bring their offerings into compliance with the goals of the Mayor and Council.

**Virginia Malik, 1633 Lenape Road. In response to Ms. Malik, Mrs. Cosby-Hurling explained the resolution and what she hoped to accomplish.**

**Mrs. Cosby-Hurling moved for approval of Resolution #2015-180. The motion was seconded by Mr. Brooks and was unanimously ordered approved on a roll call vote.**

**RESOLUTION: 2015-181**

**RESOLUTION ACKNOWLEDING AND HONORING CHRIS HENNIE, JOAO “JOHN” LASHERAS,**

**AND ERIC RIOS QUICK THINKING AND HEROISM.**

**WHEREAS,** on January 23, 2015, a vehicle, driven by Tadeusz Smakolski, was travelling south on Lower Road, left the roadway and struck a PSE&G Utility pole, catching fire; and

**WHEREAS,** three employees of DAS, Chris Hennie, Joao “John” Lasheras, and Eric Rios, heard the crash, and realizing the seriousness of the situation, with smoke coming out from under the hood, took quick action; and

**WHEREAS,** Chris Hennie rushed toward the vehicle, opened the driver’s door, and pulled the driver from the vehicle to a safer area; and

**WHEREAS,** Joao “John” Lasheras grabbed a fire extinguisher from inside DAS and used it to extinguish the vehicle fire while Eric Rios contacted emergency services for assistance; and

**WHEREAS,** the Linden Police and Fire Departments responded to attend to Mr. Smakolski, and he was subsequently transported to UMDNJ Hospital, where he later succumbed to his injuries; and

**WHEREAS,** there is no doubt that the decisive action of the these three individuals prevented an already dangerous situation from becoming worse; and

**WHEREAS,** the Mayor and Council of the City of Linden wish to recognize the quick thinking and heroism of Chris Hennie, Joao “John” Lasheras, and Eric Rios.

**NOW THEREFORE BE IT RESOLVED,** by the Mayor and Council of the City of Linden that they commend Chris Hennie, Joao “John” Lasheras, and Eric Rios, for their acts of heroism and thank them for not hesitating to help a person in need; and

**BE IT FURTHER RESOLVED** that a copy of this resolution be fittingly presented to Chris Hennie, Joao “John” Lasheras, and Eric Rios and be placed in the minutes of the City Council of the City of Linden in permanent recognition of their actions.

**RESOLUTION**: **2015-182**

**RESOLUTION AMENDING A CONTRACT WITH BOSWELL ENGINEERING FOR THE LANDSCAPE DESIGN FOR THE WOOD AVENUE STREETSCAPE PROJECT**

**WHEREAS,** the City Council of the City of Linden passed a resolution on April 15, 2014, No. 2014-175, retaining the services of a consultant for design services for the Wood Avenue Streetscape Project; and

**WHEREAS,** in accordance with the provisions of N.J.S.A. 19:44A-20.4, qualifications have been received through a fair and open process; and

**WHEREAS,** Boswell Engineering, 330 Phillips Avenue, P.O. Box 3152, South Hackensack, New Jersey 07606 submitted a qualification to the City and has qualified for the aforesaid service for 2015; and

**WHEREAS,** due to the ongoing nature of various work, for redesign services, it is necessary to provide for additional funds not to exceed $14,000.00; and

**WHEREAS,** inclusive of these additional funds the total expenditures paid to date to Boswell Engineering for services rendered under the original or substantially related contract is $70,350.00; and

**WHEREAS,** the Chief Financial Officer has certified to the availability of funds for this purpose, to be charged to Account No. C-04-55-901-580-919;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that the agreement for Professional Services awarded to Boswell Engineering, 330 Phillips Avenue, P.O. Box 3152, South Hackensack, New Jersey 07606, is hereby amended to increase the contract an additional sum of $14,000.00, for a total contract of $70,350.00; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary amended contract documents between Boswell Engineering and the City of Linden; and

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk be and hereby are empowered and directed to execute an amendatory agreement with Boswell Engineering to effectuate the foregoing; and

**BE IT FURTHER RESOLVED** that a copy of this Resolution be published in accordance with applicable law.

Pat Hero, 1009 Wheatsheaf Road. In response to Ms. Hero, Mr. Vircik explained what the Wood Ave Street Scape project was, and the work that Boswell would be doing for this amount of money.

**Mrs. Cosby-Hurling moved for approval of Resolution #2015-182. The motion was seconded by Mr. Brooks and was unanimously ordered approved on a roll call vote.**

**RESOLUTION: 2015-183**

**RESOLUTION RECOGNIZING AND HONORING ELEANOR BARBARICH**

**FOR HER DEDICATION AND SERVICE TO THE CITY OF LINDEN**

**WHEREAS,** the Author Herman Melville expressed the philosophy that “We cannot live only for ourselves. A thousand fibers connect us with our fellow men.” And;

**WHEREAS,** Eleanor Lassota Barbarich, a lifelong Linden resident, is an exemplary model of this philosophy, having dedicating herself to her family and Linden community; and

**WHEREAS,** was born in Linden, on 16th Street, attended School #6, Soehl Middle School, graduated from Linden High School, and on September 5, 1953 married Paul (Dave) Barbarich, moving to Dennis Place; and

**WHEREAS,** she became the mother of David, James, Denise and Danny, grandmother of twelve and great grandmother to ten children; and

**WHEREAS,** Eleanor, or “Elli” as she is affectionately known, has also severed her community as a Commissioner of the Board of Health; Commissioner of the Linden Housing Authority; Member of the Community Advisory Panel for Bayway Refinery; Polish War Vets; Retired Police and Fireman’s Club; Linden PAL Mother; St. Hedwig Senior Citizens Entertainment Chairperson; Union County Democratic Committeewoman; member of the Linden City Democratic Club and the Eight Ward Democratic Club; and

**WHEREAS,** Eleanor Barbarich’shard work has earned her numerous recognitions including serving as the 1998 Linden Marshall to the Pulaski Parade in New York City; being selected as Outstanding Woman of Linden by Senator Nicholas Scutari; and as Gal of the Year by the Linden City Democratic Club; and

**WHEREAS,** no matter what task Eleanor was asked to take on she did so with quite efficiency and dedication always striving to do what was in the best interest of the Community, discharging her duties competently and honorably; and

**WHEREAS,** the Mayor and Council wish to express their gratitude and thanks, and that of the City of Linden, to Eleanor Lassota Barbarich for her dedicated and faithful service to the City of Linden;

**NOW THEREFORE BE IT RESOLVED,** by the Mayor and Council of the City of Linden that they thereby express their deepest appreciation, and thanks, to Eleanor Lassota Barbarich for her dedication in connecting the thousand fibers that make Linden the Community that it is; and

**BE IT FURTHER RESOLVED that** a copy of this resolution be placed in the minutes of the City Council of the City of Linden and a copy hereof be presented to Eleanor “Elli” Barbarich in permanent recognition of the foregoing.

**RESOLUTION: 2015-184**

**RESOLUTION AUTHORIZING AN AMENDMENT TO THE AGREEMENT APPOINTING MCMANIMON, SCOTLAND & BAUMANN AS SPECIAL COUNSEL TO REPRESENT THE CITY IN CONDEMNATION MATTERS**

**WHEREAS,** the City Council of the City of Linden passed a Resolution on June 17, 2014 retaining the services of McManimon, Scotland & Baumann, LLC, as Special Counsel representing the City in condemnation matters; and

**WHEREAS,** because of the ongoing nature of the services in this matter, there is a need for additional funds not to exceed $1,000.00 for legal services relative to the aforesaid matter; and

**WHEREAS,** in accordance with the provisions of N.J.S.A. 19:44A-20.4, qualifications have been received through a fair and open process; and

**WHEREAS**, McManimon, Scotland & Baumann, LLC submitted a qualification to the City and has qualified for the aforesaid services for 2015; and

**WHEREAS,** inclusive of these additional funds the total expenditures paid to date to McManimon, Scotland & Baumann, LLC for services rendered under the original or substantially related contract is $6,000.00; and

**WHEREAS,** the Chief Financial Officer has certified to the availability of funds for this purpose, to be charged to Account No. 5-01-20-155-123-260;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that they do hereby approve the additional amount not to exceed $1,000.00 for services rendered by McManimon, Scotland & Baumann, LLC.; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary amendatory contract documents between McManimon, Scotland & Baumann, LLC and the City of Linden; and

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk be and hereby are empowered and directed to execute an amendatory agreement for Professional Services consistent with the above; and

**BE IT FURTHER RESOLVED** that a notice of this action shall be published in accordance with applicable law.

**Pat Hero, 1009 Wheatsheaf Rd. Ms. Hero stated she thought that this item was defeated last month. Mr. Antonelli responded that was correct, and all that this resolution did was to allow the payment of an outstanding bill from this law firm. He provided the amounts. He noted, in response to Ms. Hero, that this fee was required by our contract with a developer.**

**Mrs. Cosby-Hurling moved for approval of Resolution #2015-184. The motion was seconded by Mr. Brooks and was unanimously ordered approved on a roll call vote.**

**RESOLUTION: 2015-185**

**RESOLUTION AWARDING A CONTRACT TO BRYAN FLYNN, CTA TO ASSIST THE CITY OF LINDEN WITH COUNTY TAX BOARD APPEALS FOR 2015**

**WHEREAS**, it is necessary to hire a real estate appraiser who is a member of the Appraisal Institute (M.A.I.) in order to assist the Tax Assessor with the inspection of properties along with pictures and analysis for County Tax Board appeals for 2015; and

**WHEREAS**, pursuant to the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.), such services are considered "Professional Services" as within the scope of a licensed and regulated profession, and same may be awarded without competitive bidding; and

**WHEREAS**, the Finance Director has certified to the availability of funds for this purpose, to be charged to Account No. 5-01-20-156-117-273;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that a contract for Professional Services be and hereby is awarded to Bryan Flynn, CTA, 122 Sylvan Avenue, Newark, New Jersey 07104 at a fee not to exceed $3,500.00; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary contract agreements between Bryan Flynn, CTA and the City of Linden; and

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk be and hereby are empowered and directed to execute a contract with Bryan Flynn to effectuate the foregoing; and

**BE IT FURTHER RESOLVED** that a copy of this Resolution be published according to law.

**RESOLUTION:** **2015-186**

**RESOLUTION ENGAGING MULLER BOHLIN ASSOCIATES, INC.** **FOR PROJECT MANAGEMENT AND COORDINATION SERVICES TO ASSIST THE CITY OF LINDEN**

**WHEREAS**, there exists within the City of Linden the need for project management and coordination services in the City of Linden; and

**WHEREAS,** in accordance with the provisions of N.J.S.A. 19:44A-20.4, qualifications have been received through a fair and open process; and

**WHEREAS**, Muller Bohlin Associates, Inc. submitted a qualification to the City and has qualified for the aforesaid services for 2015; and

**WHEREAS**, pursuant to the Local Public Contracts Law (N.J.S.A. 40A:11‑1 et seq.), such services are considered "Professional Services" as within the scope of a licensed and regulated profession, and same may be awarded without competitive bidding; and

**WHEREAS**, Muller Bohlin Associates, Inc., having offices at P.O. Box 458, Lyndhurst, New Jersey 07071, possesses the requisite professional certification and experience necessary to serve in said position; and

**WHEREAS**, funds will be made available subject to various approval of grant/capital accounts;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that a contract for Professional Services be and hereby is awarded to Muller Bohlin Associates, Inc. at a total sum not to exceed $90,000.00; and

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk be and hereby are empowered and directed to execute a contract with Muller Bohlin Associates, Inc. to effectuate the foregoing; and

**BE IT FURTHER RESOLVED** that a copy of this Resolution be published according to law.

**Pat Hero, 1009 Wheatsheaf Road. Mrs. Zack, in response to Ms. Hero, explained the projects that this firm would be managing, and the role of Greener by Design in these projects and how the two differ. Next Ms. Hero spoke about resolution 166, and asked what medical billings residents are being gone after for. Chief Dooley responded that it is money that the insured received, instead of the Fire Department, and failed to turn it over to the department.**

**Virginia Malik, 1633 Lenape Road. Ms. Malik thought that the amount being paid to the debt collection service, 20%, was excessive. Chief Dooley responded that the service is RFQ’d and the firm chosen was done so because it provided the lowest cost.**

**Mrs. Cosby-Hurling moved for approval of Resolutions # 2015-166 and #2015-186. The motion was seconded by Mr. Brooks and was unanimously ordered approved on a roll call vote.**

**RESOLUTION: 2015-187**

**RESOLUTION APPROVING A CONTRACT WITH C&S ENGINEERS TO PROVIDE CONTRUCTION ADMINISTRATION SERVICES AT THE LINDEN AIRPORT FOR THE INFIELD DRAINAGE IMPROVEMENTS PROJECT**

**WHEREAS,** the City Council of the City of Linden has determined that it would be in the best interests of the City of Linden to retain the services of a consultant to provide construction administration services at the Linden Airport for the infield drainage improvements project; and

**WHEREAS,** pursuant to the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.), such services are considered "Professional Services" as within the scope of a licensed and regulated profession, and same may be awarded without competitive bidding; and

**WHEREAS,** in accordance with the provisions of N.J.S.A. 19:44A-20.4, qualifications have been received through a fair and open process; and

**WHEREAS**, C&S Engineers, Inc. submitted a qualification to the City and has qualified for the aforesaid services for 2015; and

**WHEREAS,** the Chief Financial Officer or his designee has certified to the availability of funds for this purpose, to be charged to Account No. 5-01-20-307-208-255 ($4,000.00) and G-02-40-165-009-220 ($10,000.00).

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that an agreement for Professional Services be and hereby is awarded to C&S Engineers, Inc., 499 Col. Eileen Collins Boulevard, Syracuse, New York 13212 at a fee not to exceed $14,000.00, subject to the approval of the New Jersey Department of Transportation; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents between C&S Engineers, Inc. and the City of Linden; and

**BE IT FURTHER RESOLVED** that the Mayor and City Engineer be and hereby are empowered and directed to execute said agreement with C&S Engineers, Inc. to effectuate the foregoing; and

**BE IT FURTHER RESOLVED** that a copy of this Resolution be published according to law.

**RESOLUTION: 2015-188**

**RESOLUTION APPROVING A CONTRACT TO CME ASSOCIATES FOR THE SAMPLING AND ANALYSIS OF WELLS AND PIEZOMETERS, AIR PERMITTING AND REPORTING LEACHATE MONITORING AND ACO COMPLIANCE SERVICES AT THE LINDEN LANDFILL FOR PART OF THE YEAR 2015**

**WHEREAS**, there exists a need for consulting services for various services at the City of Linden Landfill: and

**WHEREAS,** in accordance with the provisions of N.J.S.A. 19:44A-20.4, qualifications have been received through a fair and open process; and

**WHEREAS**, CME Associates, submitted a qualification to the City and has qualified for the aforesaid services for 2015; and

**WHEREAS**, pursuant to the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.), such services are considered "Professional Services" as within the scope of a licensed and regulated profession, and same may be awarded without competitive bidding; and

**WHEREAS**, the Chief Financial Officer has certified to the availability of funds for this purpose, to be charged to Account No. C-04-55-907-523-919;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** that a contract for Professional Services be and hereby is awarded to CME Associates, 3759 Highway 1 South, Suite 100, Monmouth Junction, New Jersey 08852, at a fee not to exceed $77,000.00 in accordance with their proposal dated January 12, 2015 for a three (3) month period; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary contract agreements between CME Associates and the City of Linden; and

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk be and hereby are empowered and directed to execute a contract with CME Associates to effectuate the foregoing; and

**BE IT FURTHER RESOLVED** that a copy of this Resolution be published according to law.

**Virginia Malik, 1633 Lenape Road. Ms. Malik asked the continuing work, and the delay in preparation of documents referenced in the resolution. Mr. Vircik explained the circumstances that is causing the delay, and the work that has to be done. Ms. Malik asked who would be the person to provide a summary number of the cost of the landfill, since it has been closed. She was referred to Mrs. Zack.**

**Mrs. Cosby-Hurling moved for approval of Resolution #2015-169 and Resolution #2015-188. The motion was seconded by Mr. Brooks and was unanimously ordered approved on a roll call vote.**

**RESOLUTION: 2015-189**

**RESOLUTION APPROVING THE DONATION OF TWO 2007 FORD E350 VANS TO THE CITY OF LINDEN**

**WHEREAS,** the County of Union wishes to donate two (2) 2007 Ford E350 vans to the City of Linden to be used by the Office of Emergency Management; and

**WHEREAS,** the City of Linden is desirous of accepting the aforesaid donation; and **NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF LINDEN** that the City of Linden shall accept the aforesaid donation; and

**BE IT FURTHER RESOLVED,** that the Mayor and City Clerk are hereby authorized to execute any and all documents, if necessary, to effectuate the foregoing.

**RESOLUTION: 2015-190**

**RESOLUTION APPROVING AN INSTALLATION AND MAINTENANCE AGREEMENT FOR GENERTOR ADAPTOR CONTROLLER CABINETS AT VARIOUS INTERSECTIONS IN THE CITY OF LINDEN**

**WHEREAS,** a traffic condition exists at Route NJ 27 & N. Stiles Street, Route NJ 27 & Wood Avenue, Route U.S. 1&9 and Park Avenue, Route U.S. 1&9 and S. Wood Avenue, Route U.S. 1&9 and Stiles Street, in the City of Linden , in the County of Union, which requires the installation of a Generator Adapted Controller Cabinet; and

**WHEREAS**, it is necessary to expedite the safe movement of vehicular traffic; and

**WHEREAS**, the State of New Jersey has indicated its willingness to install a Generator Adapted Controller Cabinet at the aforementioned locations; and

**WHEREAS**, the State of New Jersey has proposed a form of agreement pertaining to the installation and maintenance of said Generator Adapted Controller Cabinet.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** the City of Linden be and hereby authorized to enter into an agreement with the State of New Jersey, acting through its Commissioner of Transportation, for the purpose aforesaid, a copy of said agreement being attached hereto and made partof.

**RESOLUTION: 2015-191**

**RESOLUTION APPROVING THE AWARD OF A CONTRACT TO**

**CMS CONSTRUCTION, INC. FOR THE TRANSIT VILLAGE STREETSCAPE-PHASE 3 IN THE CITY OF LINDEN**

**WHEREAS,** sealed bids were received by the Purchasing Agent on April 8, 2015

for the Transit Village Streetscape-Phase 3 in the City of Linden; and

**WHEREAS,** a notice to bidders for said purpose was properly and legally advertised in the official publication(s); and

**WHEREAS,** the Chief Financial Officer or her designee has certified as to the availability of funds for this purpose, as attached hereto, which will be charged to account/line item No. C-04-55-901-580-919; and

**WHEREAS**, CMS Construction, Inc. was the lowest bidder at their base bid plus alternate of $206,370.25; and

**WHEREAS,** the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that Council pass a Resolution authorizing the award of contracts;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** as follows:

1. The Council of the City of Linden hereby recommends to the New Jersey Department of Transportation that the contract for Transit Village Streetscape-Phase 3 in the City of Linden, County of Union be awarded to CMS Construction, Inc. whose bid amounted to $206,370.25, subject to the approval of the Department.

2. This Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents between CMS Construction, Inc. and the City of Linden.

3. The Mayor and City Clerk are hereby authorized to execute all documents to effectuate the purposes herein above expressed.

**Pat Hero, 1009 Wheatsheaf Road. Ms. Hero that this is not free money, if it is coming from another government entity it is coming from the tax payer. Mr. Vircik explained what the project was and the work that was being done.**

**Virginia Malik, 1633 Lenape Road. Ms. Malik asked how we are able to get a grant for this type of project. Mr. Vircik stated that funds for this project are available as a result of the City receiving Transit Village status.**

**Mrs. Cosby-Hurling moved for approval of Resolution #2015-191. The motion was seconded by Mr. Sadowski and was unanimously ordered approved on a roll call vote.**

**RESOLUTION: 2015-192**

**RESOLTUION SUPPORTING “NO PASSING ZONE” ON ROUTE 27 AS RECOMMENDED BY THE NEW JERSEY DEPARTMENT OF TRANSPORTATION**

**WHEREAS,** the New Jersey Department of Transportation (NJDOT) recently completed a traffic investigation of Route 27 in the City of Linden; and

**WHEREAS**, NJDOT investigation revealed the current centerline pavement markings on Route 27 meet and conform to current design standards; and

**WHEREAS**, NJDOT will update existing records to reflect current No Passing Zone conditions along NJ Route 27;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** in the State of New Jersey, that it supports the use of a “No Passing Zone” on Route 27 in the City of Linden as recommended by the NJDOT.

**RESOLUTION: 2015-193**

**RESOLUTION APPROVING THE INTRODUCTION OF THE CALENDAR YEAR 2015 SPECIAL IMPROVEMENT DISTRICT BUDGET**

**AND SETTING THE HEARING ON THE BUDGET**

**WHEREAS,** the City of Linden, pursuant to N.J.S.A. 40:56-65 et seq. has

established a Special Improvement District (“SID”) by Ordinance 31-63 adopted on October 19, 1993 which created Linden Code Section 27-1 et seq.; and,

**WHEREAS,** the City of Linden SID has the responsibility to prepare and submit to the City Council a yearly budget and a report which explains how the budget contributes to the goals and objectives of the Special Improvement District; and,

**WHEREAS,** Linden Code 27-5 establishes a maximum added assessment that shall not exceed a sum of $.0025 of the total assessment; and

**WHEREAS,** the Tax Assessor has determined that the total assessment for the Special Improvement District is $198,320.00 in 2015; and

**WHEREAS,** pursuant to Linden Code Section 27-6 the City Council is in receipt

of the 2015 yearly budget and the report which explains how the budget contributes to the goals and objectives of the Special Improvement District, both of which are attached hereto; and

**WHEREAS,** pursuant to N.J.S.A 40:56-84(f) (2) City Council shall

introduce and approve the yearly budget by a Resolution passed by not less than a majority of the full membership of the City Council; and

**WHEREAS,** pursuant to N.J.S.A 40:56-84(c)the City Council shall upon approval of the budget, fix the time and place for the holding of a public hearing upon the budget with the notice of the hearing and copy of the budget to be published at

least 10 days prior to the date fixed therefore in the official newspaper of the City and not

less than 28 days after the approval of the budget.

**IT IS HEREBY RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN,** that:

1. The 2015 Special Improvement District budget and a report which explains how the budget contributes to goals and objectives for the Special Improvement District are attached hereto as Exhibit “A”, and made part hereof. The budget is hereby introduced being read by its title and declares that the conditions set forth in N.J.S.A 40:56-84(f)(1) are satisfied.

2. The hearing on the 2015 Special Improvement District budget shall be on

Tuesday, May 19, 2015 at City of Linden City Hall, Council Chambers, 301 North Wood Avenue, Linden New Jersey, at 7:00 p.m.

3. The notice of the time and place for the holding of the public hearing upon the

budget, and a copy of the budget shall be published in the Local Source on

April 30, 2015. Same was posted in City Hall and made available to any person requesting same.

**RESOLUTION: 2015-194**

**A RESOLUTION AUTHORIZING THAT A LIEN** **BE PLACED**

**ON VARIOUS PREMISES FOR WORK COMPLETED BY THE DEPT. OF PUBLIC**

**PROPERTY AND DIVISION OF PUBLIC WORKS OF THE CITY OF LINDEN**

**WHEREAS,** premises known and designated as follows have been the subject of

much controversy as said premises had a heavy growth of weeds, grass and debris thereon and/or unsafe and hazardous conditions; and

Block 178 Lot 19 1112 Walnut Street

Block 1 Lot 2 2104 E. St. Georges Avenue

Block 419 Lot 31 1028 Stuart Place

Block 119 Lot 18 801 E. Curtis Street

**WHEREAS,** proper notice has been provided to the owners of said properties to have said premises cleaned up, as this was in violation of a City Ordinance, and the owners have not complied with the request; and

**WHEREAS,** in accordance with City Ordinance, a copy of which is attached hereto, the City may remove or cause to be removed said heavy growth of weeds, grass and debris when the owners have refused or neglected to do so; and

**WHEREAS,** the condition of said lots had become a health hazard and safety hazard, and for the best interests of the City of Linden it was necessary for the City of Linden to have said

properties cleaned up by the Department of Public Property and Division of Public Works employees at the cost as follows:

Block 178 Lot 19 1112 Walnut Street $382.00

Block 1 Lot 2 2104 E. St. Georges Avenue $300.55

Block 419 Lot 31 1028 Stuart Place $300.55

Block 119 Lot 18 801 E. Curtis Street $228.80

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF** **LINDEN,** that it hereby directs the Receiver of Taxes to place a lien against the aforementioned properties, at the amount noted above, and such liens shall become and form part of the taxes levied upon such properties; and

**BE IT FURTHER RESOLVED** that a copy of this Resolution be forwarded to the owners of the properties or their agent.

**RESOLUTION: 2015-195**

**A RESOLUTION DECLARING SATURDAY, MAY 16, 2015 AS KIDS TO PARKS DAY**

**WHEREAS**, May 16th, 2015 is the fifth Kids to Parks Day organized and launched by the National Park Trust; and

**WHEREAS**, Kids to Parks Day empowers kids and encourages families to get outdoors and visit America’s parks; and

**WHEREAS,** it is important to introduce a new generation to our nation’s parks because of the decline in Park attendance over the last decades; and

**WHEREAS**, we should encourage children to lead a more active lifestyle to combat the issues of childhood obesity, diabetes mellitus, hypertension and hypercholesterolemia; and

**WHEREAS**, Kids to Parks Day is open to all children and adults across the country to encourage a large and diverse group of participants; and

**WHEREAS**, Kids to Parks Day will broaden children’s appreciation for nature and the outdoors; and

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the City of Linden that they do hereby authorize the City of Linden to participate in Kids to Parks Day, and urge Linden residents to make time on May 16th, 2015 to take the children in their lives to a neighborhood, state or national park.

**BE IT FURTHER RESOLVED** that a copy of this resolution be sent to the National Park Trust.

**RESOLUTION: 2015-196**

**Resolution Authorizing a 2 year (24 month) Extension to Ronko Devplopers, LLC to foreclose**

**Tax Sale Certificate # A0900051**

WHEREAS, the City of Linden in accordance with Resolution # 2013-220 authorized a restricted Assignment of Tax Sale Certificate # A0900051, aka 1123 Hussa Street, from the City of Linden to Ronko Developers, LLC ; and

WHEREAS, pursuant to N.J.S.A. 54:5-114 et. Seq./Jones Act provisions, Ronko Developers, LLC is required to record final judgment within two years of May 21, 2013; and

WHEREAS, Ronko Developers, LLC has been diligently pursing a tax sale foreclosure, but complicated title, environmental issues and backlog of the foreclosure unit will make it impossible for Ronko Developers, LLC to record its final judgment within two years of May21, 2013: and

WHEREAS, N.J. S.A. 54:5-114.5 provides that the governing body on good cause shall have the power to extend the time and to grant further extension of the right of Ronko Developers, LLC to foreclose said tax lien; and

WHEREAS, said complicated title work, environmental issues are still ongoing;

NOW, THEREFORE, BE IT RESOLVED, by the City of Linden, as follows: Ronko Developers, LLC, is hereby granted a 2 year (24 month) extension to foreclose Tax Sale Certificate A0900051, and therefore, the Final Judgment needs to be recorded by May 21, 2017.

**RESOLUTION: 2015-197**

**CITY OF LINDEN**

**COUNTY OF UNION**

**A RESOLUTION AUTHORIZING Stacey L. carron, TAX COLLECTOR, TO COMPLETE APPLICATION TO PARTICIPATE IN ELECTRONIC TAX SALE PROCESS**

**WHEREAS**, N.J.S.A. 54:5-19, authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Government Services; and

**WHEREAS**, the Director of the Division of Local Government Services has promulgated rules and regulations for pilot programs; and

**WHEREAS**, the Director of the Division of Local Government Services has approved NJ Tax Lien Investors/RealAuction.com to conduct pilot programs; and

**WHEREAS**, the rules and regulations authorize a municipality to submit an application for participation in the pilot program for an electronic tax sale; and

**WHEREAS**, Tax Collector, Stacey L. Carron has advised that an electronic tax sale is innovative and provides a greater pool of potential lien buyers, thus creating the environment for a more complete tax sale process; and

**WHEREAS**, It is recommended that Stacey L. Carron be authorized to complete the necessary application for the City of Linden to participate in the electronic tax sale program; and

**NOW, THEREFORE, BE IT RESOLVED** **BY THE GOVERNING BODY OF THE CITY OF LINDEN** that the City of Linden wishes to participate in the pilot program for an electronic tax sale; and

**BE IT FURTHER RESOLVED** that Stacey L. Carron, Tax Collector shall and hereby is authorized to complete an application to participate in the electronic tax sale program and submit same to the Director of the Division of Local Government Services.

**BE IT FURTHER RESOLVED** that this Resolution shall take effect pursuant to law.

**RESOLUTION:2015-198**

**RESOLUTION APPROVING A CONTRACT WITH ROK INDUSTRIES, INC. d/b/a NJTaxlieninvestor.com, for internet-based electronic tax sale processing for 2015**

**WHEREAS,** there exists a need for a vendor to administer tax lien services related to ELECTRONIC TAX SALE PILOT PROGRAM for the City of Linden’s annual tax sale to be held in June of 2015; and

**WHEREAS,** pursuant to the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.), such services are considered "Professional Services" as within the scope of a licensed and regulated profession, and same may be awarded without competitive bidding; and

**WHEREAS**, Pursuant to N.J.S.A. 54:5-19.1(c) **ROK INDUSTRIES, INC. d/b/a NJTaxlieninvestor.com** has qualified as an eligible vendor subject to the rules and regulations promulgated by the Director of Local Government Services.

**WHEREAS,** funds are available for this purpose in the Tax Collectors Tax Sale Budget line item and certification of availability of funds shall be made by the Chief Financial Officer or his designee at such time as services are ordered or otherwise called for;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that a contract for Professional Services be and hereby is awarded to **ROK INDUSTRIES, INC. d/b/a NJTaxlieninvestor.com** 306 Harlingen Road, Belle Mead, NJ 08502, at a fee not to exceed $15.00 per item listed, in accordance with their proposed contract; and **BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents between **ROK INDUSTRIES, INC. d/b/a NJTaxlieninvestor.com** and the City of Linden; and

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk be and hereby are empowered and directed to execute a contract with **ROK INDUSTRIES, INC. d/b/a**

**NJTaxlieninvestor.com** to effectuate the foregoing; and

**RESOLUTION: 2015-199**

**RESOLUTION AUTHORIZING THE CITY OF LINDEN TAX COLLECTOR**

**TO PREPARE AND MAIL ESTIMATED TAX BILLS IN ACCORDANCE WITH**

**P.L. 1994, C.72**

**WHEREAS,** the City Council of the City of Linden does not have an adopted City of Linden Budget for 2015 and the City of Linden has not received a certified tax rate from Union County as of this date, the City of Linden Tax Collector will be unable to mail the City of Linden’s 2015 tax bills on a timely basis; and

**WHEREAS,** the City of Linden Tax Collector, in consultation with the City of Linden Chief Financial Officer, has computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3, and they have both signed a certification showing the tax levies for the previous year, the tax rates and the range of permitted estimated tax levies;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN,** in the County of Union and State of New Jersey on this 21st day of April, 2015 as follows:

1. The City of Linden Tax Collector is hereby authorized and directed to prepare and issue estimated tax bills for the City of Linden for the third installment of the 2015 taxes on or before June 30, 2015.

2. The entire estimated tax levy for 2015 is hereby set at

$171,008,718.49, with an estimated rate of $6.315.

3. In accordance with law the third installment of 2015 taxes shall not be subject to interest until the twenty-fifth calendar day after the date the estimate tax bills were mailed. The estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue.

**RESOLUTION: 2015-200**

**RESOLUTION ADOPTING A RESPONSIBLE CONTRACTOR POLICY**

**WHEREAS,** the City of Linden recognizes there is a need to ensure that all work on significant public construction and maintenance contracts is performed by responsible, qualified firms that maintain the capacity, expertise, personnel, and other qualifications and resources necessary to successfully perform public contracts in a timely, reliable, and cost-effective manner; and

**WHEREAS,** in order to effectuate the purpose of selecting responsible contractors for significant public contracts and to protect Linden’s capital investments in such contracts prospective contractors and subcontractors should be required to meet pre-established, clearly-defined, minimum standards relating to contractor responsibility, including requirements and criteria concerning qualifications, competency, expertise, adequacy of resources, including equipment, financial and personnel, and satisfactory records regarding past project performance, safety, legal compliance and business integrity; and

**WHEREAS,** the City has a compelling interest is assuring that its Public Works Projects meet the highest standard of safety and quality; and

**WHEREAS,** due to the critical impact that skilled construction craft labor has on public works projects, and due to the limited availability of skilled construction craft labor and imminent craft labor skill shortages, it is necessary to require contractors and subcontractors to participate in established, formal apprenticeship training programs for the purpose of both promoting successful project delivery and ensuring future workforce development; and

**WHEREAS,** an apprenticeship program is structured system of training designed to prepare individuals for occupations and life long careers in skilled trades and crafts by providing a wage-paying job that incorporates extensive workplace and classroom training under the supervision of experienced workers, in preparation for highly skilled occupations; and

**WHEREAS,** apprenticeship programs are a critical component in public safety, by ensuring that workers on public projects are properly trained, able, competent and capable craftsmen, and provide assurance compliance with the City’s bid specifications and achieve high quality standards; and

**WHEREAS,** for an apprenticeship program to be fully effective, the public and private sectors must recognize its value and commit to supporting its mission; and

**WHEREAS,** the City of Linden has long recognized the value of apprenticeship programs that will continue to produce a skilled and educational work force in the trade specialties, and thus, strengthen the City of Linden’s economy by fostering the development of highly paid trade and craft careers; and

**WHEREAS,** the use of the apprenticeship programs or apprenticeship trained employees on the City of Linden Public Works Projects will serve the dual goal of providing the City with assurance that its public works projects are completed with a well trained workforce, in a highly skilled and timely fashion, while creating opportunities for careers in the skilled trades and craft industry for City residents; and

**WHEREAS,** the City of Linden also recognizes that it is beneficial to their employees to utilize fair business, employment and training practices that have a positive impact on local communities affected by such contracts:

**NOW THEREFORE, BE IT RESOLVED** by the Mayor and Members of City Council of the City of Linden as follows:

1. The City of Linden shall require compliance with the provisions of this Resolution by business entities seeking to provide services to the City of Linden as specified herein. The requirements of this Resolution are intended to supplement, not replace, exiting contractor qualifications and performance standards or criteria currently required by law, public policy or contracting documents.
2. All contractors and subcontractors that perform significant work on any public facility or public works project, including construction, alteration, renovation, repair, service or maintenance work, shall meet the requirements of this Resolution. For purposes of this Resolution, the term “significant work” shall be defined as any work or activity covered under the New Jersey   
   Prevailing Wage Act, N.J.S.A 34:11-56.25 et seq.
3. All firms engaged in contracts covered by this Resolution shall be qualified responsible contractors or subcontractors that have sufficient capabilities in all respects to successfully perform contracts on which they are engaged , including the necessary experience, equipment, technical skills and qualifications and organizational, financial and personnel resources. Firms bidding on public contracts shall also be required to have satisfactory past performances record and a satisfactory record of legal compliance, integrity and business ethics. Compliance with these standards shall bed established by compliance with the requirements set forth in paragraph 8 of this Resolution.
4. As a condition of performing work on public works contracts over the public works threshold, the general contractor shall provide certification that he and each subcontractor working on the project shall have at least one (1) employee who has successfully competed the OSHA 10-hour construction safety and health course. As a condition of performing work on public works contracts of $500,000.00 or more total cost of project, the general contractor shall provide certification that each subcontractor working on the project shall have at least one (1) employee who has successfully completed OSHA 30-hour construction safety and health course.
5. All contractors and subcontractors that perform significant work on any public facility or public works project shall be required to affirmatively provide evidence of and confirm compliance with proof of participation in an Apprenticeship Program currently registered and approved by the United States Department of Labor (“USDOL”), the New Jersey Department of Labor (“NJDOL”) or any state having equal to or higher requirements as either the USDOL or NJDOL apprenticeship programs. Additionally, Apprenticeship Programs shall meet the criteria set forth in Section 8(i) of this Resolution.
6. As a condition of performing work on public works contracts subject to this Resolution, a general contractor seeking award of a contract shall submit a Contractor Responsibility Certification at the time it submits its bid for contract.
7. The Contractor Responsibility Certification shall be completed on a form provided by the City of Linden Purchasing Department and shall reference the project for which a bid is being submitted by name and contract or project number.
8. In the Contractor Responsibility Certification, general contractors and subcontractors shall certify the following facts regarding their past performance and work history and its current qualifications and performance capabilities:
   1. The firm has all valid, effective licenses, registrations or certifications required by federal, state, county, or local law, including but not limited to, licenses, registrations, certificates required to: (1) do business in the designated locale; and (2) perform the contract work it seems to perform. These shall include, not be limited to, licenses, registrations or certificates for any type of trade work or specialty work, which the firm proposes to self-perform.
   2. The firm meets the bonding requirements for the contract, as required by applicable law or contract specifications and any insurance requirements, as required by applicable law or contract specification, including general liability insurance, workers compensation insurance and unemployment insurance requirements.
   3. The firms has not been debarred by any federal, state or local government agency or authority in the past three (3) years.
   4. The firms has not defaulted on any project in the past three (3) years.
   5. The firms has not had any type of business, contracting or trade license, registration, or other certification suspended or revoked in the past three (3) years.
   6. The firms has not been cited and found guilty for a willful violation of federal or state safety laws in the past three (3) years.
   7. The firm and/or its owners have not been convicted of any crime relating to the contracting business by a final decision of a court or government agency in the past three (3) years.
   8. The firm will pay all craft employees that it employs on the project the current wage rates and benefits under applicable Federal or state prevailing wage laws.
   9. The firm participates in an Apprenticeship Program that is currently registered with the USDOL, the NJDOL or any state having equal to or higher requirements as either the USDOL or NJDOL apprenticeship programs, for each craft or trade in which it apprentices. The firm shall provide proof of meeting this qualification standard by submitting appropriate documentation as an attachment to this Citification. The firm shall continue to participate in applicable apprenticeship programs for the full duration of the contract work. The apprenticeship program in which the firm participated shall have graduated at least one (1) enrollee in each of the past three (3) years.
9. The City of Linden may conduct any additional inquiries to verify that the prospective awardee and its subcontractors have the technical qualifications and performance capabilities necessary to successfully perform the contract and that the firms have sufficient record of legal compliance and business integrity to justify the award of a public contract. In conducting such inquiries, the City of Linden may seek relevant information from the firm, its prior clients or customers, its subcontractor or any other relevant source.
10. If any provisions of this Resolution shall be held to be invalid or unenforceable by a court of a competent jurisdiction, any such holding shall not invalidate any other provisions of this Resolution and all remaining provisions shall remain in full force and effect.

**NOW, THERFORE, BE IT RESOLVED** by the Mayor and City Council of the City of Linden that it hereby established and adopts the Responsible Contractor Policy, and it hereby authorizes the City Clerk to sign any and all documents necessary to make said Policy effective immediately.

**Pat Hero, 1009 Wheatsheaf Road. Ms. Hero asked questions regarding the clarification of the policy, and what is a responsible contractor. Mayor Armstead and Mr. Antonelli explained the purpose of the resolution. The Deputy Clerk supplied Ms. Hero with a copy of the resolution.**

**Mrs. Cosby-Hurling moved for approval of Resolution #2015-200. The motion was seconded by Mr. Sadowski and was ordered approved by all voting yes with the exception of Mrs. Hickey and Mr. Brooks who voted no.**

**RESOLUTION: 2015-201**

**R E S O L U T I O N IN SUPPORT OF THE ASSEMBLY BILL NO. A-4325,**

**THE TRANSPARENT TAX ACT OF 2015**

**WHEREAS,** Assembly Bill No. A-4325 supplementing chapter 4 of Title 54, R.S.54:4-65 and designated the “Transparent Tax Act of 2015” is being considered for adoption by the City of Linden; and,

**WHEREAS,** the amendment would permit the local jurisdiction to print separate tax bills to each taxpayer, one showing the amount of property taxes due and payable for municipal tax purposes, the other shall state amount of property taxes due and payable for country purposes, school purposes, fire district purposes, and for the purposes of any other special district on behalf of which the municipality collects property taxes; and,

**WHEREAS,** both bills shall include a brief tabulation showing the distribution of the total amount to be raised by taxes; and,

**WHEREAS,** A-4325 would require the municipal tax collector to send notice of the pro rata share, if any, of the property tax appeal refunds paid by the municipality during the tax year to the county, school districts, and fire district for inclusion in their annual budgets;

**WHEREAS,** in the following tax year in which the refunds were paid, the municipal tax collector is then required to deduct the applicable pro rata share of the property tax refund from the amounts to be paid to the county, and each school and fire district; and,

**WHEREAS,** these amendments, if adopted will assist the general public to understand the tax bill, the structure of the taxes, and the level of support for each agency, and will further provide a more equitable structure to share the obligation of paying approved tax appeals as the title states, creates transparency in the tax supporting local assessments.

**NOW THEREFORE, IT BE RESOLVED** that the Mayor and Council of the City of Linden, County of Union, and State of New Jersey, hereby supports Assembly Bill A-4325 amending Title 54:4-65 and urges the Legislature to approve and pass the bill for the reasons expressed herein; and,

**BE IT FURTHER RESOLVED** that a copy of this resolution be sent to the members of the NJ State Assembly, the members of the NJ Senate and the Governor of the State of NJ, the New Jersey State League of Municipalities, the Municipal Clerks’ Association of New Jersey, and all Bergen County Municipalities.

**Virginia Malik, 1633 Lenape Road. In response to Ms. Malik, Mr. Antonelli explained the resolution and what it accomplishes.**

**Mrs. Cosby-Hurling moved for approval of Resolution #2015-201. The motion was seconded by Mr. Sadowski and was unanimously ordered approved on a roll call vote.**

**RESOLUTION: 2015-202**

**RESOLTUION TO PROVIDE EMERGENCY REPAIR FOR A COLLAPSED SEWER ON DILL AVENUE**

**WHEREAS,** N.J.S.A. 40A:11-6 provides that certain contracts may be made without public bidding when an emergency affecting the public health, safety, or welfare requires the immediate delivery of the articles or the performance of the services provided therein; and

**WHEREAS,** on April 17, 2015 , one (1) proposal was received to repair a collapsed sanitary sewer on Dill Avenue and the lowest of the proposal was from Underground Utilities Corp. in the amount of $54,800.00; and

**WHEREAS,** pursuant to the attached certification of the City Engineer, George Vircik, which is annexed hereto and incorporated herein by reference, the foregoing constitutes an emergency; and

**WHEREAS,** in the City Engineer’s opinion any delay would pose an unreasonable risk of danger to the health, welfare and safety of the City and its residents; and

**WHEREAS,** pursuant to the attached certification of City Engineer George Vircik, a bono fide emergency exists within the intendment of N.J.S.A.40A:11-6 to justify reliance upon this provision in awarding a contract without a formal bid; and

**WHEREAS,** pursuant to the to the above certification and statement of fact, the Purchasing Agent concurred that an emergency existed and awarded a contract to Underground Utilities Corp., 711 Commerce Road, Linden, New Jersey 07036 on April 17, 2015 as provided for in N.J.S.A. 40A:11-6;

**WHEREAS,** the Chief Financial Officer or his designee has certified as to the availability of funds for this purpose, as attached hereto, which will be charged to Account No. C-04-55-901-605-919;

**NOW, THEREFORE, BE IT RESOLVED BY CITY COUNCIL OF THE CITY OF LINDEN** that they do hereby affirm the action taken by the Purchasing Agent in awarding a contact to Underground Utilities Corp., 711 Commerce Road, Linden, New Jersey 07036 to repair the sanitary sewer at a fee not to exceed $54,800.00; and

**BE IT FURTHER RESOLVED** that this Resolution shall take effect pursuant to law.

**RESOLUTION: 2015-203**

**RESOLUTION AUTHORIZING AN AMENDMENT TO THE AGREEMENT APPOINTING ERIC BERNSTEIN, ESQ OF THE ERIC BERNSTEIN & ASSOCIATES, LLC FOR THE REPRESENTATION OF THE MAYOR AND CERTAIN MEMBERS OF THE GOVERNING BODY**

**WHEREAS,** the City Council of the City of Linden passed Resolution No. 2015-161 on March 17, 2015 retaining the services of Eric Bernstein, Esq. of the firm Eric Bernstein & Associates to represent the Mayor and certain members of the Governing Body in the appeal of charges filed against them by the Local Finance Board in the Department of Community Affairs; and

**WHEREAS,** pursuant to Section 2-78.7 of the Code of the City of Linden, former Councilmen Adam Kuczynski and Richard Koziol are entitled to have representation provided.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that they do hereby approve the representation of former Councilmen Adam Kuczynski and Richard Koziol by Eric Bernstein, Esq. of Eric Bernstein & Associates, LLC at the originally agreed upon sum not to exceed $5,000.00.; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary amendatory contract documents between Eric Bernstein & Associates, LLC and the City of Linden; and

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk be and hereby are empowered and directed to execute an amendatory agreement for Professional Services consistent with the above; and

**BE IT FURTHER RESOLVED** that a notice of this action shall be published in accordance with applicable law.

Pat Hero, 1009 Wheatsheaf Road. Ms. Hero asked if this matter was in regards to the Ethics Board complaint. Mr. Antonelli responded that it was, and how it differed from last month’s resolution.

Mrs. Cosby-Hurling moved for approval of Resolution #2015-203. The motion was seconded by Mr. Sadowski and was unanimously ordered approved on a roll call vote.

**ORDINANCES ON FIRST READING**

President Alvarez announced that public comment would be permitted on the ordinances on First Reading, however the Council does not answer questions or respond to comment.

**An Ordinance entitled:**

* 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**

President Alvarez asked if there were comments from the public. There were none.

Was introduced by Mr. Minarchenko and was read on first reading by the Deputy Clerk.

On motion of Mr. Minarchenko seconded by Mr. Sadowski, the foregoing Ordinance was on a roll call vote unanimously ordered approved.

**An Ordinance entitled:**

**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**

President Alvarez asked if there were comments from the public. There were none.

Was introduced by Mr. Minarchenko and was read on first reading by the Deputy Clerk.

On motion of Mr. Minarchenko seconded by Mr. Sadowski, the foregoing Ordinance was on a roll

call vote unanimously ordered approved.

**An Ordinance entitled:**

**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.**

President Alvarez asked if there were comments from the public. There were none.

Was introduced by Mrs. Yamakaitis and was read on first reading by the Deputy Clerk.

On motion of Mrs. Yamakaitis seconded by Mr. Sadowski, the foregoing Ordinance was on a roll

call vote unanimously ordered approved.

**An Ordinance entitled:**

**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.**

President Alvarez asked if there were comments from the public. There were none.

Was introduced by Mrs. Cosby-Hurling and was read on first reading by the Deputy Clerk.

On motion of Mrs. Cosby-Hurling seconded by Mrs. Yamakaitis the foregoing Ordinance was on a roll

call vote unanimously ordered approved.

**An Ordinance entitled:**

* 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.**

President Alvarez asked if there were comments from the public. There were none.

Was introduced by Mr. Beyer and was read on first reading by the Deputy Clerk.

On motion of Mr. Beyer seconded by Mr. Medina the foregoing Ordinance was on a roll

call vote unanimously ordered approved.

**An Ordinance entitled:**

**59-24 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**

President Alvarez asked if there were comments from the public. There were none.

Was introduced by Mr. Kolibas and was read on first reading by the Deputy Clerk.

On motion of Mr. Kolibas seconded by Mr. Brooks the foregoing Ordinance was on a roll

call vote unanimously ordered approved.

**An Ordinance entitled:**

**59-25 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**

President Alvarez asked if there were comments from the public.

Pat Hero, 1009 Wheatsheaf Road. Ms. Hero stated that she could not imagine that a 90 gallon cart wouldn’t be sufficient, however she thought that originally there was supposed to be two sizes put into use, a 90 gallon cart and a 65 gallon cart. She thought that the 90 gallon cart was too large for some people to handle. President Alvarez had Mr. Venditto respond to Ms. Hero’s comments.

Was introduced by Mr. Cosby-Hurling and was read on first reading by the Deputy Clerk.

On motion of Mr. Cosby-Hurling seconded by Mr. Beyer the foregoing Ordinance was on a roll

call vote unanimously ordered approved.

**PUBLIC COMMENT**

Patricia Hero, 1009 Wheatsheaf Road. Ms. Hero noted that in April she will have been attending Council meetings for eleven (11) years. She noted the reasons that she first started attending Council meetings. Next Ms. Hero thought that council, this evening, failed to pay attention to the loss of life that occurred in March, with the death of Linden police officer Frank Viggano, in a tragic off-duty crash. She spoke about grief and the grieving process and why she thought Council should have spoken on the matter and about Officer Viggano and another Linden resident, Joseph Rodriguez, who was killed in the same accident.

Virginia Malik, 1633 Lenape Road. Ms. Malik stated she had no further comments.

Mr. Minarchenko moved to close the public comment period. The motion was seconded by Mr. Beyer and was unanimously ordered approved by a roll call vote.

**COMMENTS BY THE GOVERNING BODY**

Mrs. Hickey noted that it has been a terrible time for all, and that Council’s hearts do go out to them.

Mr. Minarchenko spoke the Viggano family and Joe Rodriguez, his relationship with each, and why it was difficult for him to speak on this.

Mayor Armstead also spoke on the tragedy and his relationship with both of the individuals, and his relationship with both of them. He noted that not a day doesn’t go by that the he and the governing body does not think about these individuals.

**ANNOUNCEMENTS**

**President Alvarez announced that the next Council Meetings will be as follows:**

**\*Council Conference meeting:**

**Monday, May 18, 2015 at 6:00 p.m., in the Council Conference Room,**

**City Hall, 301 N. Wood Ave.**

**\*Council Conference meeting prior to the Council meeting:**

**Tuesday, May 19, 2015 at 6:00 pm in the Council Conference Room, City Hall, 301 N. Wood Ave.**

**\*Council Meeting:**

**Tuesday, May 19, 2015 at 7:00 p.m. in the Council Chambers, City Hall, 301 N. Wood Ave.**

**ADJOURN**

There being no further business to come before the Governing Body, Mrs. Cosby-Hurling moved to adjourn the meeting. The motion was seconded by Mr. Minarchenko and was ordered approved, with all voting yes except Mr. Brown who abstained. The meeting was adjourned at 10:05 pm.

Respectfully submitted,

Joseph C. Bodek

City Clerk