**Minutes of the Regular**

**Meeting of the 2015 Council of the**

**City of Linden, held Tuesday**

**January 20, 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, January 20, 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. Medina moved for the approval of the Regular Meeting Minutes of December 30, 2014. The motion was seconded by Mrs. Yamakaitis and was ordered approved by a roll call vote with all voting yes with the exception of Mr. Kolibas and Mrs. Hickey, who abstained.

**PRESENTATION**

**Fire Chief Joseph Rizzo**

Chief Rizzo was not present, and President Alvarez announced that the presentation would be held to a later time.

**ORDINANCE ON HEARING**

There were no Ordinances on hearing.

**CONSENT AGENDA**

(\*\*\*) TAX COLLECTOR:

1. The amount of money collected during the month of December 2014 and turned over to the treasurer’s office is as follows:

2015 Taxes $393,179.66

2014 Taxes $901,820.45

2013 Taxes $506.25

Garbage Fee Payments $47,902.67

Garbage Fee Penalty $3,985.00

Municipal Lien Redemption $0.00

Tax Search $0.00

Lien Redemption Request Fee $0.00

Year End Penalty $0.00

Returned Check Fee Paid $60.00

Returned Check Fee Garbage Paid $0.00

Returned Check 2015 ($0.00)

Returned Check 2014 ($3,436.19)

Returned Check Interest ($38.02)

Returned Check Garbage Fee ($700.00)

Returned Check Garbage Fee Penalty ($20.00)

Counterfeit Funds ($0.00)

Arrears $122.25

Sewer Clean out charge $1,600.00

DPW 2014 Reso payments $0.00

State Audit Payment/Disallowed Deductions $0.00

Tax Sale Cost/Before Tax Sale Cost $0.00

Premium $0.00

Interest $36,647.97

Total $1,381,630.04

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

Block Lot Redemption Date CTF# Amount

1 3 12/15/14 13-00001 $500.00

16 15 12/15/14 13-00023 $500.00

24 2 12/16/14 13-00029 $1,200.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $2,200.00 payable to: FWDSL & Associates, LP, Attention: Jared Cucci, 5 Cold Hill Road, S. #11, Mendham, NJ 07945 charging same to account #547-01-55-276-999-956.

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

Block Lot Redemption Date CTF# Amount

14 17 12/16/14 13-00019 $2,500.00

45 10 12/31/14 13-00052 $3,200.00

53 2 12/29/14 13-00060 $2,600.00

121 11 12/12/14 13-00159 $3,600.00

123 10 12/10/14 13-00163 $3,900.00

198 14 12/29/14 13-00243 $2,300.00

200 48 12/29/14 13-00245 $2,900.00

222 24 12/7/14 13-00265 $3,300.00

352 1 12/29/14 13-00326 $2,400.00

386 14 1/5/15 13-00349 $2,700.00

422 1.01 12/9/14 13-00383 $3,000.00

438 1 12/16/14 13-00392 $11,700.00

463 31 12/29/14 13-00406 $3,300.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $47,400.00 payable to: TTLBL, LLC, Attention: John Lemkey, 4747 Executive Drive, Suite 1, San Diego, CA 92121 charging same to account #-5-01-55-276-999-956.

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

lot.

Block Lot Redemption Date CTF# Amount

16 10 12/29/14 13-00022 $900.00

61 10 12/15/14 13-00073 $900.00

88 4 12/18/14 13-00110 $900.00

109 7 12/29/14 13-00134 $800.00

156 14 12/29/14 13-00204 $900.00

165 3 12/9/14 13-00213 $31,900.00

485 26 12/12/14 13-00429 $700.00

488 13 12/12/14 13-00431 $100.00

570 27.01 12/16/14 13-00490 $100.00

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

amount of $37,200.00 payable to: US Bank Cust for PC4 Firstrust, 50 South 16th Street, Suite #2050, Philadelphia, PA 19102, charging same to account #-5-01-55-276-999-956.

Tax Sale Requesting the refund of the premium paid at the 2013 tax sale on the following block & lot.

Block Lot Redemption Date CTF# Amount

198 37 12/17/14 12-00138 $1,200.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,200.00 payable to: MTAG Cust Caz Creek NJ, LLC, P.O. Box 54303, New Orleans, LA 70154, charging same to account #5-01-55-276-999-956.

Tax Sale Requesting the refund of the premium paid at the 2012 tax sale on the following blocks & lots.

Block Lot Redemption Date CTF# Amount

40 5.01 C0102 12/19/14 11-00019 $8,300.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $8,300.00 payable to: Tax Lien Investors, LLC, 1139 East Jersey Avenue, Suite # 318, Elizabeth, NJ 07201 charging same to account #5-01-55-276-999-956.

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

Block Lot Redemption Date CTF# Amount

79 8 12/15/14 13-00101 $17,900.00

108 1 12/16/14 13-00132 $1,000.00

152 14 12/15/14 13-00197 $300.00

173 8 1/9/15 13-00221 $200.00

232 13 12/15/14 13-00270 $1,000.00

246 18 12/18/14 13-00279 $100.00

358 4.02 8/19/14 13-00334 $100.00

421 29 12/15/14 13-00381 $1,000.00

538 22.02 12/16/14 13-00458 $1,000.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $22,600.00 payable to: US Bank Cust BV001 Trust, 50 South 16th Street, Suite #19, Philadelphia, PA 19102, charging same to account #-5-01-55-276-999-956.

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

Block Lot Redemption Date CTF# Amount

30 7 12/29/14 13-00036 $1,400.00

120 3 12/29/14 13-00156 $900.00

124 10 12/29/14 13-00166 $1,300.00

143 10 12/19/14 13-00185 $1,300.00

180 31 1/9/15 13-00228 $1,300.00

204 2 12/12/14 13-00248 $1,000.00

215 38 12/15/14 13-00260 $1,500.00

393 26 12/29/14 13-00358 $1,300.00

562 17 12/29/14 13-00483 $1,000.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $11,000.00 payable to: MTAG Cust Fig Cap Invest NJ, 13, P.O. Box 54472, New Orleans, LA 70154, charging same to account #5-01-55-276-999-956.

Cancel Taxes Block 91 Lot-1 & 2

1130 E. St George Avenue

1111 John Street

The above referenced property was granted full exemption in accordance with N.J.S.A. 54:4-3.3 et seg. as of September 29, 2014. This property was purchased by The City of Linden, which is tax exempt. I am requesting the cancellation of the taxes for the balance of 2014 in the amount of $7,540.02, the 2015 property taxes will be exempt.

Refund Block 178 Lot 23 - Samuel Ortiz & Gladys Flores, 1128 Walnut Street

The above referenced owners Mortgage Company have paid the 201-3rd quarter property taxes and the owner is entitled a refund in the amount of $ 1,184.71.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,184.71 payable to: Samuel Ortiz & Gladys Flores, 1128 Walnut Street, Linden, NJ 07036 charging same to # 5-01-55-288-999-904.

Credit Balance Dennis A. Torres

Block 287 Lot 3

115 Lumber Street

2013 County Board Judgment refund

There now exists a credit balance on the above referenced block & lots due to a 2013 county tax board judgment on the 2013-4th quarter taxes in the amount of $791.02.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $791.02, payable to: Dennis A. Torres, 115 Lumber Street, Linden, NJ 07036, charging same to account #-5-01-55-288-999-904.

Refund Block 309 Lot 21, N. Iammatteo- N. Pietroniro, 918 De Witt Street

The above referenced owners Mortgage Company have paid the 2011 2nd quarter property taxes twice creating this overpayment and the owner is entitled a refund in the amount of $1,868.77.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,868.77 payable to: D. Iammatteo- N. Pietroniro, P.O. Box 1162, Rehoboth Beach, DE 19971 charging same to # 5-01-55-288-999-904.

Refund Block 354 Lot 12, Michael & Brenda Wille, 317 Miltonia Street

The above referenced owners Mortgage Company and the title agency have paid the 2011 4th quarter property taxes creating this overpayment and the owner is entitled a refund in the amount of $353.98.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $353.98 payable to: Michael & Brenda Wille 317 Miltonia Street, Linden, NJ 07036 charging same to # 5-01-55-288-999-904.

Refund Block 370 Lot 17, Allan C. & Gwendolyn R. Johnson - 646 Exeter Road

The above referenced owners Mortgage Company and the title agency have paid the 2011 4th quarter property taxes twice creating this overpayment and the owner is entitled a refund in the amount of $2,091.92.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $2,091.92 payable to: Allan C. & Gwendolyn R. Johnson, 646 Exeter Road, Linden, NJ 07036 charging same to # 5-01-55-288-999-904.

Refund Block 422 Lot 1.01, Catherine L. & Edictor Morales - 1001 W. Blancke Street

The above referenced owners Mortgage Company have paid the 2011 4th quarter property taxes twice creating this overpayment and the owner is entitled a refund in the amount of $1,788.30.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,788.30 payable to: Catherine L. & Edictor Morales, 1001 W. Blancke Street, Linden, NJ 07036 charging same to # 5-01-55-288-999-904.

Credit Balance Block 573 Lot 4, 123 Irene Street - Partial Garbage Fee Refund

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

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $120.00 payable to: Pauline Gerbery, 123 Irene Street, Linden, NJ 07036 charging same to account *#*5-01-08-607-011.

Credit Balance Block 576 Lot 7

Damian Joseph & Monica Duante

2703 Parkway Avenue

2014 Special Petition

County Board Judgment refund

#SP09-06

There now exists a credit balance on the above referenced block & lot due to a 2014 county tax board judgment on the 2014-4th quarter taxes in the amount of $535.49.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $535.49 payable to: Damian Joseph & Monica Duante, 2703 Parkway Avenue, Linden NJ 07036, charging same to account 5-01-55-288-999-904.

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

1. Advising that (32) Certificates of Occupancy were issued during the month of November 2014 and (39) Certificates of Occupancy were issued during the month of December 2014.

(\*\*\*) CITY CLERK’S OFFICE:

1. Advising that the following Bingo/Raffle Applications were submitted for approval:

Application No. Organization Fees

RA-1429 amend FOLAS N/A

RA-1431 amend FOLAS N/A

RA-1432 amend FOLAS N/A

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

1. Advising that he is appointing Mr. Jeff Tandul as a member of the Shade Tree Commission to fill the unexpired term of Jack Sheehy who has resigned. Effective immediately and terminating December 31, 2016.

Consent item #4 was held on the request of Diane Wilverding, 150 E. Morris Ave.

Mr. Kolibas moved for approval of Consent items #1 - #3. The motion was seconded by Mr. Beyer and was unanimously ordered approved by a roll call vote.

Diane Wilverding, 150 E. Morris Ave. Ms. Wilverding noted that she was a member of the Shade Tree Commission, and Mr. Tandul was the Secretary, so the Commission actually needed another person. The Clerk noted that the Commission consist of five members, and the Secretary may or may not be a Commissioner. Mr. Tandual was serving as secretary, but was not a commissioner. A discussion followed on who appoints the Commissioner to the Shade Tree Commission.

Mr. Kolibas moved for approval of Consent item #4. The motion was seconded by Mr. Beyer and was unanimously ordered approved by a roll call vote.

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

First Ward

Mr. Kolibas gave the report of the Licensing Division of the City Clerk’s office. A total of $7,522.00 in fees was collected for the month of December, 2014. He then gave the report of the City Clerk’s office. A total of $66,867.38 in fees was collected for the month of December, 2014.

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

1. The City Council hereby authorizes the CFO/Treasurer to move all applicable employees on their respective guides steps or contractual increments for the year 2015 subject to new collective negotiations agreements with the effected unions are ratified. This approval shall take effect immediately and is retroactive to January 1, 2015 and shall be considered and be in compliance with the State of New Jersey Cap Law.
2. In the Fire Department
   1. The approval for the provisional appointment to Fire Chief, due to a vacancy effective February 1, 2015, to Deputy Chief Joseph Dooley at the annual salary of $164,761.00
   2. The approval for the appointment to Fire Deputy Chief, due to a vacancy effective February 1, 2015, Fire Captain Michael Hreha at the annual salary of $143,339.00
   3. The approval for the appointment to Fire Captain, due to a vacancy effective February 1, 2015, Fire Lieutenant Anthony Principato at the annual salary of $113,829.00
   4. The approval for the appointments to Fire Lieutenant, due to vacancies, Firefighters Brian Pericone and John Principato at the annual salary of $104,382.00 effective February 1, 2015.
3. In the Fire Department
   1. Permission is granted for Susan Scott-Braxton to carry over 3 vacation days from 2014 to be used by April 1, 2015.
4. In the Police Department
   1. The acceptance of the following personnel resignations as per diem Public Safety Telecommunicator Trainees effective January 9, 2015.: Valerie Donofrio, Khadija Hunt and Katarzyna Moskal.
5. In the Police Department
   1. The acceptance of the resignation Police Officer Michael Wronski effective January 9, 2015.
6. In the Police Department
   1. The termination of Police Officer Jaycee Mojica effective January 13, 2015.
7. In the Mayor’s Office
   1. The appointment of James Moore as a clerk/driver (non-classified) effective January 21, 2015 at the rate of $1.00 per year subject to successful completion of a pre-employment exam.
8. The Inter-Governmental Transfer of Albert Cetroni, part time housing inspector trainee at his present salary to the Board of Health effective February 1, 2015 until a replacement can be interviewed and hired for the Board of Health.
9. FMLA/NJFLA

The approval of the following FMLA/NJFLA leaves:

Employee #000280, intermittent FMLA 1/1/15-12/31/15

Employee #006132 intermittent FMLA 1/1/15-12/31/15

Employee #107372, FMLA 1/5/15-2/13/15

Employee# 908537, FMLA/NJFLA 1/6/15-2/13/15

Employee #107216, unpaid leave of absence FMLA 11/24/14-2/1/15

Employee #091144 unpaid leave of absence from 12/20/14-1/15/15

Mr. Kolibas moved for approval of the Personnel Report. The motion was seconded by Mrs. Cosby-Hurling. Mrs. Cosby-Hurling spoke on Item #1 regarding the giving of the increments and the ongoing negotiations. The report was then approved by a roll call vote, with all voting in favor except Mr. Sadowski, Mr. Minarchenko and Mrs. Yamakaitis, who abstained on item #1 and Mr. Medina and Mrs. Hickey who voted no to item #7. Mr. Kolibas asked all of the promoted Fire Fighters to stand and be recognized.

Mr. Kolibas provided his contact information for residents of the First Ward.

Second Ward

Mr. Beyer reported on various programs that would be run at Hawk Rise, by the NJ Audubon Society, and provided information on how to register for the programs.

Mr. Beyer spoke about a recent fire, on Helen Street. He noted the great job that the Fire Department did. He also spoke about the residents of the area and how they pitched in to help the families that were affected by the fire.

Third Ward

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

1. The payment of bills totaling $1,160,796.61. 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.

Mr. Brown moved for approval. The motion was seconded by Mr. Minarchenko and was unanimously ordered approved by a roll call vote.

Fourth Ward

Mr. Brooks gave the report of the Division of Transportation and Parking. A total of $70,475.05 was collected from all source for the month of December 2014.

Fifth Ward

Mrs. Cosby-Hurling spoke about icing issues in the Fifth Ward. She noted some of the issues, on St. Georges Ave., are difficult to deal with, as it is a State highway. Next she spoke about the areas of the Fifth Ward that will be going to the new garbage collection system, utilizing the one armed trucks and 65 gallon collection cans. She provided her contact information for those with questions. Those affected by the change will have new collection schedules. Mrs. Cosby-Hurling noted that the areas that have already implemented the new collection system are providing positive feedback.

Mrs. Cosby-Hurling reviewed her committee assignments for 2015.

Mrs. Cosby-Hurling spoke about the Casino Night being hosted by the Linden Housing Authority and urged all to purchase a ticket.

Sixth Ward

Mr. Sadowski noted that he does not have a lot of Committee assignments this year, but he does serve as liaison to the Linden seniors. Next he spoke about the difficulties that Sixth Ward residents were experiencing with the oil train, and the efforts to resolve them. Next he spoke about the Meridia South Wood Avenue Project. He spoke about the status of the construction.

Mr. Sadowski talked about the number of small water leaks in the Sixth Ward since the extreme cold weather has set in. He noted that he had received several complaints about the late hours the water company was working, but there policy is to get to the leaks as soon as possible.

Mr. Sadowski noted that in driving around the City he has observed a lot of garbage lying around. He noted that he has stopped to pick up the items, he reminded residents that this is their City, and asked them to pick these items up when they see them.

Mr. Sadowski provided his contact information for those with problems or questions.

Seventh Ward

Mr. Minarchenko gave the report of the Construction Code Office. The office issued 139 permits, 9 certificates and collected $68,964.00 in fees during the month of December 2014.

Mr. Minarchenko announced that tomorrow, at 10:00 am there would be a pre-construction meeting regarding water main replacements in the Seventh Ward. He promised to have further information, on the project, for residents of the Seventh Ward, next month.

Mr. Minarchenko provided his contact information for Seventh Ward residents with questions or concerns.

Eighth Ward

Mrs. Yamakaitis reported that the Fire Prevention Bureau collected $2,661.50 for the month of December 2014. She congratulated the newly promoted fire officers.

Mrs. Yamakaitis reminded residents that animal control services are now being handled by the Associated Humane Society, in Newark. She provided contact information for them if residents are in need of service. Next provided information on some new services that the Society would be offering Linden residents. She stressed that some of the services do require residents to make appointments.

Mrs. Yamakaitis announced that Eighth Ward Districts 3 and 4 will also be included in the new garbage collection system. That system should be put in place by April in the Eighth Ward. Next she noted the Eighth Ward streets were there was no parking during snow emergencies, and added that the fines were increased to $100.00 for cars not moved.

Mrs. Yamakaitis announced that the General Pulaski Memorial Parade Committee was taking applications to find a 2015 Miss Polonia and Junior Miss Polonia. She provided information about how to make application and what it entailed.

Ninth Ward

Mr. Medina congratulated the newly promoted fire office. He spoke about a recent fire and how glad he was that no one was hurt. Next he spoke about the new garbage collection system, and that as a new program there were going to be some bumps that would have to be addressed. Mr. Medina noted issues of particular concern that had been raised by senior citizens. He hoped to have solutions to these issues by the February or March meeting.

Mr. Medina thanked the police department for their presence and enforcement efforts in the Ninth Ward. He singled out Lt. Babulski in particular for his efforts with the four way stop signs. Next he noted the snow emergency routes in the Ninth Ward that required residents to keep their cars off of them.

Mr. Sadowski noted that he had received several complaints, from senior citizens, about the size of the new garbage containers.

Tenth Ward

Mrs. Hickey congratulated the newly promoted firemen. She next reviewed her council committee assignments for 2015. She commented on the new garbage collection system and that it has been going well. She offered several suggestions on dealing with some of the smaller issues that have arisen.

Mrs. Hickey noted several streets, in the Tenth Ward, that are having speeding issues, and asked motorist to slow down. The police have started issuing speeding tickets.

Mrs. Hickey informed all that she has started a snow chain in the Tenth Ward. She is looking for kids who are interested in volunteering to help out. Next she spoke about the Casino night at Linden Housing Authority. She provided details on the event and spoke about what a fun night it was.

**MAYOR’S REPORT**

Mayor Armstead congratulated the newly promoted fire houses, and noted his observations at three fires over the last several days. Next he noted that one of his priorities was to expand the SID district and explained why. He added that Rahway recently expanded theirs to include the whole downtown area.

Mayor Armstead announced that on January 29th he would be meeting with representatives of Union County in an attempt to set up a one stop job placement center. This is a preliminary meeting. He spoke about the need to move forward. He outlined what services he hoped the center would provide to Linden residents. Mayor Armstead spoke about his meeting with the Linden Industrial Association.

Mayor Armstead informed all of his efforts, along with those of Senator Scutari, to get the funding put back, by the NJ Turnpike Authority, for the Tremely Point connector road. The Mayor concluded by asking with questions or concerns to stop by his office as his door was always open.

**COUNCIL PRESIDENTS REPORT**

President Alvarez, spoke about the traditional roll of the President of Council, when it came to committee assignments. He noted that he wanted to be hands on, especially with the Engineering and SID, because of his background. President Alvarez congratulated the promoted firemen, and thanked them and the police department. He added that it takes a special kind of person to do these jobs.

President Alvarez talked about the Mayor and Council being full of energy, and that they are ready to make some changes for our City.

**RESOLUTIONS**

**President Alvarez announced that public comments will be permitted for those specific resolutions to be removed from the consent approval. Please read the synopsis of the resolutions, which have been prepared by the City Clerk’s office. Each is informative and**

**Self-explanatory However, if you wish to address a specific resolution, the Council, will entertain questions on it.**

**Pat Hero, 1009 Wheatsheaf Road, removed resolutions 2015-33, 2015-36, 2015-57, 2015-58 and 2015-69**

**Virginia Malik 1633 Lenape Road, removed Resolution 2015-52.**

Mr. Beyer moved for approval of resolutions 2015-27 through 2015-89, with the exception of 2015-33, 2015-36, 2015-52, 2015-57, 2015-58 and 2015-69. The motion was seconded by Mr. Brown and was ordered approved by a roll call vote, with all voting in favor except Mr. Minarchenko who abstained on #2015-27, and Mr. Medina who voted no to #2015-27 and #2015-46.

**RESOLUTION: 2015-27**

**RESOLUTION OFFERING EMPLOYEE INDUCEMENT**

**TO WAIVE HEALTH BENEFITS FOR 2015**

**WHEREAS,** pursuant to Chapter 259, P.L.1995 and Chapter 3, P.L.2003 and per P.L. 2010,c.2,s.11,s.18, a municipality is empowered by law to permit employees who are eligible to receive health care benefits for other health care coverage, to waive coverage and receive an incentive under the municipal plan; and

**WHEREAS,** an employee who has waived coverage under the provisions of this law is permitted to immediately resume health coverage if they lose their coverage under another plan; and

**WHEREAS,** Chapter 2, P.L. 2010 certain aspects of Chapter 259, P.L.1995 and Chapter 3, P.L.2003 and per P.L. 2010,c.2,s.11,s.18, specifically, amending the amount of any waiver reimbursement, an amount of 25% of the cost of the coverage or $5,000.00, whichever is less, of the amount saved by the employer; and

**WHEREAS,** the City will continue to offer $5,000.00 as the limit of any health benefit waiver reimbursement in accordance with Chapter 2, P.L. 2010**;** and

**WHEREAS,** Chapter2, P.L. 2010 also prohibits employees from being dually enrolled into the NJSHBP; and

**WHEREAS,** Chapter 2, P.L. 2010 also prohibits employees whose alternative health insurance coverage is with the NJSHBP from qualifying for any waiver reimbursement.

**WHEREAS,** the City of Linden maintains the right to change, modify, or cancel this program as it shall determine in the City’s best interest and this program shall operate on a calendar year basis;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that it hereby approves, in accordance with the provisions of Chapter 2, P.L. 2010, the City’s offering of an inducement to waive health benefit coverage to employees.

**BE IT FURTHER RESOLVED** that the City will not offer this health benefit waiver incentive to employees who, if they waived the City’s offered insurance, would be covered under the NJSHBP through their spouse or domestic partner; and

**BE IT FURTHER RESOLVED** that the City reserves and maintains the right to change, terminate or modify this program as it shall determine in its best interest.

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

**RESOLUTION: 2015-28**

**A RESOLUTION APPOINTING GEORGE VIRCIK TO THE UNION COUNTY COMMUNITY DEVELOPMENT REVENUE SHARING COMMITTEE**

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

Section 1. That the City of Linden hereby appoints **GEORGE VIRCIK,** residing at 511 Princeton Road, Linden, New Jersey a member of the Union County Development Revenue Sharing Committee for a (1) one year term commencing January 1, 2015 and terminating December 31, 2015 until his successor has been appointed and qualifies. Said appointment is without any monetary stipend.

Section 2. That the City Clerk of the City of Linden shall certify a copy of this Resolution and cause it to be filed with Tom Connell, Department of Economic Development, Bureau of Community Development, Administration Building, 3rd Floor, Elizabethtown Plaza, Elizabeth, New Jersey 07207.

**RESOLUTION: 2015-29**

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

**TRENK, DIPASQUALE, WEBSTER, DELLA FERA & SODONO FOR SPECIAL BANKRUPTCY COUNSEL SERVICES FOR 2015**

**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 Special Counsel to represent the City in connection with certain bankruptcy issues; 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,** Trenk, DiPasquale, Webster, Della Fera & Sodono, P.C. 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. 5-01-20-155-123-255;

**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 the firm of Trenk, DiPasquale, Webster, Della Fera & Sodono, P.C., 347 Mt. Pleasant Avenue, Suite 300, West Orange, New Jersey 07052 at a fee not to exceed $9,000.00 at the rate of $125.00 to $150.00 per hour; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents between Trenk, DiPasquale, Webster, Della Fera & Sodono, P.C. 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 said agreement with Trenk, DiPasquale, Webster, Della Fera & Sodono, P.C. to effectuate the foregoing; and

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

**Resolution: 2015-30**

**RESOLUTION ENGAGING SPECIAL TAX COUNSEL**

**WHEREAS**, the City Council of the City of Linden has determined that it would be advisable and in the best interests of the City to continue to retain the services of Special Tax Counsel to represent the City of Linden in defense of real property tax assessment appeals concerning the assessment of commercial, industrial and multi-family residential properties in the city for the year 2015, and to render legal advice and assistance to the city and to the Tax Assessor in preparing the trials of such proceedings; 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**, Skoloff & Wolfe, P.C. submitted a qualification to the City and has qualified for the aforesaid services: and

**WHEREAS,** since professional legal services are rendered or performed by persons authorized by law to practice a recognized profession and whose practice is regulated by the laws of the State of New Jersey; the Local Public Contracts Law (N.J.S. 40A:11-1 et seq.) permits the award of a contract therefore as a Professional Service without competitive bidding; and

**WHEREAS**, the Finance Director has certified to the availability of funds for this purpose, to be charged to Account No. 5-01-20-156-117-271;

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

1. That the law firm of Skoloff & Wolfe, P.C., Attorneys at Law of the State of New Jersey be and is hereby retained as Special Tax Counsel to the City for all matters in the Tax Court, and related forums, and as set forth in an agreement to be executed between Skoloff & Wolfe, P.C. and the City of Linden.

2. The Mayor and City Clerk are hereby authorized and directed to execute an Agreement with Skoloff & Wolfe, P.C. setting forth the terms and conditions of the legal services to be rendered.

3. This contract is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law as a contract for professional services may be awarded without competitive bidding, pursuant to N.J.S. 40A:11-5 (1) (a).

4. For the services hereinabove described as Skoloff & Wolfe, P.C. shall be awarded an agreement in the amount of $170,000.00 for the calendar year 2015 and certifying funds of $40,000.00 pursuant to the temporary budget with the balance subject to the adoption of the permanent budget. The City shall not be liable for payment of any monies exceeding the contract price stated herein unless additional funds are approved by the governing body and the contract amended in accordance with applicable law.

5. A notice of this action shall be published in accordance with applicable law.

**RESOLUTION: 2015-31**

**RESOLUTION APPROVING THE AWARD OF A CONTRACT TO SIDNEY LAND, INC. AS AN EXPERT WITNESS FOR DEFENSE OF CITGO, GULF AND BUCKEYE STATE TAX COURT APPEALS FOR 2015**

**WHEREAS**, the City Council of the City of Linden has determined that it would be advisable and in the best interests of the City to retain the services of an expert witness to provide testimony and assist in the defense of State Tax Court appeals; 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**, Sidney Land, 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**, the Chief Financial Officer or his designee has certified to the availability of funds for this purpose, to be charged to the 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 Sidney Land, Inc., 10 Hackensack Avenue, Weehawken, New Jersey, 07086, expert witness, at a fee not to exceed $5,000.00.

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents between Sidney Land, Inc. 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 Sidney Land, Inc., expert witness to effectuate the foregoing; and

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

**RESOLUTION:** **2015-32**

**RESOLUTION AWARDING A CONTRACT FOR ALTERNATE**

**SPECIAL TAX COUNSEL TO DEFEND THE CITY IN STATE TAX COURT APPEALS**

**WHEREAS,** due to a conflict of interest with Linden’s Tax Counsel, the City Council of the City of Linden has determined that it is necessary retain the services of Special Counsel to assist the City relative to the defense of State Tax Court Appeals

**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**, Robert Renaud, Esq. of the firm Palumbo & Renaud 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 or his designee has certified to the availability of funds for this purpose, to be charged to Account No. 5-01-20-156-117-271;

**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 Robert Renaud, Esq. of the firm Palumbo & Renaud, 190 North Avenue East, Cranford, New Jersey 07016, at a fee not to exceed $10,000.00, based upon an hourly billing rate of $160.00 per hour;

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents between Robert Renaud, Esq. of the firm Palumbo & Renaud 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 said agreement with the Robert Renaud, Esq. of the firm Palumbo & Renaud to effectuate the foregoing; and

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

**RESOLUTION: 2015-33**

**A RESOLUTION AUTHORIZING THE CITY OF LINDEN TO ENTER INTO A COOPERATIVE PRICING SYSTEM FOR THE YEAR 2015**

**WHEREAS,** N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

**WHEREAS,** the Cranford Police Cooperative Pricing System (ID#47-CPCPS),

hereinafter referred to as the “Lead Agency” has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services; and

**WHEREAS,** the Governing Body of the City of Linden, County of Union, State of

New Jersey wishes to participate in a Cooperative Pricing System for the provision and performance of goods and services as set forth herein;

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

**CITY OF LINDEN** as follows:

1. This Resolution shall be known and may be cited as the Cooperative Pricing Resolution of the City of Linden.

2. This Resolution is adopted pursuant to the provisions of N.J.S.A. 40A:11- 11(5), the Mayor is hereby authorized to execute a Cooperative Pricing Agreement with the Lead Agency, in the terms as approved by the City Law Department.

3. The Lead Agency shall be responsible for complying with the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) and all other provisions of the revised statutes of the State of New Jersey.

4. This Resolution shall take effect immediately upon passage.

**See comments under Resolution #2015-57.**

**RESOLUTION: 2015-34**

**RESOLUTION AUTHORIZING AWARD OF CONTRACT FOR PROFESSIONAL SERVICES FOR NJEIT SPECIAL BOND COUNSEL**

**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 Bond Counsel in connection with the City’s participation in the New Jersey Environmental Infrastructure Trust Financing Program; 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**, DeCotiis, FitzPatrick & Cole, LLP submitted a qualification to the City and has qualified for the aforesaid services: 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 Municipal Treasurer has certified to the availability of funds for this purpose, to be charged to Account No. 5-01-201-301-115-255; and

**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 Decotiis, FitzPatrick & Cole, LLP, Glenpointe Centre West, 500 Frank W. Burr Blvd., Suite 31, Teaneck, New Jersey 07666 at a fee 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 contract documents between Decotiis, FitzPatrick & Cole, LLP 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 said agreement with Decotiis, FitzPatrick & Cole, LLP to effectuate the foregoing; and

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

**RESOLUTION: 2015-35**

**RESOLUTION AUTHORIZING THE EXECUTION OF A DISCHARGE OF MORTGAGE**

**WHEREAS,** on June 7, 1999, the resident of 1732 Dill Avenue, Linden entered into a mortgage with the City of Linden Neighborhood Preservation Program in the amount of $20,779.00; and

**WHEREAS,** said mortgage was paid in full or otherwise satisfied; and

**WHEREAS,** a Discharge of Mortgage was never filed with the County;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** that the Mayor and City Clerk are hereby authorized and directed to execute a Discharge of Mortgage for the above captioned property.

**RESOLUTION: 2015-36**

**RESOLUTION APPROVING A CONTRACT WITH KEY TECH FOR TESTING AND INSPECTION OF MATERIALS FOR ANNUAL CONSTRUCTION PROGRAM FOR 2015**

**WHEREAS,** there exists a need for the testing and inspection of materials, under the supervision of a professional engineer, relative to the City of Linden’s annual construction program 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,** 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**, Key Tech submitted a qualification to the City and has qualified for the aforesaid services for 2015; and

**WHEREAS,** funds are available for this purpose in various improvement accounts 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 Key Tech, 210 Maple Place, P.O. Box 48, Keyport, New Jersey 07735, at a fee not to exceed $10,000.00, in accordance with their proposal dated November 11, 2014, ; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents between Key Tech 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 Key Tech 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. Ms. Hero asked questions to clarify what type of testing was involved and what the annual construction program involved. Mr. Vircik provided the explanations. He also noted the actual amount spent in 2014 on the testing.**

**Mr. Beyer moved for approval of resolutions #2015-36. The motion was seconded by Mr. Kolibas and was unanimously ordered approved by a roll call vote.**

**RESOLUTION: 2015-37**

**RESOLUTION APPROVING THE AWARD OF A CONTRACT TO GUIDO G. KARCHER, P.E. AS AN EXPERT WITNESS FOR DEFENSE OF THE GULF OIL, CITGO OIL, AND BUCKEYE PIPELINE TAX COURT APPEALS FOR 2015**

**WHEREAS**, the City Council of the City of Linden has determined that it would be advisable and in the best interests of the City to retain the services of an expert witness to provide testimony and assist in the defense of State Tax Court appeals; 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**, Guido G. Karcher, P.E. 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 or his designee has certified to the availability of funds for this purpose, to be charged to the 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 Guido G. Karcher, P.E., 38 North Boom Way, Little Egg Harbor, New Jersey 08087-2686, expert witness, at a fee not to exceed $10,000.00.

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents between Guido G. Karcher, P.E. 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 Guido G. Karcher, P.E., expert witness to effectuate the foregoing; and

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

**RESOLUTION: 2015-38**

**RESOLUTION APPROVING THE AWARD OF A CONTRACT TO INTEGRA REALTY RESOURCES AS AN EXPERT WITNESS FOR DEFENSE OF THE GULF OIL, CITGO OIL, AND BUCKEYE PIPELINE STATE TAX COURT APPEALS FOR 2015**

**WHEREAS**, the City Council of the City of Linden has determined that it would be advisable and in the best interests of the City to retain the services of an expert witness to provide testimony and assist in the defense of State Tax Court appeals; and

**WHEREAS,** in accordance with the provisions of N.J.S.A. 19:44A-1 et seq., same is awarded through a fair and open process; and

**WHEREAS**, Integra Realty Resources 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 or his designee has certified to the availability of funds for this purpose, to be charged to the Account No. 5-01-20-156-117-272;

**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 Integra Realty Resources, 1415 Hooper Avenue, Suite 202, Toms River, New Jersey 08753, expert witness, at a fee not to exceed $15,000.00.

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents between Integra Realty Resources 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 Integra Realty Resources expert witness to effectuate the foregoing; and

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

**RESOLUTION: 2015-39**

**RESOLUTION APPROVING A CONTRACT WITH S.T.A.R.T. RESCUE TRAINING, INC. FOR TRENCH RESCUE, ROPE RESCUE AND CONFINED SPACE RESCUE LEVEL I & LEVEL II TRAINING FOR THE LINDEN FIRE DEPARTMENT**

**WHEREAS,** S.T.A.R.T. Rescue Training, Inc., Technical Rescue Specialists, is offering a Trench Rescue, Rope Rescue, and Confined Space Rescue Level I & II training program; and

**WHEREAS,** members of the Linden Fire Department are interested in said training which will be completed no later than June 30, 2015 for a fee not to exceed $87,000.00; and

**WHEREAS,** the Municipal Treasurer has certified as to the availability of funds for this purpose, as attached hereto, which will be charged to Account/line item No. G-02-40-265-014-260 ($10,292.00) and G-02-40-265-014-259 ($76,708.00);

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** that they do hereby approve of the participation of the Fire Department in the S.T.A.R.T. Rescue Training, Inc.; and

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk are hereby authorized to execute the attached agreement to effectuate the purposes hereinabove expressed.

**RESOLUTION: 2015-40**

**A RESOLUTION APPOINTING CHRISTINE FIGUEIREDO TO THE UNION COUNTY COMMUNITY DEVELOPMENT REVENUE SHARING COMMITTEE AS AN ALTERNATE MEMBER**

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

Section 1. That the City of Linden hereby appoints **CHRISTINE FIGUEIREDO,** residing at 517 Beechwood Road, Linden, New Jersey an alternate member of the Union County Development Revenue Sharing Committee for a (1) one year term commencing January 1, 2015 and terminating December 31, 2015 until his successor has been appointed and qualifies. Said appointment is without any monetary stipend.

Section 2. That the City Clerk of the City of Linden shall certify a copy of this Resolution and cause it to be filed with Tom Connell, Department of Economic Development, Bureau of Community Development, Administration Building, 3rd Floor, Elizabethtown Plaza, Elizabeth, New Jersey 07207.

**RESOLUTION: 2015-41**

**RESOLUTION APPROVING AN AWARD OF A CONTRACT TO DITTO COPY SYSTEMS, INC. FOR THE PURCHASE OF FIVE (5) PHOTOCOPIER MACHINES AND SERVICE FOR THE CITY OF LINDEN**

**WHEREAS,** sealed bids were received by the Purchasing Agent on December 2, 2014 for the purchase of five (5) photocopier machines for 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 his designee has certified as to the availability of funds for this purpose, as attached hereto, which will be charged to account/line item No. 4-01-20-131-113-249; and

**WHEREAS,** Ditto Copy Systems, Inc. was the only bidder at their bid of $24,802.00; 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. A contract is awarded to Ditto Copy Systems, Inc. at their bid of $24,802.00.

2. This Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents between Ditto Copy Systems, 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.

**RESOLUTION: 2015-42**

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

**DEVELOPMENT DIRECTIONS, LLC TO OPERATE THE CITY OF LINDEN HOME IMPROVEMENT PROGRAM FOR 2015-2016**

**WHEREAS,** there exists a need for consulting services to operate the City of Linden Home Improvement Program for 2015 and 2016; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for "Extraordinary, Unspecifiable Services" without competitive bids and the contract itself must be available for public inspection; 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**, Development Directions LLC submitted a qualification to the City and has qualified for the aforesaid services for 2015; and

**WHEREAS,** funds are available for this purpose in a Community Development Grant and/or Program income funds;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that a contract for Extraordinary Unspecifiable Services be and hereby is awarded to Development Directions LLC, 2 City Hall Plaza, 2nd Floor, Rahway, New Jersey 07065 at a fee not to exceed $51,000.00 for 2015, and an undetermined amount (twenty percent (20%) of the grant for 2016), in accordance with their proposal dated November 13, 2014; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents between Development Directions 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 a contract with Development Directions LLC to effectuate the foregoing; and

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

**RESOLUTION: 2015-43**

**A RESOLUTION APPOINTING JOSEPH CHROBAK TO THE UNION COUNTY COMMUNITY DEVELOPMENT REVENUE SHARING COMMITTEE**

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

Section 1. That the City of Linden hereby appoints **JOSEPH CHROBAK,** residing at 724 Riverbend Drive, Linden, New Jersey a member of the Union County Development Revenue Sharing Committee for a (1) one year term commencing January 1, 2015 and terminating December 31, 2015 until his successor has been appointed and qualifies. Said appointment shall be with a $2,500.00 stipend.

Section 2. That the City Clerk of the City of Linden shall certify a copy of this Resolution and cause it to be filed with Tom Connell, Department of Economic Development, Bureau of Community Development, Administration Building, 3rd Floor, Elizabethtown Plaza, Elizabeth, New Jersey 07207.

**RESOLUTION: 2015-44**

**RESOLTUION AUTHORIZING THE MAYOR TO SIGN A LETTER TO AMEND THE AGREEMENT BETWEEN THE COUNTY OF UNION AND THE CITY OF LINDEN FOR THE TRAFFIC CONTROL MONITORING SYSTEM**

**WHEREAS,** the County of Union is seeking to amend the agreement relating to the Traffic Control Monitoring System; and

**WHEREAS**, said agreement expired on July 3, 2014, however the expiration date of the Traffic Control Monitoring System Pilot Program was December 16, 2014; and

**WHEREAS**, the amount funded by the County of Union has increased by an amount not to exceed $209,612.90

**NOW THEREFORE BY IT RESOLVE BY THE CITY COUNCIL OF THE CITY OF LINDEN** that the Mayor hereby be authorized to sign and execute a amending the terms of said agreement with the County of Union relating to the Traffic Control Monitoring System.

**RESOLUTION: 2015-45**

**A RESOLUTION CONFIRMING THE APPOINTMENT AND DESIGNATION OF CHIEF JUDGE OF THE MUNICIPAL COURT OF THE CITY OF LINDEN**

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

That the appointment made by DEREK ARMSTEAD, Mayor, with the advice and consent of this body as provided by law and in accordance with N.J.S.A. 2B:12-8, of **CASSANDRA CORBETT,** to serve as Chief Municipal Judge of the Municipal Court of the City of Linden, commencing as of the date of this resolution and appointing **CASSANDRA CORBETT** to serve as Municipal Judge of the Municipal Court of the City of Linden, for a term of three (3) years, commencing February 22, 2015 and terminating February 21, 2018 and until her successor is appointed and qualifies, shall be and the same is hereby confirmed.

The Chief Judge shall be paid a salary of $75,000.000 per year with no benefits.

**RESOLUTION: 2015-46**

**A RESOLUTION CONFIRMING THE APPOINTMENT**

**OF AN ASSOCIATE MUNICIPAL JUDGE OF THE MUNICIPAL**

**COURT OF THE CITY OF LINDEN**

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

That the appointment made by DEREK ARMSTEAD, Mayor, with the advice and consent of this body as provided by law, of **SUSAN MACMILLAN,** to serve as Associate Municipal Judge of the Municipal Court of the City of Linden, for a term of three (3) years, commencing January 21, 2015 and terminating January 20, 2018 and until her successor is appointed and qualifies, shall be and the same is hereby confirmed; and

**BE IT FURTHER RESOLVED THAT** due to the qualifications required for the position, and due to the qualifications and experience of **SUSAN MACMILLAN that a residency requirement waiver is herein granted; and**

**BE IT FURTHER RESOLVED THAT** the Associate Judge shall be paid a salary of $50,000.00 per year for 3 court sessions a week, with no benefits.

**RESOLUTION: 2015-47**

**RESOLUTION AMENDING A RESOLUTION AUTHORIZING AN AMENDMENT TO THE AGREEMENT APPOINTING MCENERNEY, BRADY & COMPANY FOR FORENSIC ACCOUNTING**

**WHEREAS**, the City of Linden passed Resolution, No. 2014-460 at the December 16, 2014 Council authorizing an amendment to the agreement appointing McEnerney, Brady & Company; and

**WHEREAS**, the total amended amount was incorrect; and

**WHEREAS**, an amended Resolution is needed to correct the property description;

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

1. The correct amended amount is $19,096.25.
2. Resolution No. 2014-460 passed December 16, 2014 is hereby amended to conform to the terms of this Resolution, and all other provisions of Resolution 2014-460 remain in full force and effect.
3. This Resolution shall take effect pursuant to law.

**RESOLUTION: 2015-48**

**RESOLUTION APPOINTING ACTING**

**PUBLIC DEFENDERS FOR 2015**

**WHEREAS,** the City of Linden has appointed a Municipal Public Defender pursuant to N.J.S.A. 2B:12-28a; and

**WHEREAS,** there are instances where the Municipal Public Defender has a conflict of interest due to, inter alia, the need to represent multiple defendants in the same matter, and/or a temporary Municipal Public Defender is needed; and

**WHEREAS**, in such instances, ethical rules require that a separate attorney be appointed as Public Defender for said individual; and

**WHEREAS,** the Governing Body of the City of Linden has determined it to be in its best interest to have agreements with several attorneys for the purposes herein expressed; 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**, Afonso & Afonso, LLC; Kantor Jalloh, LLC, Edward S. Cooper, Esq., Kologi-Simitz, Cottrell Solensky & Semple, PA and Bruno & Ferraro ESQS., submitted qualifications 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

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LINDEN** that the following Law Firms/Attorneys,   Afonso & Afonso, LLC; Kantor Jalloh, LLC, Edward S. Cooper, Esq., Cottrell Solensky & Semple, PA and Bruno & Ferraro ESQS be and are hereby each appointed to serve as Public Defenders, on an as needed basis, in the event of a conflict of interest of the part of the Municipal Public Defender and/or as temporary Municipal Public Defender for the year 2015.

**BE IT FURTHER RESOLVED** that for said services, each Law Firm/Attorney shall receive a fee of $300.00 per court appearance for conflict of interest matters, and $300.00 per Municipal Court session as acting as temporary Municipal Public Defender for such matters as may be assigned, with a total fee of not to exceed $5,000.00 for each Law Firm/Attorney; and

**BE IT FURTHER RESOLVED BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents, if needed, between each Law Firm/Attorney 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 such contracts, if needed, with each of the Law Firms/Attorney to effectuate the foregoing; and

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

**RESOLUTION: 2015-49**

**RESOLUTION AUTHORIZING ACTING MUNICIPAL PROSECUTORS**

**FOR LINDEN MUNICIPAL COURT FOR 2015**

**WHEREAS,** pursuant to Chapter 349 of the Laws of 1999 (the “Municipal Prosecutor’s Act”) a municipality must designate a substitute Municipal Prosecutor to provide for representation of the State of New Jersey in Municipal Court matters where the regular Municipal Prosecutor is absent or unavailable; 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 professions, 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** Steven H. Merman, Esq., Moshood Muftau, Esq., Drew J. Bauman, Esq., William T. Donegan, Esq., Kantor Jalloh, LLC, and Norman W. Albert, Esq. submitted qualifications to the City and has qualified for the aforesaid services for 2015; and 

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that Steven H. Merman, Esq., Moshood Muftau, Esq., Drew J. Bauman, Esq., William T. Donegan, Esq., Kantor Jalloh, LLC, and Norman W. Albert, Esq. be and hereby are appointed, designated and empowered to serve as temporary Municipal Prosecutors for the Linden Municipal Court on an as needed basis, for 2015; and

**BE IT FURTHER RESOLVED** that said Law Firms/Attorneys shall be paid a fee of $300.00 per day for such matters as may be assigned; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents, if needed, between each Law Firm/Attorney 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 such contracts, if needed, with each of the Law Firms/Attorneys to effectuate the foregoing;

**BE IT FURTHER RESOLVED** that this Resolution shall take effect in accordance with applicable law.

**RESOLUTION: 2015-50**

**WHEREAS,** there were certain payments made by the Municipal Treasurer during the month of December 2014 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:

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **DATE** | **CHECK #** | **DESCRIPTION** | **ACCOUNT** | **AMOUNT** | **PURPOSE** |
| 12/3/2014 |  | Workers Comp. | Current | $13,507.26 | claims |
| 12/4/2014 |  | Vision Service Plan | Current | $4,259.70 | claims |
| 12/10/2014 |  | Medco | Current | $83,112.40 | claims |
| 12/10/2014 |  | Workers Comp. | Current | $2,534.46 | claims |
| 12/10/2014 |  | Delta Dental | Current | $46,407.33 | claims |
| 12/12/2014 |  | SHBP Retirees | Current | $481,643.98 | Dec premium |
| 12/12/2014 |  | SHBP Active | Current | $626,106.17 | Oct premium |
| 12/17/2014 |  | Workers Comp. | Current | $16,084.49 | claims |
| 12/23/2014 |  | Workers Comp. | Current | $13,635.82 | claims |
| 12/24/2014 |  | Medco | Current | $85,432.18 | claims |
| 12/3/2014 |  | Payroll | Current | $55,021.77 | FICA |
| 12/3/2014 |  | Payroll | Trust | $4,086.71 | payroll |
| 12/3/2014 |  | Payroll | Grant | $28,923.39 | payroll |
| 12/3/2014 |  | Payroll | San Landfill | $4,389.46 | payroll |
| 12/3/2014 |  | Payroll | Capital | $1,124.76 | payroll |
| 12/3/2014 |  | Payroll | Current | $1,506,335.44 | payroll |
| 12/10/2014 |  | Payroll | Current | $8,908.35 | FICA |
| 12/10/2014 |  | Payroll | Trust | $43,644.64 | payroll |
| 12/10/2014 |  | Payroll | Grant | $326.82 | payroll |
| 12/10/2014 |  | Payroll | San Landfill | $1,199.20 | payroll |
| 12/10/2014 |  | Payroll | Capital | $215.84 | payroll |
| 12/10/2014 |  | Payroll | Current | $108,293.28 | payroll |
| 12/17/2014 |  | Payroll | Current | $53,709.57 | FICA |
| 12/17/2014 |  | Payroll | Trust | $4,158.90 | payroll |
| 12/17/2014 |  | Payroll | Grant | $29,471.61 | payroll |
| 12/17/2014 |  | Payroll | San Landfill | $4,219.58 | payroll |
| 12/17/2014 |  | Payroll | Capital | $584.01 | payroll |
| 12/17/2014 |  | Payroll | Current | $1,495,005.59 | payroll |
| 12/24/2014 |  | Payroll | Current | $7,970.78 | FICA |
| 12/24/2014 |  | Payroll | Trust | $77,344.02 | payroll |
| 12/24/2014 |  | Payroll | San Landfill | $1,199.20 | payroll |
| 12/24/2014 |  | Payroll | Current | $107,595.98 | payroll |
| 12/31/2014 |  | Payroll | Current | $56,808.78 | FICA |
| 12/31/2014 |  | Payroll | Trust | $8,517.39 | payroll |
| 12/31/2014 |  | Payroll | Grant | $26,666.43 | payroll |
| 12/31/2014 |  | Payroll | San Landfill | $4,219.58 | payroll |
| 12/31/2014 |  | Payroll | Capital | $57.68 | payroll |
| 12/31/2014 |  | Payroll | Current | $1,456,934.87 | payroll |

**RESOLUTION: 2015-51**

**RESOLUTION AUTHORIZING AN AWARD OF CONTRACT FOR SOFTWARE REQUIRED FOR THE RENEWAL AND MAINTENANCE OF TIME CLOCKS AND ATTENDANCE EQUIPMENT WITH VISUAL COMPUTER SOLUTIONS, INC.**

**WHEREAS**, the City of Linden has a need to renew required software necessary to renew and maintain the time clocks and attendance equipment with Visual Computer Solutions, Inc.; and

**WHEREAS**, N.J.SA. 40A:11-5(dd) provides for the support software maintenance, consultation services and training services of propriety computer hardware and software; and

**WHEREAS,** pursuant to the provisions of N.J.S.A. 19:44A20.4 or 20.5, said contract is renewed as a non-fair and open contract; and

**WHEREAS,** the anticipated term of this contract is one (1) year, commencing on January 1, 2015 through December 31, 2015 for software at the rate of $53,125.00; and

**WHEREAS**, Visual Computer Solutions, Inc. has submitted a proposal dated October 1, 2014 indicating they will provide the software required for the aforesaid price; and

**WHEREAS**, funds have been previously certified and will be charged to account/line item 5-01-20-130-120-202; and

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** 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; and

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

**RESOLUTION: 2015-52**

**RESOLUTION APPOINTING MARILYN COPLAN A MEMBER OF THE BOARD OF TRUSTEES OF THE DISTRICT MANAGEMENT CORPORATION**

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

That **MARILYN COPLAN,** 2723 Oakwood Place, Linden, County of Union and State of New Jersey, be and she hereby is appointed a member of the Board of Trustees of the City of Linden District Management Corporation according to an ordinance entitled, "AN ORDINANCE TO CREATE A SPECIAL IMPROVEMENT DISTRICT WITHIN THE CITY OF LINDEN AND TO ESTABLISH THE CITY OF LINDEN DISTRICT MANAGEMENT CORPORATION PURSUANT TO N.J.S.A. 40:56-65, ET SEQ.", Ordinance No. 31-63, adopted on October 19, 1994, to serve a three (3) year term, commencing January 1, 2015 and expiring December 31, 2017, and until her successor is appointed and qualifies.

Virginia Malik, 1633 Lenape Rd. Mr. Bodek responded to Ms. Malik and explained what the function of the District Management Corporation was.

Mr. Beyer moved for approval of resolutions #2015-52. The motion was seconded by Mr. Brown and was unanimously ordered approved by a roll call vote.

**RESOLUTION: 2015-53**

**RESOLUTION APPROVING THE APPOINTMENT OF**

**DONALD BLADZINSKI AS A MEMBER TO THE**

**ZONING BOARD OF ADJUSTMENT**

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

That **DONALD BLADZINSKI,** residing at 1308 Sunnyfield Drive, Linden, New Jersey, be and he hereby is appointed as a Member of the Zoning Board of Adjustment of the City of Linden, which commences January 1, 2015 and terminates December 31, 2018, until his successor is duly appointed and qualifies.

Alternate members may participate in discussions of the proceedings but may not vote except in the absence or disqualification of a regular member. A vote shall not be delayed in order that a regular member may vote instead of an alternate member. In the event that a choice must be made as to which alternate member is to vote, Alternate No. 1 shall vote.

No member or alternate member shall be permitted to act on any matter in which he has directly or indirectly any personal or financial interest.

These appointments are made in accordance with Chapter 216, Laws of New Jersey, 1979 (N.J.S.A. 40:55D-69).

All resolutions or ordinances or parts thereof which are inconsistent with the provisions of this resolution are hereby repealed to the extent of such inconsistency.

This resolution shall take effect immediately.

**RESOLUTION: 2015-54**

**RESOLUTION APPOINTING BRUCE RUSSELL AS A MEMBER OF THE LINDEN DISTRICT MANAGEMENT CORPORATION (SID)**

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

That **BRUCE RUSSELL,** 422 No. Wood Avenue**,** Linden, County of Union and State of New Jersey, be and he hereby is appointed a member of the Board of Trustees of the City of Linden District Management Corporation according to an ordinance entitled, "AN ORDINANCE TO CREATE A SPECIAL IMPROVEMENT DISTRICT WITHIN THE CITY OF LINDEN AND TO ESTABLISH THE CITY OF LINDEN DISTRICT MANAGEMENT CORPORATION PURSUANT TO N.J.S.A. 40:56-65, ET SEQ.", Ordinance No. 31-63, adopted on October 19, 1994, to serve a three (3) year term, commencing January 1, 2015 and expiring December 31, 2017, and until his successor is appointed and qualifies.

**RESOLUTION: 2015-55**

**Resolution authorizing re-establishment of Petty Cash Funds**

Whereas, Acting Superintendent of Public Works, Louis Scaldino has permission from the State of New Jersey, Division of Local Government Services to maintain petty cash funds; and

Whereas, in accordance with the law, all petty cash funds must be turned over to the Chief Financial Officer/Municipal Treasurer at the end of each year in the same amount as was originally issued.

Now therefore be it resolved by the Governing Body of the City of Linden that the Chief Financial Officer/Municipal Treasurer is hereby authorized to re-establish the petty cash funds for the year 2015 as follows:

Acting Superintendent Louis Scaldino $200.00

**Resolution: 2015-56**

**RESOLUTION AWARDING A CONTRACT TO**

**PASCACK DATA SERVICES FOR**

**COMPUTER CONSULTING SERVICES**

**WHEREAS**, the Governing Body of the City of Linden has determined that there exists a need for computer consulting services; and

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

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for “Extraordinary, Unspecifiable Services” without competitive bids and the contract itself must be available for public inspection; and

**WHEREAS**, the Chief Financial Officer or his designee has certified as to the availability of finds for this purpose will be charged to account/line item

Non Public Safety 5-01-20-131-113-207 in the amount of $40,000.00, Public Safety 5-01-25-250-314-273 $40,000.00 and 5-01-25-250-314-274 $12,500.00; and

**WHEREAS**, the Purchasing Agent has certified that this meets the statute and regulations governing the award of said contract;

**NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN**, that the contract for professional services be and hereby awarded to Pascack Data Services, 200 Central Avenue Suite 100 Hawthorne, NJ 07506 in accordance with their qualifications, in an amount not to exceed $35,000.00 for non public safety departments and $52,500.00 for public safety departments for the period of January 1, 2015 through December 31, 2015;

**BE IT FURHTER RESOLVED** that this Resolution expressly contingent upon the negotiation of the necessary contract documents between Pascack Data Services and the City of Linden; and

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk are hereby empowered and directed to execute a contact with Pascack Data Services to effectuate the foregoing; and;

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

**RESOLUTION: 2015-57**

**RESOLUTION AUTHORIZING THE CITY OF LINDEN TO ENTER AN AGREEMENT WITH THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL(MCCPC) FOR THE PURCHASE OF WORK, MATERIALS AND SUPPLIES**

**WHEREAS, N.J.S.A. 40A:11 - et seq authorizes contracting units to enter into cooperative pricing agreements; and**

**WHEREAS, The County of Morris has established a voluntary cooperative pricing system for the purchase of work, materials and supplies; and**

**WHEREAS, N.J.A.C. 5:34-7.1 et seq regulates the manner in which cooperative purchasing and more specifically, cooperative pricing systems are operated and conducted; and**

**WHEREAS, The City of Linden desires to become a member of the Morris County Cooperative Pricing Council (MCCPC), effective January 21, 2015 for an annual fee of $1,100.00; and**

**NOW THEREFORE BE IT RESOLVED, that the City Council authorizes the City of Linden to participate in the Morris County Cooperative Pricing Council and hereby authorizes the Mayor and City Clerk to sign, seal and execute a Cooperative Pricing Agreement with the County of Morris upon its approval by the Division of Local Government Services;**

**NOW THEREFORE BE IT FURTHER RESOLVED, that the City Council authorizes the Purchasing Agent to determine the work, materials, or supplies that the City of Linden will purchase through the Morris County Cooperative Purchasing Council; and**

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

Pat Hero, 1009 Wheatsheaf Road. Ms. Hero noted that the City was joining a cooperative pricing agency, at no cost to the City. Resolution #57, Morris County Co-op involved a fee for joining. She asked if the City was checking to ensure that it was getting saving greater than the $1,100.00 it was costing to join. Mrs. Zack responded yes, and that she has a report, from the purchasing agent showing how many thousands of dollars was being saved. Ms. Hero asked additional questions on joining other co-ops to save money, to which Mrs. Zack also responded.

Mr. Beyer moved for approval of resolutions #2015-33 and #2015-57. The motion was seconded by Mr. Brown and was unanimously ordered approved by a roll call vote.

**RESOLUTION: 2015-58**

**A RESOLUTION INCREASING THE BID THRESHOLD AND APPOINTING A QUALIFIED PURCHASING AGENT FOR 2015**

**WHEREAS,** pursuant to N.J.S.A. 40A:11-3 (c) and 18A:18A-3 (b), Governor Chris Christie has exercised his authority to adjust the bid thresholds for awarding contracts by various contracting units; and

**WHEREAS,** local units can appoint a Qualified Purchasing Agent pursuant to N.J.S.A. 40A:11-9 (b) and take advantage of a higher bid threshold pursuant to N.J.S.A. 40A:11-3 (a) and 18A:18A-3 (b), have their maximum bid threshold increased from $29,000.00 to $36,000.00.; and

**WHEREAS,** N.J.S.A. 40A: 11-3 (a), permits an increase in the bid threshold if a Qualified Purchasing Agent is appointed as well as granted the authorization to negotiate and award such contracts below the bid threshold; and

**WHEREAS,** N.J.A.C. 5:34-5 et seq. establishes the criteria for qualifying as a Qualified Purchasing Agent; and

**WHEREAS,** Ann Marie Whelan possesses the designation of Qualified Purchasing Agent as issued by the Director of the Division of Local Government Services in accordance with N.J.A.C 5:34-5 et seq; and

**WHEREAS,** the City of Linden desires to take advantage of the increase bid threshold;

**NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LINDEN**, in the County of Union in the State of New Jersey hereby increases its bid threshold to $36,000.00, and the quotation threshold to $5,400.00; and

**BE IT FURTHER RESOLVED,** that the Governing Body hereby appoints Ann Marie Whelan as the Qualified Purchasing Agent to exercise the duties of a Purchasing Agent pursuant to N.J.S.A. 40A:11-2 (30), with specific relevance to the authority, responsibility, and accountability of the purchasing activity of the contracting units; and

**BE IT FURTHER RESOLVED,** that the City Council of the City of Linden designates to the Purchasing Agent and delegates to her the authority to act on behalf of the City of Linden and make, negotiate, and award all contracts and goods and services which do not exceed the bid threshold of $36,000.00 as provided for in N.J.S.A. 40:a 11-1 et seq.; and

**BE IT FURTHER RESOLVED,** that in accordance with N.J.A.C. 5:34-5.2 the local unit Clerk is hereby authorized and directed to forward a certified copy of this resolution and a copy of Ann Marie Whelan’s certification to the Director of the Division of Local Government Services.

**Pat Hero, 1009 Wheatsheaf Road. Ms. Hero asked if this was absolutely mandatory. Mr. Hudak responded explaining what State Law permitted and the difference between a bid threshold and a quote threshold.**

**Mr. Beyer moved for approval of resolutions #2015-58. The motion was seconded by Mr. Brown and was unanimously ordered approved by a roll call vote.**

**RESOLUTION: 2015-59**

**RESOLUTION AUTHORIZING THE CITY OF LINDEN TO ENTER AN AGREEMENT WITH THE COUNTY OF SOMERSET COOPERATIVE PRICING SYSTEM FOR THE PURCHASE OF WORK, MATERIALS AND SUPPLIES**

**WHEREAS, N.J.S.A. 40A:11 - et seq authorizes contracting units to enter into cooperative pricing agreements; and**

**WHEREAS, The County of Somerset has established a voluntary cooperative pricing system for the purchase of work, materials and supplies; and**

**WHEREAS, N.J.A.C. 5:34-7.1 et seq regulates the manner in which cooperative purchasing and more specifically, cooperative pricing systems are operated and conducted; and**

**WHEREAS, The City of Linden desires to become a member of the Somerset County Cooperative Pricing System #2-SCOOP, effective January, 2015 and each renewal at no cost to the City of Linden, thereafter of the system, unless The City of Linden elects to formally withdraw from the system; and**

**NOW THEREFORE BE IT RESOLVED, that the City Council authorizes the City of Linden to participate in the Somerset County Cooperative Pricing Agreement and hereby authorizes the Mayor and City Clerk to sign, seal and execute a Cooperative Pricing Agreement with the County of Somerset upon its approval by the Division of Local Government Services;**

**NOW THEREFORE BE IT FURTHER RESOLVED, that the City Council authorizes the Purchasing Agent to determine the work, materials, or supplies that the City of Linden will purchase through the Somerset County Cooperative Purchasing Agreement; and**

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

**RESOLUTION: 2015-60**

**RESOLUTION AUTHORIZING THE CITY OF LINDEN TO ENTER AN AGREEMENT WITH THE COUNTY OF UNION COOPERATIVE PRICING SYSTEM FOR THE PURCHASE OF WORK, MATERIALS AND SUPPLIES**

**WHEREAS, N.J.S.A. 40A:11 - et seq authorizes contracting units to enter into cooperative pricing agreements; and**

**WHEREAS, The County of Union has established a voluntary cooperative pricing system for the purchase of work, materials and supplies; and**

**WHEREAS, N.J.A.C. 5:34-7.1 et seq regulates the manner in which cooperative purchasing and more specifically, cooperative pricing systems are operated and conducted; and**

**WHEREAS, The City of Linden has previously participated in the County of Union’s voluntary cooperative pricing system and found it an effective method of purchasing; and**

**WHEREAS, The City of Linden in the County of Union, desires to participate in the Union County Cooperative Pricing Agreement for 2015 at no cost to the City of Linden.**

**NOW THEREFORE BE IT RESOLVED, that The City Council authorizes the City of Linden to participate in the Union County Cooperative Purchasing Agreement and hereby authorizes the Mayor and City Clerk to sign, seal and execute a Cooperative Pricing Agreement with the County of Union upon its approval by the Division of Local Government Services;**

**NOW THEREFORE BE IT FURTHER RESOLVED, that the City Council authorizes the Purchasing Agent to determine the work, materials, or supplies that the City of Linden will purchase through the Union County Cooperative Purchasing Agreement; and**

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

**RESOLUTION: 2015-61**

**RESOLUTION FOR STATE CONTRACT FOR PROVISION OF AN E-TICKETING TURNKEY SYSTEM FOR THE POLICE DEPT. FROM GOLD TYPE BUSINESS MACHINES**

**WHEREAS**, the City of Linden wishes to obtain services from an authorized vendor under the State of New Jersey Cooperative Purchasing Program 1-NJCP; police vehicles equipment and supplies from Gold Type Business Machines, an authorized vendor under the State of New Jersey Cooperative Purchasing Program 1-NJCP; 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**, Gold Type Business Machines, Gold, Inc., 351 Paterson Avenue, East Rutherford, New Jersey 07065, has been awarded New Jersey State Contract No. A81341 for the provision of an E-Ticketing Turnkey System; 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 (subject to the 2015 budget); and,

**WHEREAS**, the Chief Finance Officer has certified the availability of funds for this contract, which will be charged to account number 5-01-25-240-160-201; and,

**NOW THEREFORE BE IT RESOLVED** by the City of Linden that GTBM, be awarded a contract for a term of one year starting January 1, 2015 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.

**RESOLUTION: 2015-62**

**RESOLUTION AUTHORIZING THE CITY OF LINDEN TO ENTER AN AGREEMENT WITH THE MIDDLESEX REGIONAL COOPERATIVE PRICING SYSTEM FOR THE PURCHASE OF WORK, MATERIALS AND SUPPLIES**

**WHEREAS, N.J.S.A. 40A:11 - et seq authorizes contracting units to enter into cooperative pricing agreements; and**

**WHEREAS, The Middlesex Regional Cooperative Pricing System has established a voluntary cooperative pricing system for the purchase of work, materials and supplies; and**

**WHEREAS, N.J.A.C. 5:34-7.1 et seq regulates the manner in which cooperative purchasing and more specifically, cooperative pricing systems are operated and conducted; and**

**WHEREAS, The City of Linden desires to become a member of the Middlesex Regional Cooperative Pricing System (MRCPS) “65MCESCCPS” , effective 2015, and each renewal at no cost to the City of Linden, thereafter of the system, unless The City of Linden elects to formally withdraw from the system; and**

**NOW THEREFORE BE IT RESOLVED, that the City Council authorizes the City of Linden to participate in the Middlesex Regional Cooperative Pricing System (MRCPS) and hereby authorizes the Mayor and City Clerk to sign, seal and execute a Cooperative Pricing Agreement with Middlesex Regional Educational Services Commission upon its approval by the Division of Local Government Services;**

**NOW THEREFORE BE IT FURTHER RESOLVED, that the City Council authorizes the Purchasing Agent to determine the work, materials, or supplies that the City of Linden will purchase through the Middlesex Regional Cooperative Pricing System Purchasing Agreement; and**

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

**RESOLUTION: 2015-63**

**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 any State Contract Vendors 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 those approved New Jersey State Contract Vendors on the attached list, 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 – December 31, 2015

**RESOLUTION: 2015-64**

**RESOLUTION QUALIFING CERTAIN PROFESSIONALS FOR 2015**

**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;

Insurance Commission Attorney

Jardim, Meisner & Susser, PC

30B Vreeland Road Suite 201

Florham Park, NJ 07932

Retirement services “The Hartford”

Wells Fargo Advisors, LLC

600 South Avenue West

Westfield NJ 07090

Retirement services “Voya Financial”

Charter Oak Insurance & Financial Services Co.

330 Whitney Avenue Suite 600

Holyoke, MA 01040

Voya Financial

One Orange Way B3-N

Windsor, CT 06095-4774

Banking Services

Northfield Savings Bank

1731 Victory Blvd.

Staten Island, NY 10314-3598

Employee Assistance Program Services

Trinitas Regional Medical Center

225 Williamson Street

Elizabeth, NJ 07202-3625

Personal Counseling Services, LLC

215 Elm Avenue

Rahway, NJ 07065

**RESOLUTION: 2015-65**

**RESOLUTION APPOINTING JOSEPH ECKENRODE, JR.**

**A MEMBER OF THE BOARD OF HEALTH**

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

That JOSEPH ECKENRODE, JR.,**,** residing at 49 W. 12th Street, in the City of Linden, County of Union and State of New Jersey, be and he hereby is appointed a member of the Board of Health of the City of Linden according to an ordinance entitled, "AN ORDINANCE REGULATING THE BOARD OF HEALTH OF THE CITY OF LINDEN", as amended, to serve for a three year term commencing January 1, 2015 and terminating December 31, 2018, and until his successor is appointed and qualifies.

**RESOLUTION: 2015-66**

**RESOLUTION APPOINTING JOSETTE SOLLIVAN**

**A MEMBER OF THE BOARD OF HEALTH**

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

That JOSETTE SOLLIVAN**,** residing at 49 Berlant Avenue, in the City of Linden, County of Union and State of New Jersey, be and he hereby is appointed a member of the Board of Health of the City of Linden according to an ordinance entitled, "AN ORDINANCE REGULATING THE BOARD OF HEALTH OF THE CITY OF LINDEN", as amended, to serve for a three year term commencing January 1, 2015 and terminating December 31, 2018, and until his successor is appointed and qualifies.

**RESOLUTION: 2015-67**

**Change In Custodian of Petty Cash Fund For**

**City of Linden Fire Department**

WHEREAS, Joseph Rizzo, Fire Chief was custodian of the Fire Department Petty Cash Fund, and

WHEREAS, in accordance with N.J.S.A. 40:5-21, the City of Linden is changing custodians to Joseph Dooley, Acting Fire Chief ; and

WHEREAS, Joseph Dooley is bonded in the amount of $100.00 by virtue of a surety bond.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body,

of the City of Linden, County of Union hereby authorizes such action and two copies of this resolution be filed with the Division of Local Government

Services, New Jersey Department of Community Affairs for approval.

**RESOLUTION: 2015-68**

RESOLUTION

FOR A CHANGE FUND

FOR THE

CITY CLERKS OFFICE

**WHEREAS**, by Resolution, the City of Linden will establish a change fund for the year 2015 for the City Clerks Office; and

**NOW, THERFORE, BE IT RESOLVED** by the City of Linden of Union County that the City Clerks Office is holding change funds in the amount of $100.00

**BE IT FURTHER RESOLVED** that the total amount of change funds for the year 2015 in the City of Linden is now $100.00.

**RESOLUTION: 2015-69**

**RESOLUTION HONORING LINDEN FIRE CHIEF JOSEPH**

**RIZZO ON THE OCCASION OF HIS RETIREMENT**

**WHEREAS,** after thirty-five years of dedicated service to the residents of the City of Linden, Fire Chief Joseph Rizzo submitted his retirement, effective December 31, 2014; and

**WHEREAS,** Joseph Rizzo was appointed to the Linden Fire Department on May 1, 1979, was promoted to Lieutenant on February 13, 1986, Captain on April 25, 1991 Deputy Chief on July 1, 1996, Acting Chief on June 12, 2008 and Chief on December 1, 2008; and

**WHEREAS,** Chief Joseph Rizzo believed in education as way to provide better services to the Citizens of Linden, attended Union County College, Kean University, the National Fire Academy in Maryland, arson investigator school, and Texas A&M University; and

**WHEREAS,** Chief Rizzo earned certifications as a Fire Official, Fire Sub Code Official and Fire Training Instructor; and

**WHEREAS,** Chief Rizzo’s efforts help bring the Linden Fire Department into the twenty-first century, including managing such diverse task as overseeing the construction of three new fire-houses, and managing his department through several years of economic crisis without effecting the quality of services provided by the Fire Department to its residents; and

**WHEREAS,** Chief Joseph Rizzo’s professionalism speaks volumes about him as leader in the Fire Department who administered his duties with great compassion, diligences, diplomacy and faithful dedication to the Linden Fire Department and all of the residents of the City of Linden.

**NOW THEREFORE BE IT RESOLVED,**  by the Mayor and Council of the City of Linden that Fire Chief Joseph Rizzo be extended their heartfelt gratitude for all of his years of outstanding service, and be congratulated on his richly deserved retirement wishing him many years of good health and happiness; and

**BE IT FURTHER RESOLVED,** that this Resolution be entered into the minutes of the Council of the City of Linden and that a copy be presented to Fire Chief Joseph Rizzo in permanent recognition of the foregoing.

Pat Hero, 2009 Wheatsheaf Road. Ms. Hero commended Fire Chief Rizzo on his retirement. She spoke about the outstanding job that he did as fire chief. She also stated that she hoped that Fire Chief Dooley stated around for a while.

Mr. Beyer moved for approval of resolutions #2015-69. The motion was seconded by Mr. Brown and was unanimously ordered approved by a roll call vote.

**RESOLUTION: 2015-70**

**City of Linden**

**Municipal Partnership Program**

**Linden Landfill**

WHEREAS, the City of Linden is seeking $866,125.00 in grant funds through the Economic Development Administration to support an innovative cooperative program that will bring together the dedicated team of the City Department of Public Works and nonprofit construction trade union labor – Operating Engineers 825 in order to mitigate imminent environmental issues and pave the way for a major renewable energy solution for the landfill site

WHEREAS without the support of the grant, through the partnership between construction trade labor and the DPW, Linden faces both fines and site deterioration that would negatively impact the City

WHEREAS the City of Linden, through their own resources are prepared to provide a match for this grant program

WHEREAS, The City of Linden desires to further the public interest by obtaining a grant of $866,125.00 from the EDA to fund the Linden Landfill Municipal Partnership Project.

NOW, THEREFORE, the governing body/board resolves that the Mayor and Council is hereby authorized to:

(a) make application for such a grant

(b) provide additional application information and furnish such documents as may be required

1. act as the authorized correspondent of the above named applicant, and

WHEREAS, the Grantor shall determine if the application is complete and in conformance with the scope and intent of the EDA Program, and notify the applicant of the amount of the funding award; and

WHEREAS, the applicant is willing to use the funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the State for the above named project;

NOW, THEREFORE, BE IT RESOLVED BY the Mayor and Council of the City of Linden

1. That the Mayor be and hereby are authorized to execute an agreement and any amendment thereto with the EDA as Linden Landfill Municipal Partnership Project, and;

2. That the applicant has its matching share of the project, if a match is required, in the amount of $230,000.00 subject to the successful completion of a bond ordinance.

3. That, in the event the funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project, and;

4. The applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project.

1. That this resolution shall take effect immediately.

**RESOLUTION: 2015-71**

**RESOLUTION APPROVING A PRESCRIPTION DRUG**

**PROGRAM FOR THE CITY OF LINDEN**

**WHEREAS**, the City of Linden elects to provide a benefit program to its employees in the area of a Prescription Drug Program for a period commencing January 1, 2015 to December 31, 2017; and

**WHEREAS**, the Chief Financial Officer or his designee has certified as to the availability of funds for this purpose, which will be charged to account/line item No. 5-01-23-220-141-277, as attached hereto; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for "Extraordinary, Unspecifiable Services" without competitive bids and the contract itself must be available for public inspection; and

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

1. That Express Scripts (formally known as Medco) through Brown & Brown Insurance shall be and hereby are engaged to administer a Self-funded Prescription Drug Program for the City of Linden at a cost not to exceed $1,800,000.00 per year.

2. This contract is awarded without competitive bidding as an "Extraordinary, Unspecifiable Service" in accordance with N.J.S.A. 40A:11-5 (1) (a) (m) of the Local Public Contracts Law because the firm of Express Scripts offers the City of Linden extensive administrative experience in the field of Prescription Drug programs. Express Scripts submitted the most favorable quotations affording the most coverage and lowest administrative fee for the best interests of the City of Linden.

3. A notice of this action shall be published in accordance with applicable law.

**Resolution: 2015-72**

**RESOLUTION ENGAGING AHS HOSPITAL CORP FOR MEDICAL SERVICES FOR 2015**

**WHEREAS,** there exists within the City of Linden the need for Medical Services relative to the conducting of fitness for duty examinations and pre-employment examinations for new employees; and examination of drivers holding a Commercial Driving License, for the year

2015; 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,** AHS Hospital Corp., submitted a qualification to the City and has qualified for the aforesaid services for the year 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 Nos. 5-01-25-265-152-255, 5-01-20-105-105-272, 5-01-20-105-105-273, 5-01-20-105-105-271 and 5-01-20-105-105-270;

**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 AHS Hospital Corp., 475 South Street, Morristown, New Jersey 07962, for the following assignments: random drug testing, which is not covered under stipend for police and fire physician, at a fee not to exceed $10,000.00; pre-employment examinations for new employees for a total not to exceed $5,000.00 for the examination of drivers holding a C.D.L. for the year 2015 for a total not to exceed $15,000.00; and for other medical examinations as required, other then those covered under this resolution and/or his appointment as the physician to the Police and Fire Departments and as MRO (Medical Review Officer) for the City of Linden, and all medical services under this agreement will be rendered at MultiCare Industrial Medicine, located at 100 Commerce Place, Clark, New Jersey 07066; and

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

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

**RESOLUTION: 2015-73**

**RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE CITY OF ELIZABETH FOR LICENSE INSPECTORS FOR TAXICABS AND LIMOUSINE ENFORCEMENT**

**WHEREAS,** the City of Linden wishes to enter into a Shared Services Agreement with the City of Elizabeth to provide the City of Elizabeth’s License Inspectors, on a part time basis, to assist in the enforcement of the City of Linden’s taxicab and limousine codes; and

**WHEREAS,** the City of Linden has no license inspectors and has a need for the expertise of the City of Elizabeth’s license inspectors; and

**WHEREAS,** it is not anticipated that the duties of any license inspectors operating in the City of Linden will interfere with the fulfillment of said inspectors’ duties within the City of Elizabeth, and all costs associated with same shall be reimbursed to the City of Elizabeth; and

**WHEREAS,** based upon the cost savings benefit received by the City of Elizabeth under this Agreement, the Business Administrator recommends that it is in the best interests of the City of Elizabeth to enter into this Shared Services Agreement with the City of Linden; and

**WHEREAS,** the cost to the City of Linden for said services will be $10,000.00 for the period of December 15, 2014 through December 14, 2015; 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. 4-01-20-120-103-275;

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

1. The Mayor and City Clerk are hereby authorized and directed to execute any and all necessary documents in order to effectuate the foregoing, as approved by the Law Department.

2. Said Agreement shall be for the period of December 15, 2013 through December 14, 2014, at a fee of $10,000.00.

3. This Resolution shall take effect pursuant to law.

**RESOLUTION: 2015-74**

**RESOLUTION APPOINTING BRYAN TOMKO AS A MEMBER OF THE LINDEN DISTRICT MANAGEMENT CORPORATION (SID)**

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

That **BRYAN TOMKO,** 218 Yale Terrace, Linden, County of Union and State of New Jersey, be and is hereby appointed a member of the Board of Trustees of the City of Linden District Management Corporation according to an ordinance entitled, "AN ORDINANCE TO CREATE A SPECIAL IMPROVEMENT DISTRICT WITHIN THE CITY OF LINDEN AND TO ESTABLISH THE CITY OF LINDEN DISTRICT MANAGEMENT CORPORATION PURSUANT TO N.J.S.A. 40:56-65, ET SEQ.", Ordinance No. 31-63, adopted on October 19, 1994, to serve a three(3) year term, commencing September 1, 2014 and expiring August 31, 2017, and until his successor is appointed and qualifies.

**RESOLUTION: 2015-75**

**RESOLUTION APPOINTING BRYAN TOMKO AS CHAIRPERSON**

**OF THE LINDEN DISTRICT MANAGEMENT CORPORATION (SID)**

**WHEREAS**, the Municipal Code of the City of Linden, 27-7.2, provides for the organization of the Linden District Management Corporation (SID); and

**WHEREAS**, Section 27-7.2(d) provides that the Chairperson of the Board of Trustees shall be appointed by the City annually; and

**WHEREAS**, BRYAN TOMKO has previously been appointed a member of the Board of Trustees of the Linden District Management Corporation; and

**WHEREAS**, the City Council of the City of Linden wishes to appoint BRYAN TOMKO as chairman of the Board of Trustees of the Linden District Management Corporation;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** that they do hereby designate BRYAN TOMKO as Chairperson of the Board of Trustees of the Linden District Management Corporation for a term of one year commencing January 1, 2015 and terminating December 31, 2015, and until his successor is appointed and qualifies.

# RESOLUTION: 2015-76

**RESOLUTION APPOINTING PETER BROWN AS MEMBER OF THE LINDEN DISTRICT MANAGEMENT CORPORATION (SID)**

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

That Peter Brown, a member of the Governing Body of the City of Linden, County of Union and State of New Jersey, be and he hereby is appointed a member of the Board of Trustees of the City of Linden District Management Corporation according to an ordinance entitled, "AN ORDINANCE TO CREATE A SPECIAL IMPROVEMENT DISTRICT WITHIN THE CITY OF LINDEN AND TO ESTABLISH THE CITY OF LINDEN DISTRICT MANAGEMENT CORPORATION PURSUANT TO N.J.S.A. 40:56-65, ET SEQ.", Ordinance No. 31-63, adopted on October 19, 1994, to serve a one (1) year term, commencing January 1, 2015 and expiring December 31, 2015, and until his successor is appointed and qualifies.

**RESOLUTION: 2015-77**

**A RESOLUTION APPOINTING DEANA MESAROS A**

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

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

That Deana Mesaros, residing at 23 Union Ave., Linden, County of Union and State of New Jersey, shall be and he hereby is appointed a member of the Linden Economic Development Corporation of the City of Linden (Council Appointment) to serve for the term of two (2) years, commencing January 1, 2015 and terminating December 31, 2016 and until his successor shall have been appointed and shall have qualified.

**RESOLUTION: 2015-78**

**A RESOLUTION APPOINTING MAYOR DEREK ARMSTEAD TO THE UNION COUNTY COMMUNITY DEVELOPMENT REVENUE SHARING COMMITTEE AS AN ALTERNATE MEMBER**

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

Section 1. That the City of Linden hereby appoints Mayor Derek Armstead **,** residing at 516 Carnegie St., Linden, New Jersey an alternate member of the Union County Development Revenue Sharing Committee for a (1) one year term commencing January 1, 2015 and terminating December 31, 2015 until his successor has been appointed and qualifies. Said appointment is without any monetary stipend.

Section 2. That the City Clerk of the City of Linden shall certify a copy of this Resolution and cause it to be filed with Tom Connell, Department of Economic Development, Bureau of Community Development, Administration Building, 3rd Floor, Elizabethtown Plaza, Elizabeth, New Jersey 07207.

**RESOLUTION: 2015-79**

**A** **RESOLUTION APPOINTING DONALD BEYER A**

**MEMBER OF THE GOVERNING BODY, AS CLASS III**

**MEMBER OF THE PLANNING BOARD FOR THE TERM**

**OF ONE YEAR EXPIRING DECEMBER 31, 2014**

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

Section 1. Donald Beyer, Councilperson of the Second Ward of the City of Linden, be and hereby is appointed to serve as Class III member of the Planning Board of the City of Linden for a term commencing January 1, 2015 and terminating December 31, 2015

**RESOLUTION: 2015-80**

**RESOLUTION APPOINTING A MEMBER TO THE ZONING BOARD**

**OF ADJUSTMENT**

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

That **GREGORY CIERPIAL,** residing at 126 Rosewood Terrace in the City of Linden, County of Union, and State of New Jersey, holding no elective office or position in the City of Linden, be and she hereby is appointed a member of the Zoning Board of Adjustment of the City of Linden, pursuant to N.J.S.A. 40:55D-69 et seq., to serve for a term of four (4) years commencing January 1, 2015 and terminating December 31, 2018, and until her successor is duly appointed and qualifies.

All resolutions or ordinances or parts thereof which are inconsistent with the provisions of this Resolution are hereby appealed to the extent of such inconsistency.

This Resolution shall take effect immediately.

**RESOLUTION: 2015-81**

**RESOLUTION APPROVING JOHN FRANCIS ROMAN AS**

**ALTERNATE MEMBER # 1 TO THE**

**ZONING BOARD OF ADJUSTMENT**

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

That John Francis Roman**,** residing at 23 Union Ave., Apt. 1, Linden, New Jersey, be and he hereby is appointed as Alternate Member No. 1 of the Zoning Board of Adjustment of the City of Linden, which commences January 1, 2014 and terminates December 31, 2015, until his successor is duly appointed and qualifies.

Alternate members may participate in discussions of the proceedings but may not vote except in the absence or disqualification of a regular member. A vote shall not be delayed in order that a regular member may vote instead of an alternate member. In the event that a choice must be made as to which alternate member is to vote, Alternate No. 1 shall vote.

No member or alternate member shall be permitted to act on any matter in which he has directly or indirectly any personal or financial interest.

These appointments are made in accordance with Chapter 216, Laws of New Jersey, 1979 (N.J.S.A. 40:55D-69).

All resolutions or ordinances or parts thereof which are inconsistent with the provisions of this resolution are hereby repealed to the extent of such inconsistency.

This resolution shall take effect immediately.

**RESOLUTION: 2015-82**

**RESOLUTION APPROVING BARRY E. JAVICK AS ALTERNATE MEMBER # 2 TO THE**

**ZONING BOARD OF ADJUSTMENT**

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

That Barry E. Javick**,** residing at 345 Lafayette St., Linden, New Jersey, be and he hereby is appointed as Alternate Member No. 2 of the Zoning Board of Adjustment of the City of Linden, which commences January 1, 2014 and terminates December 31, 2015, until his successor is duly appointed and qualifies.

Alternate members may participate in discussions of the proceedings but may not vote except in the absence or disqualification of a regular member. A vote shall not be delayed in order that a regular member may vote instead of an alternate member. In the event that a choice must be made as to which alternate member is to vote, Alternate No. 1 shall vote.

No member or alternate member shall be permitted to act on any matter in which he has directly or indirectly any personal or financial interest.

These appointments are made in accordance with Chapter 216, Laws of New Jersey, 1979 (N.J.S.A. 40:55D-69).

All resolutions or ordinances or parts thereof which are inconsistent with the provisions of this resolution are hereby repealed to the extent of such inconsistency.

This resolution shall take effect immediately.

**RESOLUTION: 2015-83**

**RESOLUTION ENGAGING THIRD PARTY**

**ADMINISTRATOR FOR INSURANCE FUND COMMISSION**

**WHEREAS**, there exists a need for a Third Party Administrator for the Insurance Fund Commission to meet the requirements of 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**, Inservco Insurance Services 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 as to the availability of funds for this purpose in account entitled, "Claims Administrator", as attached hereto, which will be charged to account/line item No.: 5-01-23-215-140-272; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for "Extraordinary, Unspecifiable Services" without competitive bids and the contract itself must be available for public inspection; and

**WHEREAS**, the Chairman of the Insurance Commission has certified that this meets the statute and regulations governing the award of said contracts;

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

1. Inservco Insurance Services, Inc., 3150 Brunswick Pike, Lawrenceville, New Jersey 08648 in accordance with their proposal submitted on December 3, 2014, providing Third Party Claims Administration Services for all coverage to be self insured by the City of Linden at a base fee of $72,000.00 per year, for one year, effective January 1, 2015 through December 31, 2015.

2. This contract is awarded without competitive bidding as an "Extraordinary, Unspecifiable Service" in accordance with N.J.S.A. 40A:11-5 (1) (a) (m) of the Local Public Contracts Law because the firms listed herein offer the City of Linden extensive experience in the field of insurance and risk management. The quotations offered for services and/or coverage were the most competitive and were in the best interests of the City of Linden.

3. A notice of this action shall be published in accordance with applicable law.

**RESOLUTION: 2015-84**

**RESOLUTION APPROVING DENTAL PLAN**

**FOR THE CITY OF LINDEN**

**WHEREAS**, the City of Linden elects to provide a benefit program to its employees in the area of Dental Care for a period commencing January 1, 2015 to December 31, 2015; and

**WHEREAS**, the Chief Financial Officer has certified as to the availability of funds for this purpose, which will be charged to account/line item No. 5-01-23-220-141-272, as attached hereto, subject to the approval of the 2015 budget; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for "Extraordinary, Unspecifiable Services" without competitive bids and the contract itself must be available for public inspection; and

**WHEREAS**, the Chairman of the Insurance Commission has certified that this meets the statute and regulations governing the award of said contracts;

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

1. That Brown and Brown Metro is hereby named as Broker of Record for Dental Insurance Coverage.

2. That Delta Dental of New Jersey shall be and hereby are engaged to provide dental coverage on a fully insured basis for the City of Linden employees at a cost not to exceed $580,000.00 per year.

3. This contract is awarded without competitive bidding as an "Extraordinary, Unspecifiable Service" in accordance with N.J.S.A. 40A:11-5 (1) (a) (m) of the Local Public Contracts Law because the firm of Delta Dental of New Jersey offers the City of Linden extensive administrative experience in the field of dental services. The quotations offered for services were the most favorable quotations affording the most coverage and lowest administrative fee for the best interests of the City of Linden.

4. A notice of this action shall be published in accordance with applicable law.

**RESOLUTION: 2015-85**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDEN**

**AUTHORIZING THE IMPLEMENTATION OF A FLEXIBLE**

**SPENDING ACCOUNT EFFECTIVE JANUARY 1, 2015**

**WHEREAS**, PL 2011, c. 78, was adopted on June 28, 2011 and provides for major reform for pension and health benefits for public workers in the State of NJ; and

**WHEREAS**, this law requires the City of Linden to provide our employees with a Section 125 flexible spending account; and

**WHEREAS**, the flexible spending account allows an employee to voluntarily set aside a portion of their earnings to pay for qualified medical expenses thereby reducing their tax liability as well as reducing the Social Security/Medicare liability of the City; and

**WHEREAS**, the City’s Broker, Brown & Brown Metro, Inc has obtained quotes for this service and has determined that O.C.A. Benefit Services, 37705 Quakerbridge Road, Suite 216, Mercerville, New Jersey 08619 will provide the best service to the City, in an amount not to exceed $15,000.00; and

**WHEREAS,** the Chief Financial Officer has certified to the availability of funds for this purpose to be charged to Account No. 5-01-23-220-141-274.

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

* + - 1. That the Mayor, City Clerk and/or any other City Official if necessary, are hereby authorized to implement the flexible spending accounts with O.C.A effective January 1, 2015 through December 31, 2015, and to prepare and sign all necessary Section 125 Plan documents.
      2. This Resolution shall take effect pursuant to law.

**RESOLUTION: 2015-86**

**RESOLUTION APPROVING THE AWARD OF A CONTRACT TO APPRAISAL CONSULTANTS CORP. FOR REAL ESTATE APPRAISER SERVICES FOR STATE COURT TAX 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 defend the City of Linden on all industrial and commercial tax appeals filed before the Union County Board of Taxation for 2015 and also new and pending cases before the Tax Court of New Jersey; 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**, Appraisal Consultants Corp. 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 or his designee has certified to the availability of funds for this purpose, to be charged to Account No. 5-01-20-156-117-272;

**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 Appraisal Consultants Corp., Real Estate Appraisers and Consultants, Presidential Center, 293 Eisenhower Parkway, Suite 200, Livingston, New Jersey 07039; and

**BE IT FURTHER RESOLVED** the terms of said agreement shall be for a period of one year at a fee not to exceed $20,000.00; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents between Appraisal Consultants Corp. 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 Appraisal Consultants Corp., to effectuate the foregoing; and

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

**Resolution: 2015-87**

**RESOLUTION APPOINTING DEPUTY COORDINATORS TO OFFICE OF EMERGENCY MANAGEMENT**

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

That **EDWARD CHABAK**, 504 Spring Valley Drive, Bridgewater, New Jersey be and hereby is appointed as Senior Deputy Coordinator and **JOSEPH RIZZO**, 619 Kent Place, Linden, New Jersey and **DAVE HART**, 419 Madison Hill Road, Clark, New Jersey, be and hereby are appointed as Deputy Coordinators of the Office of Emergency Management for three year terms, commencing January 1, 2015 and expiring December 31, 2017, and until their successor is appointed and qualifies.

**RESOLUTION: 2015-88**

**RESOLUTION AWARDING A CONTRACT TO VOYA FINANCIAL SERVICES FOR RETIREMENT PLANNING SPECIALIST SERVICES FOR 2015**

**WHEREAS,** there exists a need for the provision of Retirement Planning Specialist Services for the City of Linden’s Deferred Compensation Plan for the period of January 1, 2015 through December 31, 2015; and

**WHEREAS,** pursuant to N.J.S.A. 19:44A-20 et seq., this Council determined to implement a “fair and open process” for the procurement of such services; and

**WHEREAS,** a “Request for Proposals” (RFP) was issued on November 13, 2014 and responses were received on November 13, 2014; and

**WHEREAS,** having considered the recommendation of the Finance Committee, this Council has determined that a contract for said services be awarded to Voya Financial Services; and

**WHEREAS,** Voya Financial Services, One Orange Way B3-N, Windsor, Connecticut 06095-4774, has agreed to provide the necessary services as outlined above at no cost to the City; and

**WHEREAS,** N.J.S.A. 40A:11-5(1) authorizes Council to award a contract without competitive public bidding if the subject matter consists of an exception to such requirements as set forth therein; and

**WHEREAS,** the consulting and related services to be provided herein constitute an exception to the public bidding requirements of the Local Public Contracts Law under N.J.S.A. 40A::11-5(1)(m);

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** a contract is hereby awarded to Voya Financial Services, pursuant to a fair and open process, and to provide the necessary services as outlined above at no cost to the City; and

**BE IT FURTHER RESOLVED** that the Mayor is hereby authorized to execute said contract upon further approval by the Law Department for the aforesaid service.

**RESOLUTION: 2015-89**

**RESOLUTION AUTHORIZING AN AMENDMENT TO THE CONTRACT WITH**

**P.K. WELDING, LLC d/b/a P.K. MECHANICAL SERVICES FOR THE BOILER PIPE UPGRADES AT THE PUBLIC WORKS GARAGE IN THE CITY OF LINDEN**

**WHEREAS,** the City Council of the City of Linden passed Resolution No. 2014-395 on October 21, 2014 approving an award of a contract to P.K. Welding, LLC d/b/a P.K. Mechanical Services for the boiler pipe upgrades at the Public Works Garage in the City of Linden in the amount of $46,320.00; and

**WHEREAS,** a second change order in the amount of $4,900.00 is required for changing the piping for existing unit heaters; and

**WHEREAS,** inclusive of these additional funds the total expenditures for said contract is $54,440.00; 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. 4-01-55-273-999-013;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that the agreement awarded to P.K. Welding, LLC d/b/a P.K. Mechanical Services, 50 South Avenue, Garwood, New Jersey 07027 is hereby amended to increase the contract by the additional sum of $4,900.00, for a total contract of $55,440.00; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary amended contract documents between P.K. Welding, LLC d/b/a P.K. Mechanical Services 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 P.K. Welding, LLC d/b/a P.K. Mechanical Services; and

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

**ORDINANCE – FIRST READING**

**An Ordinance entitled:**

**#59-01 ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER II, ADMINISTRATION, ARTICLE VIII, POLICIES AND PROCEDURES, SECTION 2-69.7, RECREATION FEES SHALL BE AMENDED AS FOLLOWS: Delete Section 2-69.7, Recreation Fees in its entirety Add Section 2-69.7, Recreation Fees as follows – Any activity or use of a facility shall be charged a fee of not less than one ($1.00) dollar and not more than five hundred ($500.00) dollars. The specific per event or rental fee shall be determined by the Director of Public Property and Community Services in accordance with this section, said fee shall be inclusive of any State sale tax applicable in accordance with State Law.**

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

On motion of Mrs. Hickey seconded by Mrs. Cosby-Hurling, the foregoing Ordinance was on a roll call vote unanimously ordered approved.

**An Ordinance entitled:**

**#59-02 AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER VII, TRAFFIC, SHALL BE AMENDED AS FOLLOWS: 7-33 HANDICAPPED PARKING REGULATIONS, 7-33.1a handicapped Parking On-Street**

**Add: 1162 E. Henry Street, 1 Space**

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

On motion of Mrs. Yamakaitis seconded by Mrs. Cosby-Hurling, the foregoing Ordinance was on a roll call vote unanimously ordered approved.

**An Ordinance entitled:**

**#59-03 AN ORDINANCE TO AMEND AN ORDINANCE ENTILED, “AN ORDINANCE ESTABLISHING A SCHEDULE OF TITLES, SALARY RANGES AND REGULATIONS FOR MAINTIANING 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-1 Clerk Driver Minimum Salary $1.00/Maximum Salary $1.00**

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

On motion of Mr. Kolibas seconded by Mrs. Yamakaitis, the foregoing Ordinance was on a roll call vote was ordered approved, with all voting in favor except Mr. Medina and Mrs. Hickey who voted no.

**An Ordinance entitled:**

**#59-04 AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED, “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” AS FOLLOWS: 4-JJ-2.**

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

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

**PUBLIC COMMENT**

Diane Wilverdine, 150 E. Morris Avenue. Ms. Wilverdine announced that she was present, this evening on behalf of the Linden Cultural Committee regarding the contest it had run for the best decorated house for Christmas. She thanked all of the Council persons who turned in recommendations in their ward, and her neighbor, Doris Mately, for her help. The Committee picked one winner from each ward and an honorable mention. She then announced the winners in each ward. In addition there was a ground prize winner, who was located at 115 Donaldson Place. Ms. Wilverdine discussed with Council improvements to the contest for the future. President Alvarez thanked Ms. Wilverdine for all of her hard work.

Ada Brunner, 329 Academy Terr. Ms. Brunner spoke about the proposed Pilgrim Pipeline, between Albany, NY and Linden, the dangers it presented to Linden residents, and the asked Council to join her in opposing it. She noted articles in the New York Times and the Wall Street Journal regarding leaks in similar pipelines in other states.

Sylvia Weisbrot, 429 Ainsworth St. Ms. Weisbrot spoke against the Pilgrim Pipeline providing her reasons why it should not be allowed to be built in Linden. Mr. Minarchenko agreed with Ms. Weisbrot and also spoke against the Pilgrim Pipeline being built. Mr. Brown spoke on the issue and stated that he would like to learn more about the pipeline. He asked Ms. Weisbrot to provide him with her information, and what, if anything Council could do to stop the pipeline. Mayor Armstead noted that Philips 66, the destination of the Pilgrim Pipeline, is not in favor of the building of the pipeline.

Amy Susney, 472 Charlestown Rd., Hampton, NJ. Ms. Susney spoke about being a volunteer at Associated Humane Society (AHS), for four years, and the issues that she observed while volunteering there and her concern over the number of animals, both dogs and cats, that they are euthanizing each year. She noted that this year AHS has taken on six additional contracts and Ms. Susney feared that it would increase the number of animals euthanized, especially since AHS have not planned any additional adoption events. She noted that since Linden has entered into a contract with AHS, she felt that Linden would want to know this information. President Alvarez thanked her for comments.

Pat Hero, 1009 Wheatsheaf Rd. Ms. Hero welcomed the new mayor, new council president, and new council members. She spoke about how these individuals, and all of the sitting council people are the guardians of the people’s civil rights. She then spoke about the three points made by the Council President, last night, and tied it to her comments about the individuals civil rights. She then quoted from the Declaration of Independence to support her statements, and the points made by the Council President. Ms. Hero then spoke about the rights of the people under the Constitution.

Edna Mojica, 615 Bower St. Ms. Mojica stated that she is the acting President of the Citizens for a Better Linden. She congratulated all of the Council Persons, Council President and Mayor Armstead. Next she asked if there had been a discussion of the terms and conditions of employment for her son Jaysee Mojica. She noted that she had heard a vote, but not a discussion. She noted the RICE notice sent by Mr. Roth to her son. She reviewed the timeline for the delivery and response to the RICE notice, and went over other specifics regarding a response to the RICE notice. Ms. Mojica stated that as a result of the issues she noted, Mr. Mojica wishes as to a public discussion on his termination were not granted. She noted that he wanted the public to know that he had no wrong doing in his termination. A discussion followed as to the facts of the RICE notice, and the response to it. President Alvarez stated that he would have someone get back to Ms. Mojica on this issue. A dispute followed over the servicing of the RICE Notice and the response to it, and the timing of the response. Next Ms. Mojica questioned Mr. Brown over what he received regarding this matter. Mr. Hudak also spoke on the issue. Ms. Mojica spoke about her son’s qualities and his long history working with the City of Linden. She concluded by stressing her sons wishes were not heard.

Henry Redding. Mr. Redding congratulated Mayor Armstead on his election on behalf of the people.

**ANNOUNCEMENTS**

**President Alvarez made the following announcements:**

**\*Council Conference meeting:**

**Monday, Feb 16, 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, February 17, 2015 at 6:00 pm in the Council Conference Room, City Hall, 301 N. Wood Ave.**

**\*Council Meeting: Tuesday, February 17, 2015 at 7:00 p.m. in the Council Chambers, City Hall, 301 N. Wood Ave.**

**There being no further business to come before Council Mrs. Cosby-Hurling moved to adjourn the meeting. The motion was seconded by Mr. Sadowski and was unanimously ordered approved by a roll call vote. The meeting was adjourned at 8:36 pm.**

**Respectfully submitted,**

**Joseph C. Bodek**

**City Clerk**