**Minutes of the Reorganization**

**Meeting of the 2015 Council of the**

**City of Linden, held Tuesday**

**January 6, 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 6, 2015 at 7:00 p.m., prevailing time.

**The meeting was called to order by Council President 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 Alvarez informed those present of the proper procedures for exiting the room in the event of an emergency.

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

Council President Alvarez asked all to turn off their cell phones or place them on vibrate.

President of Council Jorge Alvarez announced that the Members of Council who were elected in the November 4, 2014 General Election subscribed to their Oaths of Office prior to January 1, 2015, but, for the benefit of the public in attendance, the Officials will repeat the process.

Council President Alvarez called each of the following members up, one at a time and announced the details of those that would be participating in the swearing in.

MAYOR DEREK ARMSTEAD - Was sworn-in by Judge Cassandra Corbett. Holding the Bible was his wife Danie, and his children Erika, Brianna, Ryan, Ashton and Abigail, were in attendance.

PRESIDENT OF COUNCIL JORGE ALVAREZ – Was sworn-in by Senator Nicholas Scutari. Holding the Bible was his daughter, Lexi and his son, Jorge. His mother, Aida Alvarez, was in attendance.

COUNCILMAN OF THE FOURTH WARD, Monty Brooks – Was sworn-in by Freeholder Christopher Hudak. Holding the Bible was Bishop Nathaniel Wesley. Diane Carter, Nadriena Wesley, Nacoddetta Wesley, were in attendance.

COUNCILMAN OF THE SIXTH WARD, ROBERT SADOWSKI – Was sworn-in by City Clerk Joseph Bodek. Holding the Bible was his grandson, Nicholas Sadowski. Christopher and Matthew Sadowski, were also in attendance.

COUNCILWOMAN OF THE EIGHTH WARD, MICHELE YAMAKAITIS – Was sworn-in by City Clerk Joseph Bodek. Holding the Bible was her son, Danny Yamakaitis. Her husband, Luke, and son, Thomas were also in attendance.

COUNCILMAN OF THE TENTH WARD, GRETCHEN HICKEY – Was sworn-in by Senator Raymond Lesniak. Holding the Bible was Ann Ferguson. Her husband, Joseph, and sons Joseph and Patrick were also in attendance.

President Alvarez stated that today, we are making history. He asked for a round of applause for all those sworn in this evening.

**PRESENTATION OF CERTIFICATES OF ELECTION**

President Alvarez stated that at this time the City Clerk would be asked to present the certificates of election to those elected in the November 4, 2014 election, however this evening the County Clerk, Joanne Rajoppi was present, and he requested that she make the presentations. Ms. Rajoppi stated that it was her pleasure to present these certificates tonight. She then presented the certificates to each of the elected officials, beginning with Mayor Derek Armstead.

**ROLL CALL**

A roll call showed the following members were present:

Councilman Christopher Kolibas

“ Donald Beyer

“ Monty Brooks

Councilwoman Rhashonna Cosby- Hurling

“ Robert Sadowski

“ Michael Minarchenko

Councilwoman Michele Yamakaitis

Councilman Armando Medina

Councilwoman Gretchen Hickey

Council President James D. Moore

Mayor Derek Armstead

**MAYOR’S ANNUAL MESSAGE**

Council President Alvarez called upon Mayor Armstead to give his State of the City Speech.

Mayor Armstead gave the following speech:

Good Evening and Welcome,

I would like to take this opportunity to ask for a moment of silence for all of our fallen soldiers…and also let us remember two great leaders we have lost, Mayor John T Gregorio and Senator Joseph Suliga.

Members of the Council, Ladies and Gentlemen, I am deeply humbled that you, the great people of Linden, have given me the privilege to come before you as Linden’s Mayor. To have the opportunity to serve in a city that I love and hold dear to my heart is one of the greatest honors one can bestow upon me.

In life, I have learned, we must always thank and be grateful to God and the people who have given us our start in whatever career path we may find ourselves.

25 years ago while on Jury Duty at the Court House in Elizabeth, I saw an article in the old Daily Journal that talked about John T Gregorio’s return to elective office here in Linden. Having always wanted to serve my City-- and with no political experience-- I saw this as an opportunity to enter politics.

You see, the need to serve, to help my community and make Linden a better place, has always been my passion. At a very young age, my grandparents taught me the importance of leadership and community service.

I understood early on that as political leaders, we are charged with the responsibility to listen to the people’s concerns, work hard collectively, and pull all our efforts to meet their needs and not use politics to further our own interests. I mustered the courage and approached the Gregorio Campaign in an effort to run on that Democratic Ticket, only to be told that they were in discussion with another individual; I had to wait my turn. However, unbeknownst to me, there was a person on the inside lobbying for me.

That person was Jimmy Moore. Jimmy successfully convinced all involved to allow me to run on the ticket. His argument was very simple, “I know the Armstead Family. They are pillars in the Linden Community.” Thank you Jimmy and thanks to Mayor Gregorio, God rest his soul, for giving me my start in politics.

Once on the campaign trail I realized that there were others who made the job of campaigning a lot easier. My family: My grand-parents, Henry Creed and Jimmie Lee Armstead who planted the seed of politics in me. As Democratic Committee people, I watched them form their own line to support a 7th Ward candidate, a very young Joe Suliga. My parents: Mom and Dad, please stand. Thank you for always believing in me and encouraging me to go after anything in life I wanted.

My father’s brothers and sisters: Aunts Ida, Carol, Harriet, Helen, Bertha, Diane, Shirley; Uncles Bobby, Sherman, Curtis, and Ralph, thank you. It was a joy to meet so many people who knew and loved all of you while knocking on doors, because you simply treated them with decency and respect.

My brothers and sisters, Jimmy, Lisa, Mark and Sonia. A special thank you as well to my mother’s brothers and sisters, Aunt Elaine, Aunt Penny and Uncle Henry. My wife’s family: my mother-in law Therese, Aunt Gertrude, Aunt Vovo and Uncle Edgard, thank you for always being there to watch and care for our children.

For me, being Mayor is the third best job in the world. And to be honest, it comes in a distant third behind husband and father.

All of you are familiar with the saying, “Behind every great man is a great woman.” Better yet, “Show me a very successful man and I will easily point out the woman responsible for his success”, and for me that woman is my wife Danie. Danie, please stand. Without your hard work I would not be standing here today.

And my children: my first born Erika, thank you for always finding the time to help your poor old Dad on Election Day. Brianna, now 17 years old, where has the time gone. It seems like yesterday you were just a few months old and I was taking you to political functions.

Brianna is our in house lawyer; I can never win an argument with her. My twins, Ryan and Ashton, aka “This One and That One.” After winning the Mayor’s race, I asked them if they were happy and they replied, “Not really! Now we have to be good all the time.”

And my baby, Abigail, she is “tough as nails.” Abagail Armstead for Mayor in 2034!

I would like to thank former Mayor Gerbounka, who has been very gracious throughout the transition, former 10th Ward Councilman Adam Kaczynski and former Council President, James Moore, for their hard work and for putting the City of Linden first.

Richie Puschel ………….

I would like to congratulate those Council Members who were successful in their bids to be reelected. Robert Sadowski, in the 6th Ward, Michelle Yamakaitis, in the 8th Ward and our newest members of the Council, Monty Brooks in the 4th Ward, Gretchen Hickey in the 10th Ward and Jorge Alvarez, Council President. The people of Linden, by their vote, have spoken. It is now our duty to work together as a team for this great City.

Linden is blessed to have two residents that represent us at both the State and County Levels, State Senator, Nicholas Scutari (Please Stand) and Freeholder Christopher Hudak (Please Stand). I am looking forward to working with them.

I cannot express to all of you the importance of having Senator Senator Scutari in Trenton. Having him in that capacity will not only help our City with important Legislation, but our State as well.

Since 2008, our City has withstood, and continues to withstand, one of the most difficult economic times in history. Now if I were to knock on ten random doors in Linden and asked the residents what is the most important issue that you would like to see the Mayor and Council address, I think that the majority of responses would be property taxes. Each year the residents and businesses in Linden pay over $167 million property taxes—that’s right, I said $167 million! But out of that, only one third—one in three dollars paid—goes to support municipal government. Our police, our firefighters, public works, senior citizen services, our playgrounds.

The recession of 2007-8 hit us hard. The City of Linden has lost $128 million in ratables. This translates to a loss of over $7 million per year in taxes. That is a staggering amount of money. We enter 2015 with a budget deficit of $ 3 million. And while I wish this wasn’t the case, I promised you in the campaign that I would always be straight with you. We are faced with hard choices. And while I can’t speak for council, I know that every one of them is as committed as I am to re-examining how we spend every dollar. I promise to work with each and every one of them in finding solutions to our current budget shortfall.

One of the priorities is to expand the Special Improvement District to include Aviation Plaza and our other retail stores and businesses along the Route 1 Corridor.

Our police department spends too much time responding to and investigating crime in that area, which is more often than not committed by people who don’t live in Linden. And while we welcome shoppers for all over the region to come to Linden, we need to address this issue in a fair way.

I would propose that with the new SID revenue, the City hire new police officers that can be assigned specifically to this area. This will create a safer shopping environment and provide much needed budget relief. It helps create a safer, more affordable Linden.

In order for our government to run smoothly, you need a good municipal workforce. I am committed to providing our police, fire, public works and all departments with the tools necessary to serve our residents as best and efficiently as possible. And while this year’s budget will be a challenge, the City is turning the corner and there is light at the end of the tunnel.

Commercial development in Linden is on the rise. New housing is being built.

Projects like:

\*The Redevelopment of the old GAF/ISP property, where Goodwin Bircher will be developing five warehouses on 143 acres. \* Dupont, will be developing 106 acres and it will be a multi-use property with access to the Arthur Kill Waterway.

\*The redevelopment of the old GM property, now known as the Legacy Commerce Center, is a 60 acre Industrial site with three warehouses being built on Linden Avenue and Pleasant Street. Also planned is retail along the frontage of Route 1 and Pleasant St.

The project’s owners are already in negotiations with major tenants.

Our new Transit Village Status has sparked interest in that area. Absolute Construction has built and sold 48 units with another 48 currently under construction.

Developers, Meridia Capodagli, is completing construction on Wood Ave of a 176 unit apartment building and is currently in negotiations to purchase the adjacent property to construct 176 additional units with possible retail and a high end restaurant and lounge.

No longer will Linden just be a place to park when commuting to New York or one of many stops on the Northeast Corridor. It will be a place where commuters want to live. They will shop in our stores, eat in our restaurants, and spur new businesses. And once they get to love Linden, like we do, they will want to settle down here and raise their families.

With all the exciting development that is happening in Linden, there are still many residents who are struggling. **Those who need jobs and those who need better jobs**.

Over the next few years hundreds of thousands of square feet of warehousing & retail sites will be available and will create employment opportunities in Linden. We need to connect those businesses and the jobs they will bring to our residents who need them.

That is why today I am announcing the creation of “**Hire Linden First**.” We will go to those businesses and ask them to be good corporate citizens and work with us and give our residents a chance. We will ask the County and Union County College to assist us in creating a “One Stop Shop” to provide job training so that we can offer those businesses a qualified pool of applicants to pick from. We will establish a website that will be a clearinghouse for available jobs here in Linden.

I can assure Linden businesses that if they participate in **“Hire Linden First”** they will be privy to a little secret, that the people of Linden are some the hardest working, honest and committed people they will ever meet.

Another priority of mine as Mayor will be to advocate for the extension of Exit 12 on the Turnpike into Tremley Point in Linden. Hundreds of millions of dollars has been spent cleaning up polluted land. New owners are committed to building hundreds of thousands of square feet of warehousing, creating new jobs and new ratables. But this project is also a quality of life issue. For too long neighboring residents have had to breathe the dirty air and live with the noise from hundreds of trucks that drive on our local roads. Extending Exit 12 to Tremley Point should be a no brainer.

Senator Scutari has made getting this project funded, and built, a priority of his and for that we say “thank you.” Senator, today I join you by making the Tremley Point Turnpike extension a priority of mine. Together, I know we can get this done.

Sometimes my kids tease me and tell me I talk too much—and that is a topic of debate. But to be a good Mayor you have to be able to listen. With that being said my intentions are to start either a Saturday or Evening office hour with the Mayor. Because so many people work, or have children, they are not able to get to City Hall during the weekday. I will have an open door policy so that your concerns and issues can be addressed.

In closing, I would just like to say “thank you” for such a magical night. I promise you that I will lead by example: work hard, always level with you, listen to your issues and concerns, do my best, and always put the interests of our great City first.

God bless you and God bless this Great City of Linden.

President Alvarez recognized the many dignitaries that were in the office.

President of Council Alvarez stated that he had some remarks to make.

The wonderful energy tonight is in no small part due to the many friends and family of the newly sworn in Council members and Mayor. As a moment of personal privilege, allow me to welcome my family and friends that came from NYC, Washington DC, and Annapolis MD.

Thank you to the residents of Linden. Many are here this evening. Many are watching at home. You are the reason that we are sitting here today and it is an honor to serve you.

Thank you to the outgoing Council Members and Mayor for your service. And welcome Mayor Armstead, Councilman Brooks, and Councilwoman Hickey. Congratulations Councilwoman Yamakaitis and Councilman Sadowski on your re-election. I look forward to working with you and all of the sitting Council people already seated on the dais.

Today we begin a new era. We must work together to bring our great city to new heights of safety, cleanliness and prosperity.

A lot has been said of things that could have been done or should have been done in the past. That was campaign season. Today is about Linden’s future. This new Council has tremendous energy, ideas, and a willingness to work together.

The role of Council President has been much debated over the past few years. Heck, it has even been subject to a lawsuit. I believe any job is what you make of it, and in my view my job is to set a tone that the Council can put forth an agenda that will lift up our City for decades.

We need to talk about our Wood Avenue Business district. In my younger days, I used to drive on Wood Ave. because it was a downtown that was full of life. I still remember the signs that said “no cruising aloud”. I’m not as young as I seem. Under the leadership of Chairman Bryan Tomko, a local business owner, the Special Improvement District has been working hard to improve conditions on Wood Ave. They need more help, better coordination with City Hall and more resources. The new Mayor’s proposal to expand our Special Improvement District to encompass the Route 1 & 9 is an idea that has merit. Rahway is doing the same. It means more resources to support local small businesses. Let’s get that done in 2015.

New Jersey has an infrastructure crisis. Sandy and Irene were devastating to Linden, but so has decades of neglect of our infrastructure. Some of this is beyond our control **but** our City’s maintenance should not be.

I appreciate the efforts of Senators Scutari and Lesniak, Assemblyman Green and Assemblywoman Stender and our County Officials, including Freeholders Hudak and Freeholder Jalloh who are pushing the Governor to find a better solution to fund transportation projects vital to Linden’s future as a hub for commerce.

But as a civil engineer **I know the City** can do more. We need a fresh approach and a multi-year plan to better utilize outside funding, loans and grants, to better leverage them against our capital expenditures. That is why I propose the Council consider a top to bottom audit of our infrastructure needs and engineering priorities. Let’s get that done in 2015.

This brings me to the most important hire this city is going to make this decade: the Business Administrator. I applaud the members of the governing past and present who made the important decision to delegate much of the Council’s Executive Authority to a BA. But this process has lingered for far too long. I know I speak for the other members of the Council when I say the time is now and we need this important filled.

Last year the Council started the hiring process by selecting a firm to screen qualified applicants. Mayor, let’s get this position filled with a very qualified candidate in the first quarter of 2015.

We need to address the Garbage Tax. Let me say I respect the members of the governing body who did what they felt they had to do to keep the City running. This fee speaks to the urgency of the moment and a tough decision that had to be made. But as we learned this year when Linden lost over $1 million in revenue for red-light cameras, dependence on a fee which circumvents the property tax cap is not sustainable for budget planning purposes, but also not sustainable for taxpayers struggling to keep up with the costs of home ownership.

The realities of Linden’s finances are that the fee is not going away in 2015. It is going to take more than one year and one budget to eliminate it. For years we’ve been told that this is the year that the budget is fixed only to be told that a new hole has formed. I challenge this Council to look beyond the current year and adopt a new budgeting strategy that has a multi-year focus. I propose the Council also consider forming an ad hoc committee to review the garbage fee with the hope of one day phasing out the fee.

Lastly, to the residents of Linden, we are going to work hard. But I remind you that your Council and Mayor need you. I’m not a politician, or at least I wasn’t until recent. Like many members of this governing body I got my start in this city as a volunteer. As a parent. As a taxpayer who wanted a voice. Linden residents, we need your help. Come forward and get involved to make Linden better. Join a board. Volunteer for your community, your neighborhood, your friends and your family. We are all in this together and we have to be able to work together.

I have never been selfish in my life but today I have a vision, I have a vision in which I would be a little bit selfish.

When people ask me where I’m from and I tell them Linden, NJ, I don’t want to hear, what exit.

**When people ask me where I’m from and I tell them Linden, NJ**, I don’t want to hear, where is that near.

**When people ask me where I’m from and I tell them Linden, NJ**, I don’t want to hear, what? Is that a City.

**No, I want our image to change, I have a vision!**

When people ask me where I’m from and I tell them Linden, NJ, I want them to say, yes, Linden, I heard about it, I heard it’s a beautiful city.

When people ask me where I’m from and I tell them Linden, NJ, I want them to say, Yes, Linden, I go to there in the weekends, it has a beautiful downtown, people are friendly, Its clean, and I it always feels safe.

**When people ask me where I’m from and I tell them Linden, NJ**, I want them to say, Yes, Linden, I have been trying to buy a house there **but nobody is selling!!**

When people ask me where I’m from and I tell them Linden, NJ, I want them to say, **Yes** Linden, that is the city in NJ with the best looking Council President.

So I’m reaching out to you, all of you, let’s put our petty differences aside come join us and let us lead you in to a new era of prosperity in which we can all work together for our future.

Come join us and let us lead you into a new era where we can work hard and leave something behind for our kids.

After all our kids are our future.

Thank You

God bless you all,

God bless this great City of ours,

God bless the USA.

**PRESENTATION’S AND PUBLIC COMMENT**

Ralph Strano, 2703 Grasselli Ave. Mr. Strano stated that he was present to make a presentation on behalf of the Linden Historical Society to Mayor Armstead. Mr. Strano noted that Mayor Armstead was Linden’s first black mayor, and gave a history of Mr. Armstead’s family’s involvement in Linden politics. He then spoke about Mr. Armstead’s political career, and some of his many accomplishments during that career. Mr. Strano then spoke about Mayor Armstead’s civic involvement including the founding of Citizens for a Better Linden and the establishment of a scholarship fund to benefit needy Linden High School Seniors, among other activities. On behalf of the Linden Historical Society he wished Mayor Armstead the best during his first term as Mayor. He read the plaque and presented it to Mayor Armstead. The Mayor thanked the Historical Society.

Freeholder and Linden Democratic Chairman Christopher Hudak, 520 Exter Rd. Freeholder Hudak asked for a moment of privilege to allow Union County Democratic Chairman Jerry Green to say a few words. Mr. Green thanked God for allowing him to be here this evening and stated he wanted to tell everyone in Linden how proud Union County was of Mayor Armstead. He then spoke his long relationship with the Armstead family. He spoke about how proud he was to have a black President, and how proud he was to get a call from Senator Booker, on election night, regarding the numbers that Union County gave him. Mr. Green noted that he chose to be present in Linden tonight instead of in Washington D.C. for the congressional swearing in. He then spoke about the challenges facing New Jersey and Linden. Mr. Green talked about his position as a State Assemblyman and what he hopes to accomplish, working side by side with Mayor Armstead. Mr. Hudak spoke about the 22nd districts legislative team, how effective they were and how they looked out for Linden. Mr. Hudak stated that he had a presentation to make on behalf of the Linden Democratic Committee and Linden Democratic Club. He noted that there were six individual sworn-in tonight, and as Chairman he had six gifts to present, as the Mayor and Council persons were all Democrats. He talked about how proud he was of that. He then presented an embroidered fleece jacket to Mayor Armstead and all the five elected council members. He spoke about each of the Council persons as he made the presentation to them. Mr. Hudak also presented Mrs. Hickey with a gift on behalf of the Tenth Ward Democratic Club. Mr. Hudak spoke that, as a Freeholder, he is willing to work with the Mayor and Council, and that they County’s assets are at their disposal.

Janet Miller, Linden Chamber of Commerce. Ms. Miller congratulated all and urged the Mayor and Council to reach out for the Chamber, as they to want to work with everybody. She spoke about the members of the Chamber and how they want to bring more business into Linden.

Erika, Brianna, Ryan, Ashton and Abigail Armstead. Erika Armstead spoke about how proud she and her siblings were of their father, what this election meant for him, and to symbolize what it meant to their father they would be reading a poem, entitled Still I Rise by Maya Angelou. At the conclusion of the poem Brianna Armstead noted the purpose of the poem was to highlight the many struggles that their father faced to become Mayor. She noted the lesson that he has taught them on how to become a leader, thanked him for them and wished the Mayor the best. They concluded by stating, “we love you daddy.’

John Roman, 23 Union Ave. Mr. Roman stated that he was born and raised in Linden, and takes every opportunity to stand before this body and tell them what he thinks is best for Linden. He noted the Governing Body has a very important year before them and implored them to work together. He spoke about how packed the room was tonight and urged those present tonight to come and talk to the members of Council. He congratulated all of the winners.

Elijah and Diane. Diane noted that she was Monty Brooks co-worker and a former co-employee of Mayor Armstead in Union County. She congratulated all of the elected officials spoke about how proud she was of Mr. Brooks, and how happy she was for him. She then made a presentation to Mr. Brooks on behalf of the family.

Danny Yamakaitis, 921 McGillivray Pl. Mr. Yamakaitis congratulated Mayor Armstead, the Council elect, Council President Alvarez, and most of all his mother, Michele Yamakaitis. Speaking on behalf of his family he expressed how proud they are of her. She makes all of them strive to be the best that they can be. Mr. Yamakaitis noted that Mrs. Yamakaitis is now the most senior member of council. Mr. Yamakaitis spoke about the lessons that Mrs. Yamakaitis mom had taught them, and that it was not about winning and losing, but about doing their best. He knew that Mrs. Yamakaitis always did her best for the people of the Eighth Ward. He then made a presentation to Mrs. Yamakaitis.

Sonia Armstead Pittman. Ms. Pittman first offered congratulations to her brother, Derek Armstead, and then to all of the other winners. She then congratulated her family, as this was a “proud shining moment” for them. Ms. Pittman noted that the widow of former Mayor George Hudak had reached out to her. She then read a note, from Mrs. Hudak, to Mayor Armstead, regarding how proud she was of him.

Lisa Armstead Ormon, 901 Summit St. Ms. Ormon congratulated all of the newly elected council members. She noted, from working with her brother, how difficult of a task it was to run for council. She then spoke about how proud she was of her brother, the Honorable Mayor Derek Armstead. She noted, that he was her big brother, and throughout her life he was the one that always protected her. Ms. Ormon talked about how much she loved her brother. She thanked him for following the legacy that their grandparents had established for them, hard work and family. She thanked him for being a great father and husband, and for being a great uncle to her children. Ms. Ormon concluded by stating that she loved him and that she would always have his back.

Council President Alvarez asked Mayor Armstead’s mother to stand and be recognized. She noted that not only did she raise her family, but all the children of the neighborhood. Mrs. Armstead spoke about how proud she was of Derek, what he was like growing up, how hard he worked, and how proud she was of him. She added how proud she was of her whole family.

Cleadel Way, 1027 Essex Ave. Ms. Way started by stating that she wanted to give honor to God on this historic day. She noted how proud she was of Mayor Armstead. She offered congratulations to President Alvarez and all of the members here. She quoted from Congresswoman Shirley Chisms and noted that the people put Mayor Armstead here. She spoke about those that had talked about bridges being built and thanked them. Ms. Way noted that many had spoken about working together. She will watch it happen. She added that it was time for games to be over. Ms. Way went on to offer suggestions to Mayor Armstead to help move the City forward, that she knew not only how to build bridges, but also how to close gates. She concluded by speaking of her love for the Armstead family, and how she, and her family was of Mayor Armstead and his family.

Patti Murgo, 2519 Grier Avenue. Ms. Murgo congratulated all those that won their elections. She spoke about working with Mayor Armstead, and his family, in the election, how the campaign had no money, but won. Next she spoke about Mr. Sadowski, what a pleasure it was to work on his campaign, with him and his family. She offered a special thanks to Mindi Kuzniak for work scheduling for Mr. Sadowski. Mr. Sadowski thanked Ms. Murgo for all her help. Next Ms. Murgo spoke about this being the third election she fought with Mrs. Yamakaitis. She explained that while Mrs. Yamakaitis had no opposition, it was the most difficult because it took a lot to convince people that they still had to go out and vote to show their support for her. Ms. Murgo spoke about meeting the first time she met Mrs. Yamakaitis and the relationship they have had. She promised to always be at Mrs. Yamakaitis side, no matter what she plans to go for. She asked all to work together.

Richard Puschel, 1525 Cornell Drive. Mr. Puschel spoke about how hard Mr. Armstead works and described the Mayor’s campaign and how hard he campaigned. He noted how amazed he was to find out the many different languages that the Mayor spoke. He told a few stories about campaigning, and presented Mayor Armstead with a gift on behalf of the “magnificent seven.”

Paul Schappe, 315 2nd Avenue. Mr. Schappe spoke about campaigning with Mayor Armstead and the efforts he put into the campaign on behalf of Mr. Armstead.

**COMMENTS BY MEMBERS OF COUNCIL**

President Alvarez stated that he would be calling on the Council members for comment, starting with the newly elected members first.

Fourth Ward

Mr. Brooks, noted that he was so excited, he was at a loss for words. He spoke about the campaign, how great it was. He then spoke about the Fourth Ward and how it pains him to walk by a park and not see kids playing in it. Not to see seniors sitting in it and enjoying the afternoon. He noted that he is not only a citizen of the Fourth Ward, but of Linden, and how it will take team work, all the time, every time to better Linden.

Tenth Ward

Mrs. Hickey thanked her husband and sons. She noted that she had two elections, last year, and issues that she and her family faced last year. She spoke about her campaign, and the most important thing that she learned was to listen. It was about being a neighbor, about caring for your community. She noted several items that helped her learn who was there for our City. Mrs. Hickey recited a quote that she recently heard. “A successful woman could build a foundation using the bricks that others have thrown at her.” She noted that her foundation is build and she will make a difference.

Sixth Ward

Mr. Sadowski congratulated everyone that won, and congratulated Mayor Armstead. He thanked all those that had walked with him. The residents of the Sixth Ward that accepted him and welcomed him into their homes. He stated his hope that all could work together for the betterment of Linden. Mr. Sadowski explained that his wife could not be here this evening, but she was watching from home. He told her that he did love her.

Eighth Ward

Mrs. Yamakaitis thanked the residents of the Eighth Ward for re-electing her. She promised them that she would do her best to serve them, and all the residents of Linden in the upcoming years. She thanked her husband, sons, brothers and sisters for always being there for her. She thanked her campaign manager, Patti Murgo, for always being there. Mrs. Yamakaitis thanked the Eighth Ward Democratic Club and Eighth Ward Democratic Committee people for their continued support. She then spoke about some of the projects she hoped to see completed in 2015. She promised to dig her heels in and fight for the people of the Eighth Ward and the City of Linden. She urged her colleagues to think about their votes before they make them. It is all about looking at yourself in the mirror the next day. Mrs. Yamakaitis congratulated Mayor Armstead and all of her newly elected officials. She stated she looked forward to working with all.

First Ward.

Mr. Kolibas congratulated Mayor Armstead and all of the elected and re-elected council persons, noting that they had a lot of work to do this year, but it would be good work.

Mr. Kolibas made the following Engineering report:

“Because of time restraints regarding our 2 NJDOT grants on the Wood Avenue Streetscape project, I recommend the Purchasing Agent advertise the projects as soon as possible following the state’s Authorization to Advertise.

Mr. Kolibas moved for approval of the above motion. The motion was seconded by Mr. Brown and was unanimously ordered approved by a roll call vote.

Second Ward

Mr. Beyer congratulated Mr. Sadowski and Mrs. Yamakaitis on getting re-elected. He stated that he enjoyed working with them, and was glad they were re-elected. He then congratulated Mrs. Hickey, Mr. Brooks, President Alvarez, and Mayor Armstead. He noted that he has known Mr. Armstead for forty-four years, since the fourth grade in School Four and Mr. Armstead was elected to a four year term. He wished Mr. Armstead well and a second term.

Third Ward

Mr. Brown thanked the residents, everyone that came here tonight. There is a full house. It shows that we are a community, and this is what Linden is all about. He then congratulated all the new and re-elected members. He then spoke about Mr. Armstead and how he considered him a mentor. He thanked Mr. Armstead for all of the advice he has given him. He also thanked Jerry Green for also being a mentor. Mr. Brown announced that Pastor Green, also a mentor to him, passed away over the weekend. He asked for a moment of silence for Pastor Green.

Fifth Ward

Mrs. Cosby-Hurling stated Democrats Rock. She noted that the primary is what it was. Mayor Armstead won the primary, and we got behind him. All of our Democrats were elected. She noted that Linden’s officials have been working together. She spoke about some of the items coming in 2015 and how she was excited about working with her colleagues.

Seventh Ward

Mr. Minarchenko congratulated the Mayor and all of elected and re-elected Council members. He stated that he was looking forward to working with them and all of Council. He stated his agreement with Mayor Armstead, that the City is turning the corner and there is light at the end of the tunnel. With vision and this team on Council we get reach that light at the end of the tunnel.

Ninth Ward

Mr. Medina congratulated those elected and re-elected. He stated that he looked forward to working with everyone in 2015. He congratulated Mayor Armstead. Mr. Medina spoke about his history in Linden and how when he decided to run for Council, one of the first persons to show support was Mayor Armstead, who attended a meeting about the campaign in Mr. Medina’s backyard. He thanked Mayor Armstead, and wished all a happy New Year. He stated that he hoped to see future council meetings as full as the one tonight.

**ELECTION OF PRESIDENT OF COUNCIL PRO TEMPORE**

President Alvarez opened the floor for nominations for the office of President of Council Pro Tempore.

Mrs. Cosby-Hurling nominated Mrs. Yamakaitis as President of Council Pro Tempore. The nomination was seconded by Mr. Minarchenko. There were no other nomination. Mrs. Yamakaitis was unanimously elected President of Council Pro Tempore by a roll call vote. The City Clerk administered the oath of office to Mrs. Yamakaitis as President of Council Pro Tempore.

**CONSENT AGENDA**

**(THERE WERE NO CONSENT ITEMS)**

**RESOLUTIONS**

**President of Council Jorge Alvarez made the following announcement:**

**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.**

**Mr. Kolibas moved for approval of Resolutions #2015-1 through #2015-26 with the exception of Resolutions #2015-2 through #2015-5, Resolution #2015-7, Resolution #2015-18, Resolution #2015-20 and Resolution #2015-21. The motion was seconded by Mr. Beyer and was unanimously ordered approved on a roll call vote.**

**Resolutions #2015-2, #2015-3, #2015-5, #2015-7-, #2015-18 were removed at the request of Ms. Malik.**

**Resolution #2015-4 was removed at the request of Mr. Anderson and Ms. Malik.**

**Resolutions #2015-20, #2015-21 were removed at the request of Mr. Schappe.**

**RESOLUTION: 2015-1**

**A RESOLUTION DESIGNATING OFFICIAL**

**NEWSPAPERS FOR THE YEAR 2015**

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

That the following newspapers be and they hereby are designated as the official newspapers for the City of Linden for the year 2015:

The Star Ledger

Union County Local Source

Home News Tribune

News Record/Patriot

**RESOLUTION: 2015-2**

**A RESOLUTION FIXING THE RATE OF INTEREST TO BE**

**CHARGED FOR THE NON-PAYMENT OF TAXES**

**OR ASSESSMENTS**

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

Section 1. That interest at the rate of eight percent (8%) per annum on the first $1,500.00 of delinquency and eighteen percent (18%) per annum on any amount in excess of $1,500.00, shall be charged for the non-payment of taxes or assessments to be calculated from the date the taxes or assessments were payable until the date of actual payment, and an additional penalty of six percent (6%) of the amount of delinquency in excess of $10,000.00 on any delinquent balance remaining at the end of the calendar year.

Section. 2. That no interest be charged if payment of any installment of taxes is made within ten (10) days after the date upon which the same became due.

Section 3. All resolutions or parts of resolutions which are inconsistent with the provisions of this Resolution are hereby repealed to the extent of such inconsistency.

Section 4. This Resolution shall take effect pursuant to law.

**Ms. Malik, 1633 Lenape Road.** Ms. Malik asked what the rates were previously. President Alvarez responded that the rates were the same as last year.

**Mr. Kolibas moved for approval of Resolution #2015-2. The motion was seconded by Mr. Beyer and was unanimously ordered approved on a roll call vote.**

**Resolution: 2015-3**

**RESOLUTION TO ESTABLISH A CASH MANAGEMENT PLAN FOR THE CITY OF LINDEN AND MAINTAIN BEST PRACTICES IN**

**THE DEPARTMENT OF FINANCE**

**BE IT RESOLVED** by the Council of the City of Linden, County of Union that for the year 2015, the following shall serve as the cash management plan of the City of Linden.

The Chief Financial Officer and/or Municipal Treasurer are directed to use this cash management plan as the guide in depositing and investing the City of Linden’s funds.

The following Government Unit Deposit Protection Act (GUDPA) approved bank are authorized depositories for deposit of funds:

Community First Bank

Wells Fargo Bank

Northfield Savings

Bank of America

Bank of New York

TD Bank

JP Morgan Chase Bank

Capital One

Unity Bank

US Bank

Morgan Stanley Trust

Trust Company of New Jersey

Wilmington Trust

All warrants or checks for the disbursement of money shall be made by any of the following officials and facsimile signatures may be used:

Derek Armstead, Mayor

Alexis Zack, CFO/Municipal Treasurer

Christine Figueiredo, Fiscal Analyst

Joseph Bodek, Municipal Clerk/ Chairman, Insurance Commission

Jennifer Honan, Deputy Municipal Clerk

Joan Turbett, Licensing Clerk

Stacey Carron, Tax Collector

Dan Roberts, Municipal Judge

James Schulhafer, Police Chief

Alfred MacDonald, Superintendent of Public Property

Mary Ellen Tango, Director of Community Services

Susan Sanchez, Municipal Court Administrator

Jessica Sheehy, Supervisor of Personnel/Insurance Commission Secretary

The Chief Financial Officer and/or Municipal Treasurer are empowered to invest cash funds as bank balances will allow from time to time in order to realize a revenue. The below stated officers are authorized to transfer funds electronically for the purpose of investments and payroll only:

Alexis Zack, CFO / Municipal Treasurer

Christine Figueiredo, Fiscal Analyst

Janice Brown, Supervising Clerk

Stacey Carron, Tax Collector

The following are authorized as suitable investments:

\* Interest-bearing bank accounts in banks as authorized above for deposit of local unit funds (GUDPA approved).

\* Certificates of deposit in GUDPA approved banking institutions.

\* Bonds or other obligations of the United States of America or obligations guaranteed by the United States of America. This includes instruments such as Treasury Bills, Notes and Bonds.

\* Government money market mutual funds that comply with N.J.S.A. 40A:5-15.1(e).

\* Any federal agency or instrumentality obligation authorized by Congress that matures within 397 days from the date of purchase, and has a fixed rate of interest not dependent on any index or external factors.

\* Bonds or other obligations of the local unit or school district of which the City is a part.

\* Any other obligations with maturities not exceeding 397 days, permitted by the State Division of Investments.

\* Local government investment pools which comply with N.J.S.A. 40A:5-15.1 (e) and conditions set by the Division of Local Government Services.

\* New Jersey Cash Management Fund.

\* Repurchase agreements (repos) of fully collateralized securities which comply with N.J.S.A. 40A:5-15.1(e).

There are no approved security broker/dealers. In the event that a security broker/dealer should be approved during the year, the registered principal of said brokerage firm so approved shall be provided with and sign an acknowledgment that they have seen and reviewed the cash management plan.

Each month, the Chief Financial Officer/Municipal Treasurer shall prepare a report for the Finance Committee and the Municipal Treasurer that consists of the following: Average rate of monthly investments.

This document shall constitute the cash management policy of the City of Linden.

Any official involved with the selection of depositories, investments, broker/dealers shall disclose any material business or personal relationship to the City Council and to the Local Finance Board or Local Ethics Board as applicable.

Any official who, in the course of his or her duties, deposits or invests in accordance with this plan shall be relieved of any liability for loss.

\* In keeping with the City of Linden Finance Department policies internal and external controls are constantly being reviewed and discussed best practices with the Finance/Budget Review Committee in accordance with the City’s best practices for financial planning and management.

\* The goal of the Finance Committee is to review and generate enough annual (surplus, and maintain a reasonable surplus balance as what was realized in the prior year’s budget.

\* During budget deliberations the Committee discusses the impact of the budget and evaluates the impact whether it is negative or positive on the tax payer.

\* Internal control processes are evaluated and updated on a continual basis.

Virginia Malik, 1633 Lenape Road. In response to Ms. Malik, Mr. Bodek responded that this was an annual authorization, and it is the same resolution as was done last year.

**Mr. Kolibas moved for approval of Resolution #2015-3. The motion was seconded by Mr. Beyer and was unanimously ordered approved on a roll call vote.**

**Resolution: 2015-4**

**A RESOLUTION AUTHORIZING THE MUNICIPAL TREASURER TO INVEST AND REINVEST FUNDS FOR THE CITY OF LINDEN**

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

That Alexis Zack, Chief Financial Officer / Municipal Treasurer, be and she is hereby authorized to invest and reinvest in treasury obligations of the United States, certificates of deposit and savings certificates at such time and in such amounts as she deems necessary.

**BE IT FURTHER RESOLVED** that the CFO/Treasurer shall make a monthly report to the City Council of the investments made by her.

**Ms. Malik, 1633 Lenape Road. In response to Ms. Malik, Mr. Bodek responded, that as like the previous resolution this is done annually.**

**Mr. Anderson, Beechwood Road. Mr. Anderson asked if there are any checks or balance and if there is any type of review that the investments are secure ones. Mrs. Zack responded that state statute limits where the investments are made, and noted some of them.**

**Mr. Kolibas moved for approval of Resolution #2015-4. The motion was seconded by Mr. Beyer and was unanimously ordered approved on a roll call vote.**

**Resolution: 2015-5**

**RESOLUTION OF THE CITY OF LINDEN, IN THE COUNTY OF UNION,**

**NEW JERSEY, APPOINTING NW FINANCIAL GROUP INC. AS**

**FINANCIAL AND INVESTMENT ADVISORS TO THE**

**CITY OF LINDEN, NEW JERSEY**

**WHEREAS,** the City of Linden, (the “City”) is a municipal corporation and public body politic and corporate under the laws of the State of New Jersey (the “State”); 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,** NW Financial Group, submitted a qualification to the City and has qualified for the aforesaid services for 2015; and

**WHEREAS,** the City desires to appoint NW Financial Group to serve as financial and investment advisors to the City of Linden on every transaction the City of Linden enters into relating to the City’s financial profile and debt issues and instruments, in an amount not to exceed $35,000.00 to be charge to account 5-01-20-130-115-255; 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 competitive bids and the contract itself must be available for public inspection; and

**WHEREAS,** the Chief Financial Officer of the City has certified that funds are or will be available for this purpose;

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

**1.** NW Financial Group is hereby appointed to serve as financial and investment advisors to the City of Linden on all transactions, effective immediately.

**2.** The Mayor, the Chief Financial Officer and the City Clerk (including their designees, each an Authorized Officer) are hereby authorized to prepare, execute and deliver a professional services agreement setting forth the terms and conditions (including those set forth above) governing the provisions of such services.

**3.** That a copy of this resolution be published according to law.

Ms. Malik, 1633 Lenape Road. Regarding resolution #4, Mrs. Zack responded to Mrs. Malik, and explained why the resolution had to be voted on annually. Ms. Malik asked the process by which NW was selected as the Financial Advisor. Mrs. Zack explained the process.

**Mr. Kolibas moved for approval of Resolution #2015-5. The motion was seconded by Mr. Beyer and was unanimously ordered approved on a roll call vote.**

**President Alvarez announced that on behalf of himself, Mayor Armstead, Mr. Brooks, Mr. Sadowski, Mrs. Yamakaitis, Mrs. Hickey and the Linden City Democratic Committee he would like to invite all in attendance to Nuno’s Restaurant for a reception at the conclusion of the meeting.**

**Resolution: 2015-6**

**RESOLUTION OF THE CITY OF LINDEN TO AUTHORIZE PARTICIPATION IN THE STATE HEALTH BENEFITS PLAN**

**WHEREAS**, the City of Linden wishes to provide quality and affordable health benefits to eligible employees and retirees; and

**WHEREAS**, the City wishes to continue participation in the State Health Benefits Plan (SHBP) for medical benefits for eligible employees and retirees, based upon a review of marketplace options for the period January 1, 2015 through March 31, 2015, and

**WHEREAS**, the award of the health benefits services for the SHBP is done in accordance with state law for such professional services; and

**WHEREAS**, acceptance of this proposal shall result in the renewal of the existing medical plan;

**NOW, THEREFORE, BE IT RESOLVED**, the City of Linden wishes to continue enrollment in the SHBP in accordance with the following costs:

Health Insurance Premiums not to exceed $3,584,400.00

**RESOLUTION: 2015-7**

**RESOLUTION FOR EDMUNDS & ASSOCIATES, INC.**

**WHEREAS**, there exists a need to provide maintenance and technical support for the City of Linden’s Financial Accounting and Electronic Requisition System for the period of January 1, 2015 through December 31, 2015; and

**WHEREAS**, pursuant to NJSA 19-44A-20 et seq, the City Treasurer has determined and certified in writing that the anticipated value will not exceed $27,010.00; and

**WHEREAS,** Edmunds and Associates Inc 301 A Tilton Road Northfield, NJ 08225 has agreed to provide the necessary services as outlined in the sum not to exceed $27,010.00; and

**WHEREAS**, pursuant to NJSA 19:44A-20.4 Edmunds and Associates Inc is prohibited from making reportable contributions through the term of the contract to any political or candidate committee prohibited in the Business Entity Disclosure Certification; and

**WHEREAS**, the services required to be performed constitutes an exception to public bidding pursuant to the Local Public Contracts Law NJSA 40A:11-5 (1)(dd); and

**BE IT FURTHER RESOLVED**, that the said sum not to exceed $27,010.00 be charged to 5-01-20-131-113-273; and

**NOW THEREFORE BE IT RESOLVED**, by the City Council of the City of Linden that Edmunds and Associates is hereby awarded a contract to provide necessary services.

Ms. Malik, 1633 Lenape Road. Mr. Bodek responded to Ms. Malik and explained the need for this contract. Mrs. Zack added that the fee was the same as in the prior year.

**Mr. Kolibas moved for approval of Resolution #2015-7. The motion was seconded by Mr. Beyer and was unanimously ordered approved on a roll call vote.**

**Resolution: 2015-8**

**RESOLUTION ENGAGING SUPLEE, CLOONEY & COMPANY AS AUDITORS**

**WHEREAS,** there exists within the City of Linden the need for a municipal auditor 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,** Suplee, Clooney & Company 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. 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,** Registered Municipal Accountants, of Suplee, Clooney & Company, Certified Public Accountants, possesses the requisite professional certification and experience necessary to serve in said position; and

**WHEREAS,** the Finance Director has certified to the availability of funds for this purpose, to be charged to Account No. 5-01-20-135-114-255;

**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 Suplee, Clooney & Company at a fee not to exceed $75,000.00; and

**BE IT FURTHER RESOLVED,** that the scope of such services shall include the audit; the rendition of financial advice; assistance in the preparation of the yearly financial statement and budget; and such other necessary services as may be required by the City within the limitations of the fee set forth above; and

**BE IT FURTHER RESOLVED**, that the Mayor and City Clerk be and hereby are empowered and directed to execute a contract with Suplee, Clooney & Company to effectuate the foregoing; and

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

**RESOLUTION: 2015-9**

**CITY OF LINDEN RESOLUTION TO**

**AMEND THE CURRENT FUND**

**OPERATING BUDGET FOR THE PERIOD OF**

**JANUARY 1, 2015 THROUGH MARCH 31, 2015**

**WHEREAS,** N.J.S. 40A:4-19 provides that where any contract, commitment or payments are to be made prior to the final adoption of the 2015 Current Operating Budget, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided; and

**WHEREAS,** the total appropriations in the 2014 Current Operating Budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance, is the sum of $89,787,552.28 and

**WHEREAS,** three months of the total appropriations in the 2014 Current Operating Budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance in said Current Operating Budget is the sum of $22,446,880.69; and

**NOW, THEREFORE, BE IT RESOLVED** that the following appropriations be made for current fund and that a certified copy of this resolution be transmitted to the Chief Financial Officer for his records.

**RESOLUTION: 2015-10**

**CITY OF LINDEN RESOLUTION TO**

**ESTABLISH THE SANITARY LANDFILL**

**UTILITY OPERATING BUDGET**

**FOR THE PERIOD OF**

**JANUARY 1, 2015 THROUGH MARCH 31, 2015**

**WHEREAS**, N.J.S. 40A:4-19 provides that where any contract, commitment or payments are to be made prior to the final adoption of the 2015 Sanitary Landfill Utility Operating Budget, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided; and

**WHEREAS**, the total appropriations in the 2014 Sanitary Landfill Utility Operating Budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance, is the sum of $476,400.00; and **WHEREAS,** three months of the total temporary appropriations for the Sanitary Landfill Utility Operating Budget cannot exceed the sum of $119,100.00; and

**NOW, THEREFORE, BE IT RESOLVED** that the following temporary appropriations be made in the amount of $119,100.00 and that a certified copy of this resolution be transmitted to the Chief Financial Officer for his records.

**RESOLUTION: 2015-11**

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

**City of Linden Public Works Department**

WHEREAS, John Venditto, General Supervisor was custodian of the Public Works Petty Cash Fund, and

WHEREAS, in accordance with N.J.S.A. 40:5-21, the City of Linden is changing custodians to Louis Scaldino, Acting Superintendent of Public Works ; and

WHEREAS, Louis Scaldino is bonded in the amount of $200.00 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: 2015-12**

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

Whereas, the Police Chief, Fire Chief, Acting Superintendent of Public Works, Director of Public Property, Purchasing Agent and OEM Coordinator all have 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 Fire Chief Joseph Dooley $100.00

Police Chief James Schulhafer $200.00

OEM Coordinator James Schulhafer $100.00

Director of Public Property Alfred MacDonald $200.00

Acting Superintendent Louis Scaldino $100.00 (change in custodian Resolution 1/6/15)

Purchasing Agent Annmarie Whelan $100.00

**RESOLUTION: 2015-13**

**A RESOLUTION TO RESCIND A RESOLUTION**

**PASSED AND APPROVED SEPTEMBER 1982**

**AUTHORIZING DEPARTMENT OF WELFARE TO MAINTAIN A PETTY CASH FUND**

**WHEREAS,** at the September 1982 Council Meeting, City Council passed a Resolution authorizing the Welfare Department to Maintain a Petty Cash Fund in the amount of $100.00 ; and

**WHEREAS,** Petty Cash Fund is not needed in this department;

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

**1.** That the Resolution passed at the September 1982 Council Meeting as aforesaid shall be and same is hereby rescinded.

**2.** This Resolution shall take effect pursuant to law.

**Resolution: 2015-14**

**RESOLUTION TO ESTABLISH 2015 DEBT SERVICE CITY OF LINDEN**

**WHEREAS,** N.J.S. 40-A:4-19 provides authority for appropriating in a temporary resolution the permanent debt service requirements for the coming fiscal year providing that such resolution is not made earlier than December 20, of the year preceding the beginning of the fiscal year; and

**WHEREAS,** the date of this resolution is subsequent to December 20, 2014; and

**WHEREAS,** principal and interest will be due on various dates from January 1, 2015 to December 31, 2015, inclusive, on sundry bonds issued and outstanding:

**NOW, THEREFORE, BE IT RESOLVED** that the following appropriations be made to cover the period from January 1, 2015 to December 31, 2015 inclusive:

**DEBT SERVICE-CITY OF LINDEN BUDGET**

Payment of Bonds $3,300,000.00

Interest on Bonds $850,000.00

Interest on Notes $250,000.00

Payment of BANS $200,000.00

**DEBT SERVICE-GREEN TRUST LOAN PROGRAM**

Payment of Principal & Interest $120,000.00

**DEBT SERVICE-N.J. ENVIRONMENTAL INFRASTRUCTURE**

Payment of Principal & Interest $1,300,000.00

**DEBT SERVICE-UNION COUNTY IMPROVEMENT**

1998 Lease (Airport) $200,000.00

2010 Lease (Airport) $1,200,000.00

2003 Lease (P.A.L.) $135,000.00

2004 Lease (Wood Avenue) $245,000.00

2005 Lease (Stadium) $302,000.00

2005 Lease (Library) $152,000.00

2006 Lease (Fire House) $1,600,000.00

Morningstar $455,000.00

2007 Lease Library Supplemental $545,000.00

**BE IT FURTHER RESOLVED** that a certified copy of this resolution be

transmitted to the Chief Financial Officer for his record

**RESOLUTION:** **2015-15**

**RESOLUTION ENGAGING GREENER BY DESIGN, LLC TO ASSIST THE CITY OF LINDEN IN IDENTIFYING STATE AND FEDERAL FUNDING SOURCES AND TO RENDER TECHNICAL ADVICE AND ASSISTANCE WITH RESPECT TO IDENTIFYING FUNDING PROGRAMS THAT ARE RESPONSIVE TO THE NEEDS**

**OF THE CITY**

**WHEREAS**, there exists within the City of Linden the need for a consultant in order to continue to obtain grants and for the purpose of assisting the City of Linden in identifying state and federal funding programs; 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**, Greener by Design, LLC 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**, Greener by Design, LLC, having offices at 94 Church Street, Suite 301, New Brunswick, New Jersey 08901, possesses the requisite professional certification and experience necessary to serve in said position; and

**WHEREAS**, funds will be made available for this purpose to be charged to Account No. 5-01-20-110-103-255;

**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 Greener by Design, LLC at a fee of $6,250.00 per month, beginning January 1, 2015 through December 31, 2015 for a total not to exceed $75,000.00; and

**BE IT FURTHER RESOLVED**, that the scope of such services shall include assisting the City of Linden in identifying Regional Contribution Agreement funding sources and rendering technical advice and assistance with respect to identifying funding programs that are responsive to the needs of 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 Greener by Design, LLC to effectuate the foregoing; and

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

**RESOLUTION: 2015-16**

**RESOLUTION APPOINTING A PUBLIC**

**DEFENDER FOR 2015**

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

That **MICHAEL SIMITZ, ESQ.,** 345 Hemlock Avenue, Garwood, New Jersey, an Attorney at Law of the State of New Jersey, is appointed to serve as Municipal Public Defender for a one year term commencing January 1, 2015 and terminating December 31, 2015 and until his successor is appointed and qualifies.

**RESOLUTION: 2015-17**

**RESOLUTION APPOINTING A CHIEF PUBLIC**

**DEFENDER FOR 2015**

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

That **ANTHONY PALUMBO, ESQ.,** Palumbo & Renaud, 190 North Avenue East, Cranford, New Jersey, an Attorney at Law of the State of New Jersey, is appointed to serve as Chief Municipal Public Defender for a one year term commencing January 1, 2015 and terminating December 31, 2015 and until his successor is appointed and qualify

**RESOLUTION: 2015-18**

**RESOLUTION APPOINTING A CHIEF**

**MUNICIPAL PROSECUTOR FOR 2015**

**WHEREAS,** pursuant to N.J.S.A. 2B:25-4, a municipality shall appoint a Chief Municipal Prosecutor for a one year term;

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LINDEN** that Nicholas P. Scutari, Esq. be and hereby is designated and appointed Chief Municipal Prosecutor for the City of Linden for the year 2015; and

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

Ms. Malik, 1633 Lenape Road. Ms. Malik what the fees were for this position. Mr. Hudak responded that there were no fees as Mr. Scutari receives a salary as assistant municipal attorney, and this is assigning him the responsibility of Prosecutor.

**Mr. Kolibas moved for approval of Resolution #2015-18. The motion was seconded by Mr. Beyer and was unanimously ordered approved on a roll call vote.**

***RESOLUTION:* 2015-19**

***CITY OF LINDEN RESOLUTION TO ESTABLISH DEBT SERVICE FOR SANITARY LANDFILL***

**WHEREAS,** N.J.S. 40-A:4-19 provides authority for appropriating in a temporary resolution the permanent debt service requirements for the coming fiscal year providing that such resolution is not made earlier than December 20, of the year preceding the beginning of the calendar year; and

**WHEREAS,** the date of this resolution is subsequent to December 20, 2014; and

**WHEREAS,** principal and interest will be due on various dates from January 1, 2015 to December 31, 2015, inclusive, on sundry bonds issued and outstanding:

**NOW, THEREFORE, BE IT RESOLVED** that the following appropriations be made to cover the period from January 1, 2015 to December 31, 2015 inclusive:

**DEBT SERVICE-CITY OF LINDEN - DEDICATED LANDFILL BUDGET**

Payment of Bond Anticipation Notes 105,000.00

Interest on Notes 20,000.00

**BE IT FURTHER RESOLVED** that a certified copy of this resolution be transmitted to the Chief Financial Officer for their record.

**RESOLUTION:­­­­­­­­­­­ 2015-20**

**RESOLUTION APPOINTING AN ASSISTANT MUNICIPAL ATTORNEY FOR A THREE YEAR PERIOD**

**WHEREAS,** Assistant Municipal Attorneys shall be appointed by the City Council for a term of three (3) years and shall receive such compensation as shall be provided by ordinance and by further resolution of the Council;

**BE IT FURTHER RESOLVED** that **DANIEL J. MCCARTHY,** an Attorney at Law of the State of New Jersey, shall be and hereby is appointed Assistant Municipal Attorney of the City of Linden for a term of three (3) years, commencing January 1st, 2015 and terminating December 31st, 2017, and until his successor or successors has been appointed and qualified.

Paul Schappe, 315 Second Ave. See comments under resolution #2015-21.

**RESOLUTION: 2015-21**

**RESOLUTION APPOINTING AN ASSISTANT MUNICIPAL ATTORNEY, AND DESIGNATING SAME AS AN ASSISTANT MUNICIPAL PROSECUTOR.**

**WHEREAS,** Assistant Municipal Attorney shall be appointed by the City Council for a term of three (3) years and shall receive such compensation as shall be provided by ordinance and by further resolution of the Council; and

**WHEREAS,** **DANIEL ANTONELLI,** an Attorney at Law of the State of New Jersey, shall be and hereby is appointed Assistant Municipal Attorney of the City of Linden for a term of three (3) years, commencing January 1st, 2015 and terminating December 31st, 2017; and

**WHEREAS,** Assistant Municipal Attorneys shall be designated and serve as the Municipal Prosecutor and/or Assistant Municipal Prosecutor, and shall be appointed by the City Council for a term of one (1) year to said position; and

**WHEREAS,** there is a need to appoint an Assistant Municipal Prosecutor.

**BE RESOLVED THAT DANIEL ANTONELLI,** an Attorney at Law of the State of New Jersey, shall be and herby is appointed Assistant Municipal Attorney of the City of Linden for a term of three years (3) year, commencing January 1st, 2015 and terminating December 31st, 2017, and until his successor or successors have been appointed; and

**BE IT FURTHER RESOLVED THAT DANIEL ANTONELLI** shall be and herby is appointed Assistant Municipal Prosecutor of the City of Linden for a term of one year (1) year, commencing January 1st, 2015 and terminating December 31st, 2015, and until his successor or successors have been appointed; and

**BE IT FURTHER RESOLVED THAT** This Resolution shall take in accordance with law.

**Paul Schappe, 315 Second Avenue. In response to Mr. Schappe, Mr. Hudak explained that state statue sets the term of office. Mr. Schappe responded that it should be for a shorter term, as it crosses more than one budget year. He then asked if it was a law. Mr. Hudak responded that it was by State Statute.**

**Mr. Kolibas moved for approval of resolutions #2015-20 and #2015-21. The motion was seconded by Mr. Beyer and was unanimously ordered approved on a roll call vote.**

**Resolution: 2015-22**

**RESOLUTION AUTHORIZING AWARD**

**OF CONTRACT FOR PROFESSIONAL**

**SERVICES OF BOND COUNSEL**

**WHEREAS,** there exists the need for retaining the specialized legal services of bond counsel in connection with the authorization, issuance and sale of bonds or notes of the City of Linden in the County of Union, State of New Jersey, including the review of such procedures and the rendering of approving legal opinions acceptable to the financial community 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,** Gibbons, P.C. submitted a qualification to the City and has qualified for the aforesaid services: and

**WHEREAS,** Gibbons, P.C. is a law firm which can provide such specialized legal services as bond counsel; and

**WHEREAS,** the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires that notice of the adoption of a resolution authorizing the award of a contract for professional services without competitive bids must be publicly advertised;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN IN THE COUNTY OF UNION AND STATE OF NEW JERSEY,** as follows:

**1.** The law firm of Gibbons, P.C., a Partnership including Professional Corporation, One River Front Plaza, Newark, New Jersey 07102 is hereby retained as Bond Counsel for the City to provide the specialized legal services necessary in connection with the authorization, issuance and sale of bonds or notes by the City.

**2.** The Mayor and City Clerk are hereby authorized and directed to execute and deliver on behalf of the City a contract with said Bond Counsel in the form attached to this resolution.

**3.** The contract is awarded without competitive bidding as a "professional service" under the provisions of the Local Public Contracts Law, (N.J.S.A. 40A:11-5 (1) (a)) because the contract is for specialized services to be performed by persons authorized by law to practice a recognized profession, whose practice is regulated by law.

**4.** A copy of this resolution, as well as the contract attached hereto, shall be placed on file in the office of the City Clerk.

**5.** A notice of contract award and the adoption of this resolution shall be published as required by law within ten (10) days of the passage of this resolution.

1. This resolution shall take effect immediately.

**Resolution: 2015-23**

**A RESOLUTION APPOINTING THE MEMBERS**

**OF THE STANDING COMMITTEES OF THE**

**CITY COUNCIL**

**WHEREAS,**  municipal code, section 2-7.2 creates the following standing committees of the City Council: 1)Personnel; 2) Budget Review and Finance; 3) Public Works/Clean Communities; 4) Airport/Airport Lease; 5) Fire; 6) Construction Code/Lighting; 7) Engineering/Affordable Housing; 8) Public Property and Community Services; 9) Real Estate, Revenue Enhancement and Development; 10) Negotiations and Labor Relations; 11) Cable TV, Technology and Communications; 12) Law; and 13) Accident Review; and

**WHEREAS,**  Section 2-7.2 further provides that the membership of each standing committee shall be composed of three (3) or more members of the Council, but not to exceed four (4) members of Council; and

**WHEREAS,**  said section also provides that the membership of the standing committees shall be appointed by a majority of the members of Council then present and voting at the organizational meeting of the Council to serve until the next organizational meeting; and

**NOW THEREFORE BE IT RESOLVED,** that a majority of the members of the Council have determined that the membership of the Standing Committees of Council shall be appointed as per the attached list; and

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

**Resolution: 2015-24**

**A RESOLUTION ESTABLISHING AD HOC COMMITTEES**

**OF THE COUNCIL AND APPOINTING THEIR MEMBERS**

**WHEREAS,** municipal code 2-7.1 provides that a majority of the members of Council then present and voting at the annual reorganization meeting shall establish such ad hoc committees as they deem necessary and appoint the members thereof; and

**WHEREAS,** Council has determined that the need exists for the following Ad Hoc committees of Council: 1) Linden Landfill/Linden Greenway; 2) Recycling; 3) Scout Day Activities; 4) City Clerk; 5) Historical Society to work with Real Estate Committee; 6) Reconstruction & Consolidation of Departments; 7) FAA Committee Newark Airport Noise Pollution); .

**NOW THEREFORE BE IT RESOLVED,** that the Council does hereby create the following Ad Hoc Committees of Council: 1) Linden Landfill/Linden Greenway; 2) Recycling; 3) Scout Day Activities; 4) City Clerk; 5) Historical Society to work with Real Estate Committee; 6)Reconstruction & Consolidation of Departments; 7) FAA Committee Newark Airport Noise Pollution;

**BE IT FURTHER RESOLVED,** that a majority of the members of Council have determined that the membership of the Ad Hoc Committees of Council shall be appointed as per the attached list: and

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

**RESOLUTION: 2015-25**

**RESOLUTION FOR ASSOCIATED HUMANE SOCIETIES, INC. FOR ANIMAL CONTROL SERVICES SOLICITED BY QUOTATIONS FOR THE CITY OF LINDEN**

**WHEREAS**, the City of Linden wishes to purchase animal control services from Associated Humane Societies Inc., 124 Evergreen Ave, Newark, NJ 07114 for the City of Linden; and

**WHEREAS,** N.J.S.A. 40A:11-6 provides for the solicitation of competitive quotes and the award to a vendor whose response is most advantageous, price and other factors considered; and

**WHEREAS,** Associated Humane Societies, Inc. was solicited for quotations; and

**WHEREAS,** Associated Humane Societies, Inc. provided the most advantageous quote, price and others factors considered in the total amount not to exceed $147,305.00 for services rendered from January 7, 2015 through December 31, 2015; and

**WHEREAS**, the Chief Finance Officer has certified the availability of funds for this award, which will be charged to 5-01-27-340-187-271; and

**NOW THEREFORE BE IT RESOLVED** Associated Humane Societies, Inc. be awarded a contract to supply animal control services at the low quote not to exceed $147,305.00 for services rendered from January 7, 2015 through December 31, 2015.

**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: 2015-26**

**RESOLUTION APPOINTING JOSEPH DOOLEY ACTING FIRE CHIEF**

**WHEREAS,** a vacancy has occurred in the position of Fire Chief in the City of Linden due to the retirement of Chief Joseph Rizzo; and

**WHEREAS**, the City's Fire Department has the need for a Fire Chief to head the Department.

**NOW THEREFORE BE IT RESOLVED**, that the City hereby appoints Joseph Dooley as Acting Fire Chief

until such time as the City selects a permanent Fire Chief.

**ORDINANCES - FIRST READING**

**There are no Ordinances on First Reading.**

**ANNOUNCEMENTS**

**President of Council Jorge Alvarez announces the following meeting dates:**

**Conference meeting: Monday, January 19, 2015 at 6:00 p.m., Council Office, City Hall, Linden, NJ.**

**Conference meeting prior to the Council meeting: Tuesday, January 20, 2015 at 6:00 p.m., Council Office, City Hall, Linden, NJ.**

**Council meeting: Tuesday, January 20, 2015 at 7:00 p.m., Council Chambers, City Hall, Linden, NJ.**

**ADJOURNMENT**

There being no further business to come before Council, Mr. Sadowski moved to adjourn the meeting. The motion was seconded by Mr. Medina, and was unanimously ordered approved by a roll call vote. The meeting was adjourned at 9:40 p.m.

Respectfully submitted,

Joseph C. Bodek

City Clerk