**Minutes of the Regular**

**Meeting of the 2015 Council of the**

**City of Linden, held Tuesday**

**July 21, 2015**

The regular meeting of the 2015 Council of the City of Linden, was held in the Council Chambers in the City Hall on Tuesday, July 21, 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

Councilman Michael Minarchenko

Councilwoman Michele Yamakaitis

Councilman Armando Medina

Councilwoman Gretchen Hickey

Council President Jorge Alvarez

Mayor Dereck Armstead

**APPROVAL OF MINUTES**

Mr. Brooks moved for the approval of the Regular Meeting Minutes of June 16, 2015. The motion was seconded by Mr. Brown and was unanimously ordered approved on a roll call vote.

**ORDINANCE – HEARING**

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

further consideration respecting an ordinance entitled:

**#59-29 BOND ORDINANCE PROVIDING AN APPROPRIATION OF $82,500.00 FOR THE ACQUISITION OF A PICK UP TRUCK WITH PLOW AND TURF TRACTOR FOR THE PUBLIC WORKS DEPARTMENT AND AUTHORIZING THE ISSUANCE OF $78,375.00 IN BONDS OR NOTES TO FINANCE PART OF THE COST.**

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

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

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

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

further consideration respecting an ordinance entitled:

**59-30 BOND ORDINANCE PROVIDING AN APPROPRIATION OF $99,000.00 FOR THE ACQUISITION OF PORTABLE TRUCK LIFTS FOR THE PUBLIC WORKS DEPARTMENT AND AUTHORIZING THE ISSUANCE OF $94,050.00 IN BONDS OR NOTES TO FINANCE PART OF THE COST.**

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

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

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

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

further consideration respecting an ordinance entitled:

* 1. **BOND ORDINANCE PROVIDING AN APPROPRIATION OF $497,200.00 FOR THE ACQUISITION OF AN AUTOMATED SANITATION TRUCK AND SANITATION CONTAINERS FOR THE PUBLIC WORKS DEPARTMENT AND AUTHORIZING THE ISSUANCE OF $472,340.00 IN BONDS OR NOTES TO FINANCE PART OF THE COST.**

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

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

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

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

further consideration respecting an ordinance entitled:

* 1. **AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER XVII, SEWER AND WATER, OF AN ORDINANCE ENTITLED, “AN ORDINANCE ADOPTING AND ENACTING THE REVISED GENERAL ORDINANCES OF THE CITY OF LINDEN, 1999,” PASSED NOVEMBER 23, 1999 AND AS AMENDED AND SUPPLEMENTED. AMEND SECTION 17-14, CROSS CONNECTION CONTROL AND BACKFLOW PREVENTION.**

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

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

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

**CONSENT AGENDA**

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

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

2015 Taxes $1,182,334.88

2014 Taxes $359,824.04

2013 Taxes $250.00

Garbage Fee Payments $108,968.37

Garbage Fee Penalty $7,355.00

Municipal Lien Redemption $14,566.88

Tax Search $10.00

Lien Redemption Request Fee $0.00

Year End Penalty $1,595.71

Returned Check Fee Paid $20.00

Returned Check Fee Garbage Paid $20.00

Returned Check 2015 ($4,900.20)

Returned Check Interest ($147.96)

Returned Online Payment 2015 Taxes ($1,366.41)

Returned Online Interest ($10.32)

Returned Check Garbage Fee ($180.00)

Returned Check Garbage Fee Penalty ($15.00)

Counterfeit Funds ($0.00)

Duplicate Tax Sale Certificate $100.00

Sewer Clean out charge $1,200.00

DPW 2014 Reso payments $6,254.92

Tax Sale Cost/Before Tax Sale Cost $51,970.98

Premium $1,913,200.00

Interest $75,913.60

Total $3,716,964.49

**Tax Sale R**equesting the refund of the premium paid at the 2014 & 2015 tax sale on the following

block & lot.

**Block Lot Redemption Date CTF# Amount**

4 3 7/1/15 14-00003 $1,300.00

47 2 7/2/15 14-00040 $2,100.00

98 11 6/18/15 13-00119 $20,900.00

107 2 6/16/15 13-00130 $1,300.00

108 2 7/2/15 13-00133 $1,300.00

122 13 6/16/15 14-00093 $33,400.00

129 14 6/29/15 13-00174 $1,300.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $61,600.00 payable to: MTAG Cust Fig Cap Invest NJ, 13, P.O. Box 54472, New Orleans, LA 70154, charging same to account #5-01-55-276-999-956.

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

Block Lot Redemption Date CTF# Amount

7 8 6/9/15 14-00006 $2,300.00

36 4 6/9/15 14-00030 $1300.00

63 4 6/30/15 14-00050 $28,900.00

105 6 6/30/15 14-00079 $1,400.00

152 12 6/19/15 14-00128 $3,600.00

164 12 6/18/15 14-00134 $3,000.00

173 23 7/8/15 14-00142 $3,100.00

191 14 6/22/15 14-00156 $1,600.00

198 35 6/9/15 14-00164 $1,600.00

209 31 6/30/15 14-00173 $2,000.00

212 1 6/30/15 14-00177 $4,900.00

222 24 6/30/15 14-00183 $2,200.00

271 11 6/11/15 14-00207 $1,800.00

272 6 6/9/15 14-00208 $32,600.00

277 4 6/9/15 14-00209 $1,900.00

285 7 6/16/15 14-00214 $1,700.00

386 4 6/16/15 14-00258 $2,400.00

392 20 6/11/15 14-00269 $27,200.00

486 33 6/16/15 14-00290 $2,300.00

526 18 6/16/15 13-00449 $2,800.00

530 11 6/9/15 14-00325 $2,000.00

538 19 6/25/15 14-00330 $9,100.00

550 20 6/30/15 14-00341 $1,700.00

554 9 6/9/15 14-00342 $1,400.00

555 28 7/7/15 14-00350 $2,200.00

582 55 6/9/15 14-00371 $2,200.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $147,200.00 payable to: TTLBL, LLC, Attention: John Lemkey, 4747 Executive Drive, Suite 1, San Diego, CA 92121 charging same to account #-5-01-55-276-999-956.

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

lot.

Block Lot Redemption Date CTF# Amount

21 12 6/9/15 12-00015 $15,500.00

103 19 6/16/15 12-00074 $10,100.00

184 12 7/7/15 14-00152 $23,300.00

445 13 5/26/15 12-00223 $16,500.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $65,400.00 payable to: US Bank Cust. for Phoenix, 2 Liberty Place-TLSG 50 South 16th Street-Ste 1950, Philadelphia, PA 19102 charging same to account #-5-01-55-276-999-956.

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

lot.

Block Lot Redemption Date CTF# Amount

41 8 6/16/15 14-00035 $900.00

72 10 6/9/15 14-00056 $1,200.00

108 8 6/10/15 14-00082 $1,000.00

196 31 6/9/15 14-00161 $1,000.00

292 10 7/9/15 14-00218 $900.00

317 21 6/25/15 14-00226 $1,200.00

391 29 6/25/15 14-00268 $1,000.00

475 3 7/2/15 14-00298 $900.00

477 5 6/25/15 14-00299 $1,000.00

529 24 6/19/15 14-00324 $1,000.00

550 2 6/11/15 14-00339 $1,200.00

577 1 7/13/15 14-00369 $900.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $12,200.00 payable to: US Bank Cust for PC5 Sterling National, 50 South 16th Street, Suite #2050, Philadelphia, PA 19102, charging same to account #-5-01-55-276-999-956.

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

lot.

Block Lot Redemption Date CTF# Amount

111 1 6/23/15 14-00083 $17,200.00

173 14 7/1/15 14-00140 $50,300.00

224 7 6/16/15 14-00184 $31,900.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $99,400.00 payable to: PFS Financial 1, LLC US Bank Custodian, 50 South 16th Street-Suite 2050, Philadelphia, PA 19102 charging same to account #5-01-55-276-999-956.

Tax Sale Requesting the refund of the premium paid at the 2015 tax sale on the following blocks &

lots.

Block Lot Redemption Date CTF# Amount

69 20 6/18/15 14-00055 $28,200.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $28,200.00 payable to: Ace Plus, LLC, 1416 Ave L, Brooklyn, NY 11230, charging same to account #-5-01-55-276-999-956.

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

Block Lot Redemption Date CTF# Amount

53 16 6/19/15 13-00064 $100.00

159 1 6/16/15 14-00132 $7,500.00

464 17 7/9/15 14-00287 $13,700.00

542 3 6/29/15 13-00462 $1,000.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $22,300.00 payable to: US Bank Cust BV001 Trst & Crdtrs, 50 South 16th Street, Suite #19, Philadelphia, PA 19102, charging same to account #-5-01-55-276-999-956.

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

lot.

Block Lot Redemption Date CTF# Amount

119 22 6/11/15 14-00091 $900.00

155 16 7/7/15 14-00130 $27,900.00

479 20 6/16/15 14-00303 $7,900.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $36,700.00 payable to: FWDSL & Associates, LP, Attention: Jared Cucci, 5 Cold Hill Road, S. #11, Mendham, NJ 07945 charging same to account ##5-01-55-276-999-956.

Tax Sale Requesting the refund of the premium paid at the 2012 tax sale on the following block &

lot.

Block Lot Redemption Date CTF# Amount

385 23 6/30/15 11-00160 $800.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $800.00 payable to: JNH Funding Corp., 90 Dayton Ave. Bldg. #6C Passaic, NJ 07055 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

178 1 6/25/15 12-00132 $700.00

309 1 6/18/15 12-00179 $53,900.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $54,600.00 payable to: US Bank Cust-Pro Cap III, LLC, 50 South 16th Street-Suite 2050, Philadelphia, PA 19102 charging same to account #5-01-55-276-999-956.

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

1. **Advising that the Board of Health issued (66) Certificates of Occupancy during the month of June 2015.**

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

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

**Horizon BCBS NJ is entitled to a refund of $173.85 for service that was provided on 1/31/2015 payable to Horizon BCBS NJ, PO Box 420, Newark, NJ 07101-0420 charging account 5-01-08-629-011.**

**United Healthcare is entitled to a refund of $434.06 for service that was provided on 12/08/2014 payable to United Healthcare, PO Box 30555, Salt Lake City, UT 84130-555 charging account 5-01-08-629-011.**

**United Healthcare is entitled to a refund of $186.01 for service that was provided on 1/19/2015 payable to United Healthcare Oxford, 48 Monroe Turnpike, Trumbull CT 06611 charging account 5-01-08-629-011.**

**AETNA INC., is entitled to a refund of $226.99 for service that was provided on 6/6/2014 payable to AETNA, INC., PO Box 14079, Lexington, KY 40512-4079 charging account 5-01-08-629-011.**

**AETNA INC., is entitled to a refund of $435.11 for service that was provided on 1/17/2015 payable to AETNA, INC., PO Box 14079, Lexington, KY 40512-4079 charging account 5-01-08-629-011.**

**AETNA USHC Blue Bell Greensboro is entitled to a refund of $658.00 for service that was provided on 9/9/2014 payable to AETNA, USHC Blue Bell Greensboro, PO BOX 981106, El Paso, TX charging account 5-01-08-629-011.**

**Horizon BCBS NJ is entitled to a refund of $173.85 for service that was provided on 12/22/2014 payable to Horizon BCBS NJ, PO Box 420, Newark, NJ 07101-0420 charging account 5-01-08-629-011.**

**Horizon BCBS NJ is entitled to a refund of $84.89 for service that was provided on 12/25/2014 payable to Horizon BCBS NJ, PO Box 420, Newark, NJ 07101-0420 charging account 5-01-08-629-011.**

**Horizon BCBS NJ is entitled to a refund of $84.43 for service that was provided on 11/11/2013 payable to Horizon BCBS NJ, PO Box 420, Newark, NJ 07101-0420 charging account 5-01-08-629-011.**

**Blue Cross/Blue Shield of Michigan is entitled to a refund of $77.46 for service that was provided on 2/11/2015 payable to Blue Cross/Blue Shield of Michigan, 600 Lafayette East, Detroit, MI 48226 charging account 5-01-08-629-011.**

**UMR UT is entitled to a refund of $441.20 for service that was provided on 9/5/2014 payable to UMR UT, PO Box 30541, Salt Lake City, UT 84130-0541 charging account 5-01-08-629-011.**

**United Healthcare Community Plan is entitled to a refund of $76.00 for service that was provided on 5/25/2014 payable to United Healthcare Community Plan, Attn: Refunds, PO Box 31364, Salt Lake City, UT 84131 charging account 5-01-08-629-011.**

**United Healthcare is entitled to a refund of $177.27 for service that was provided on 1/26/2014 payable to United Healthcare, PO Box 31362, Salt Lake City, UT 84130 charging account 5-01-08-629-011.**

**United Healthcare is entitled to a refund of $144.70 for service that was provided on 10/24/2013 payable to United Healthcare, PO Box 740802 Atlanta, GA 30374 charging account 5-01-08-629-011.**

**Stephen Fortuna is entitled to a refund of $48.61 for service that was provided on 5/11/2014 payable to Stephen Fortuna, 80 Claridge Place, Colonia, NJ 07067 charging same to account 5-01-08-629-011.**

**Geraldine Dudek is entitled to a refund of $760.00 for service that was provided on 7/27/2014 payable to Geraldine Dudek, 1732 Dill Avenue, Linden, NJ charging same to account 5-01-08-629-011.**

**Germaine Girod is entitled to a refund of $548.40 for service that was provided on 8/30/2014 payable to Germaine Girod, 837 Hampden Street, Linden, NJ charging same to account 5-01-08-629-011.**

**Joseph Sokoloski is entitled to a refund of $29.00 for service that was provided on 9/30/2014 payable to Joseph Sokolowski, 701 Inwood Road, Linden, NJ charging same to account 5-01-08-629-011.**

**(\*\*\*) STREET CLOSURE APPLICATION, EMMANUAL TABERNACLE A/G:**

1. **Advising that permission has been requested to hold a block party and close Blancke Street between Bower Street and McCandless Street on August 16, 2015 between the hours of 12noon and 5pm to hold a church cookout. (The certificate of liability insurance has been approved by the Municipal Attorney and the application has been approved by the Police Chief)**

**(\*\*\*) CITY CLERK’S OFFICE:**

1. **Requesting approval of the following bingo/raffle applications which were received by the City Clerk’s Office:**

**Raffle Application Organization Event Fees**

**RA-1459 FOLAS 50/50 $20.00**

**RA-1460 Highland Ave #10 50/50 $20.00**

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

1. **Advising that the following City employee has filed for retirement:**

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

**Public Property Stephen Benish HVAC Mechanic (Tier 2) July 1, 2015**

A member of the public asked about what a tax sale was. Mr. Antonelli responded and explained what a tax sale was and how it worked. Another member of the audience asked questions on ordinance #56-31, to which Mr. Bodek responded.

Mr. Minarchenko moved for approval of Consent Items #1 through #6. The motion was seconded by Mrs. Yamakaitis and was unanimously ordered approved on a roll call vote.

President Alvarez announced that he was changing the order of the reports for the evening, and would call upon the Mayor to give his report first.

**MAYOR’S REPORT**

Mayor Armstead commented on the change in the order of the reports, noted his disagreement with it, but recognized the Council Presidents right to do so. He explained that he thought it was a good idea to have the Mayor speak after the members of Council spoke and his reasons why. The Mayor next spoke about clips, of the Council meetings, that are posted on Facebook. He noted that clips posted, after the June meeting, were removed at the request of Councilwoman Cosby-Hurling. He categorized the actions as censorship. He then speculated on the reasons that President Alvarez changed the order of the reports, noted it was an effort to silence him and to limit his comments on what Council persons had to say.

Mayor Armstead reported on a meeting he had with Northfork Southern Railroad, regarding the use of train whistle when the train crosses roadways. He noted how it affected the residents of the Sixth and Seventh Wards, and his efforts, and those of the Council persons of those wards to silence the whistles.

Mayor Armstead noted that he was very happy that the Council was moving forward with the study to create a Special Improvement District, along the Route 1 & 9 corridor. He explained that Council was also including a study of the St. Georges Ave area, from Rahway to the Elizabeth line as part of the study. He thought this a good idea. He spoke about how happy he was that this was moving forward.

Mayor Armstead next talked about the Goodwin Bircher project, and the proposed AG Energy project. He noted the discussions, between the two companies, and their proposed development project would move forward.

Mayor Armstead then spoke about an OPRA request, received by the Clerk’s office, from one of the Council persons. He noted that it took three hours of his staff’s time to produce the records, which come to over 2,000 pages. He then explained the amount of time that the clerk’s office would put into reviewing the documents, before they can be released. He announced that the OPRA request was put in by Fifth Ward Councilwoman Rhashonna Cosby-Hurling. He presented the documents to the clerk, and called the request frivolous.

**COMMITTEE REPORTS**

**First Ward**

Mr. Kolibas gave the report of the City Clerk’s Office, Licensing Division. A total of $4,849.00 in fees was collected for the month of June.

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

1. In the Office of Code Enforcement - the appointment of James Kushner as a Part Time Construction Code Enforcement Trainee effective July 22, 2015 at the pro-rated salary of $17,700.
2. The approval of FMLA/NJFLA and unpaid leaves for the following

Personnel:

* Employee #107619, FMLA/NJFLA leave from 4/24/15 through 6/8/15;
* Employee #908821, intermittent FMLA/NJFLA leave from 6/22/15 through 6/21/16;
* Employee #100122, unpaid leave of absence from 7/9/15 through 10/31/15;
* Employee #091142, intermittent FMLA/NJFLA leave from 6/11/15 through 9/1/15;
* Nicole Andrews, a leave of absence from the position of Tele-Communicator, for a period not to exceed her graduation from the police academy.

3. The approval of the Public Property & Community Services, in the Division of DPW, and the Clean Communities seasonal list which is on file in the Treasurer’s Office.

4. In the Police Department – the change in work hours of Marilyn Velez, Clerk, from part-time to full time, not to exceed 35 hours per week, as the same hourly rate effective July 22, 2015.

5. In the Police Department – the appointment of Jose Hernandez as a student intern from July 22, 2015 at no cost to the City.

6. In the Board of Health – the appointment of Antonio Taylor as a Part Time Housing Inspector retroactive to July 1, 2015 at the pro-rated salary of $17.45 per hour.

7. In the Board of Health – amend Item #10 from the June 16, 2015 Personnel Report to appoint Fred Morton as a temporary Part Time Housing Inspector retroactive to July 13, 2015 at the pro-rated salary of $17.45 per hour.

8. In the Board of Health – approve the termination of Fred Morton as a temporary Part Time Housing Inspector effective the end of the business day on July 13, 2015 at the pro-rated salary of $17.45 per hour.

9. In the Department of Public Property & Community Services – accept the voluntary resignation in good standing of Andrew Zack from the position of Laborer effective June 29, 2015.

10. In the Department of Public Property & Community Services – approve the termination for good cause of Marquis Burton from the position of Laborer effective June 29, 2015.

11. In the Office of Code Enforcement - the temporary increase of hours for Traci Birch not to exceed 25 hours per week for the period July 22, 2015 through August 31, 2015.

12. In the Office of the Tax Collector – the appointment of Deidra Green as a Clerk I at the pro-rated salary of $34,548.00 effective August 5, 2015.

Mr. Kolibas moved for approval of the Personnel report. The motion was seconded by Mrs. Yamakaitis and was ordered approved on a roll vote with all members voting yes with the exception of Mrs. Cosby-Hurling who voted no on items # 1, the leave of absence in #2 and #11 and Mr. Medina who abstained on item #1.

**Second Ward**

Mr. Beyer announced that the contract, for solar panels at the landfill, was under attorney review, and was a signature away from the project getting underway. He next announced that he was working with Union County to get a pedestrian crosswalk placed at the intersection of South Stiles St., and Amon Terrace. He explained the need for the crosswalk.

Mr. Beyer asked that anyone who had not received his May newsletter to give him a call and he would drop it at their home. Mr. Beyer announced that the First, Second, Third and Fourth Wards had been having ward meetings at the Linden library. The next meeting was scheduled for October, and more information would be posted on Linden TV.

**Third Ward**

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

1. The payment of bills totaling $2,713,148.49. The bills have been signed by the Mayor, Council President and Finance Chairman and a detailed check register and vouchers are on file in the Clerk’s Office.
2. We are in receipt of the investments made by the City Treasurer for the month of June at the rate of .10%

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

Mr. Brown provided an update on various street paving projects being done in the Third Ward. He also spoke on the SID resolution study, and the need for the study to include St. Georges Avenue. He noted some of the things he would like to see done on St. Georges, and getting them done through the use of grants. Mr. Brown spoke about a number of the issues being the result of code violations. He has asked that summons be issued to force property owners into correcting them.

**Fourth Ward**

Mr. Brooks gave the monthly financial report of the Department of Public Property and Community Services, Division of Transportation and Parking. A total of $83,939.40 was collected from all sources.

Mr. Brooks reported that he had visited all of the various summer playground and park programs. He singled out a number of the programs, and what a great job was being done, working with the kids. He noted some very busy streets, in the Fourth Ward, and the need for the children to cross those streets safely. Mr. Brooks spoke about a recent fire, on Bower Street. He noted his observations, of the fire and the actions of the firemen.

Mr. Brooks stated that he gets lots of calls, from residents, and that he is happy to take those calls, as no one can see everything. He spoke about his role in assisting a resident to get a handicapped ramp. He urged Fourth Ward residents to call, with their observations, so that life for all residents can be improved. He provided his contact information.

Council President Alvarez announced the winner of his “big foot” contest. He noted that she was not able to attend, but her grandmother was in the audience and would accept the award for her.

**Fifth Ward**

Mrs. Cosby-Hurling gave the report of the DPW Committee. The Committee has requested, on behalf of residents, that smaller containers be provided to residents for the automated garbage collection system. She detailed the issues that residents are facing with the larger containers. Mrs. Cosby-Hurling noted the air conditioning problem with the senior citizens bus, now it was being dealt with, and that delivery of the new bus was still three months away.

Mrs. Cosby-Hurling stated the Public Property and Community Service Committee are working to get something coordinated for next fall. The Committee is looking to find ways to develop, and sustain, without any extra fees, a place for our children to go after school, between 3:30 and 7:30 pm.She noted other programs the committee was looking at.

Mrs. Cosby-Hurling spoke about a company that purchases foreclosed properties. The company had bought several properties in the Fifth Ward, and she had spoken to the owner. She would like him to speak to Council about developing these types of properties. Community Asset Preservation is the name of the company. Mrs. Cosby-Hurling also spoke about a property rehab, done by a local church, who is now looking for tenants.

Mrs. Cosby-Hurling discussed St. Georges Ave and the proposed SID. She noted the need to coordinate the efforts with Roselle side of the street. She announced the demolition of the former welding school, near Baltimore Ave and how it would remove another eye sore.

Mrs. Cosby-Hurling noted a letter of appreciation, from, Mrs. Ferguson of the Linden Housing Authority, regarding a theft of property and praising the Linden Police for how quickly they recovered it.

Mrs. Cosby-Hurling responded to the Mayor, regarding her OPRA request. She noted that the request was electronic, and that it should have been responded to electronically. She did not think there was any reason to print that much paper. She noted the OPRA request of the Mayor’s secretary for her personal cell phone. Mrs. Cosby-Hurling spoke about the difference between groups and teams, providing a definition of each, and stated that she wanted to be a member of a team, and not a member of a group. She stated that she wanted to be a member of a team to move the city forward. Mrs. Cosby-Hurling stated that there was a rally on the steps of City Hall that she was never invited, and several of the other Councilmembers weren’t invited, but people from Elizabeth and Roselle were. We need to work together, to be a team, otherwise the City of Linden will never move forward.

**Sixth Ward**

Mr. Sadowski spoke about the show, on penguins that the Library had put on. He noted that Jenkinson’s Pavilion, in Point Pleasant was the sponsor. He detailed the presentation, and thanked and congratulated the library for the special things that they do for the children.

Mr. Sadowski asked any Sixth Ward residents who want trees trimmed or sidewalks repaired to please give him a call so that he could add it to the list before it is turned in. Next Mr. Sadowski referenced the meeting about the oil train that the Mayor mentioned, and spoke about the efforts to create a quite zone so that the train whistle was not going off all night long.

Mr. Sadowski spoke about the City of Linden’s Home Improvement program, the rehabilitation of homes, under it, and if anyone had an interest to please contact him. He provided his contact information. Next he spoke about incident involving a fire hydrant that occurred in the Sixth Ward. He then spoke about the Cantor Property and efforts to get the property cleaned up. As of yet, Mr. Cantor has not announced any plans for the development of the site.

Mr. Sadowski asked resident to be careful, as there are a number of scammers going around. He urged them to contact the police and not allow anyone into their house. He asked all to be careful of the children playing outside in the nice weather.

**Seventh Ward**

Mr. Minarchenko gave the report of the Construction Code Committee. The Construction Code Department issued 198 permits, 198 certificates were processed and a total of $84,733.00 in fees were collected in the month of June.

Mr. Minarchenko moved for the approval of installation of a street light on pole #61600, on the corner of Walnut Street and Third Avenue. The motion was seconded by Mrs. Yamakaitis and was unanimously ordered approved on a roll call vote.

Mr. Minarchenko stated that he is receiving a lot of phone calls regarding the work being done, by the water company, and when the streets are going to be repaired. The Engineering Department informed him that the water company is finishing the last of the house hookups and by late summer the repaving of the streets will take place. He added that the Seventh Ward looks like a war zone due to this work.

Mr. Minarchenko spoke about the meeting, the Mayor called, with representatives of the Federal Railroad Administration regarding the railroad in the Sixth and Seventh Ward and the train whistle. He thanked the Mayor for calling the meeting, and he hoped that the end result would be peace and quiet for residents of the Sixth and Seventh Wards. He added that it will take time.

**Eighth Ward**

Mrs. Yamakaitis announced that the NJ Firefighter Examination applications are now available online. The deadline to register for the test is August 31, 2015. She provided the website at which the application could be found. Applications are only available online. Mrs. Yamakaitis reported that the Fire Prevention bureau collected a total of $7045.00 for the month of June, 2015. She further reported that the Linden Ambulance collected a total of $61, 697.93 for June, bringing the total collected to $318,982.58 for the year to date. She announced that the Linden Fire Department will be doing a fire safety canvassing event in the Eighth Ward of August 1, 2015. She provided details on the event, and that will be offering free smoke detectors to residents.

Mrs. Yamakaitis noted the resolution accepting a donation, from Phillips 66, to upgrade Fire Department Computers. She thanked Phillips 66, on behalf of the Fire Department for their kind donation.

Mrs. Yamakaitis spoke about recently completed paving projects, in the Eighth Ward, and future request for paving, as there are a number of streets that need to be addressed. She asked residents, whose sidewalks need to be repaired to please give her a call, so she can add them to her list. Mrs. Yamakaitis noted that some of the traffic studies she had requested, for the Eighth Ward, were being delayed due to the shortage of manpower in the Police Department. She reviewed her request.

Mrs. Yamakaitis announced that on August 25th the Fifth and Eighth Wards will be hosting their annual family picnic. She provided details on the event. She thanked an Eight Ward resident for his efforts in maintaining the Eighth Ward War Memorial.

**Ninth Ward**

Mr. Medina gave a report on various activities held by the Linden Library or the Friends of the Linden Library. He announced planed events that the Friends of the Linden Library will be hosting. He spoke about the amazing job that the Friends do and asked those with an interest to please volunteer to help.

Mr. Medina spoke about the scammers going around, and informed residents the easiest protection is to not open their doors, and to call the police. He then spoke about several issues related to garbage collection. He added that DPW has been made aware of the issues and that should not happen again. Mr. Medina noted his disappointment that the new smaller garbage cans, for the automated collection, have not yet been ordered. He asked, Ninth Ward residents, with tree request, to please give him a call and provided his contact information.

**Tenth Ward**

Mrs. Hickey noted that DPW is still working on trees and potholes, in the Tenth Ward, but DPW has been short staffed. She spoke about how hard they are working and gave a special thank you to Frank Micucci. She asked residents to be patient and everyone on the list will be gotten to.

Mrs. Hickey spoke about employee contract negotiations, and that the Committee is still working on resolving the new contracts. The Committee was concentrating on making sure the contracts are fair to the employees and the taxpayers of Linden. She thanked her Committee, and the Finance Committee, for their suggestions to make a better contract. She also thanked the employees for their patience.

Mrs. Hickey gave the report of the Revenue Enhancement Committee. She noted that last month she had a lot of concerns over SID II, and since then the issues have been addressed and resolution doing a study will move forward, and it will now include the St. Georges Ave area.

Mrs. Hickey thanked the Police Chief, and the entire department, for their quick responses to issues in the Tenth Ward. She also spoke about the upcoming Winfield Carnival and efforts to minimize its impact on Tenth Ward residents, by Chief Schulhafer. She added that if anyone was having a problem, they could contact her and she provided her cell phone number. Mrs. Hickey thanked Captain Turbett and Captain Parham for their efforts to provide Linden Police with a positive image. She noted some of the things that they have been doing. Mrs. Hickey informed all that the eight, recently hired police officers, have started the police academy. She wished them all the best.

Mrs. Hickey next spoke about her efforts to have crossing guards assigned to the intersection of Stiles Street and Princeton, as well as the corners of Andover and Kent in September. She noted her reasons why. Next she noted that she has been speaking with Union County, and that they should begin the trimming of trees, along Stiles St., in the next few weeks.

Mrs. Hickey spoke about the purposed closing of City Hall, on July 2nd, and sending employees home for a half day. She explained her reasons for voting no, and keeping employees all day. She thanked the Fire Department for visiting the kids in the 10th Ward park program, and giving them a “wet down” on this very hot day. She concluded by providing her contact information.

**RESOLUTIONS**

President Alvarez announced that public comment will be permitted for those specific resolutions to be removed from the consent approval. Please read the synopsis of the resolutions, which have been prepared by the City Clerk’s office. Each is informative and self-explanatory. However, if you wish to address a specific resolution, the Council, will entertain questions on it.

President Alvarez spoke about the installation of speed bumps. Mr. Brown spoke about the process for the installation of speed bumps, and noted that when a street is being repaved, if speed bumps are needed, they should be included in the design for the project, which is separate from the funds that were allocated for installation of speed bumps on streets not being repaved. Mrs. Cosby-Hurling spoke about the planned installation of speed bumps in her ward, and the proposed location of those traffic calming devices.

**Resolutions #2015-264 and #2015-268 were removed at the request of Mrs. Wilverding.**

**Resolution #2015-267 was removed at the request of Ms. Snowden.**

**Mr. Medina moved for approval of Resolutions #2015-252 through #2015-281 with the exception of Resolutions #2015-264, #2015-267 and #2015-268. The motion was seconded by Mrs. Hickey and was ordered approved on a roll call vote with all voting yes with the exception of Mrs. Cosby-Hurling who voted no on Resolutions #2015-258 and #2015-279.**

**RESOLUTION: 2015-252**

**RESOLUTION FOR PURCHASE OF ONE FORD F250 PICKUP TRUCK FROM ROUTE 23 AUTOMALL LLC THROUGH THE MORRIS COUNTY CO-OP PURCHASED THROUGH SAFE CORRIDOR GRANT**

**WHEREAS**, the City of Linden wishes to obtain services from an authorized vendor under the Morris County Co-op (MCCPC) Contract #15C. Awarded to Route 23 Automall LLC, 1301 Route 23, Butler, NJ 07405, an authorized vendor and,

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

**WHEREAS**, Route 23 Automall LLC, has been awarded Contract No.15C, for the provision of utilities vehicles; 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 $29,439.00 and,

**WHEREAS**, the Chief Finance Officer has certified the availability of funds for this contract, which will be charged to account number G-02-40-240-014-018 and,

**NOW THEREFORE BE IT RESOLVED** by the City of Linden that Route 23 Automall LLC be awarded a contract for a term of one year or until new awards are made; and,

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

**RESOLUTION: 2015-253**

**RESOLUTION INCREASING THE BID THRESHOLD**

**WHEREAS**, local units that have an appointed Qualified Purchasing Agent pursuant to N.J.S.A. 40A:11-9(b) can take advantage of a higher bid threshold pursuant to N.J.S.A. 40A:11-3(a) and have their maximum bid threshold increased from $36,000.00 to $40,000.00; 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,** Annmarie 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 CITY COUNCIL OF THE CITY OF LINDEN** in the County of Union, State of New Jersey hereby increases its bid threshold to $40,000.00; and

**BE IT FURTHER RESOLVED** that City Council hereby 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 $40,000.00 as provided for in N.J.S.A. 40A: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 Annmarie Whelan’s Certification to the Director of the Division of Local Government Services.

**RESOLUTION: 2015-254**

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

**MODERN GROUP LTD FOR THE PURCHASE OF ONE NEW UNUSED BRUSH CHIPPER IN THE CITY OF LINDEN**

**WHEREAS,** sealed bids were received by the Purchasing Agent on July 2, 2015

for purchase of one new unused brush chipper in the City of Linden; and

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

**WHEREAS,** the Chief Financial Officer or her designee has certified as to the availability of funds for this purpose, as attached hereto, which will be charged to account/line item No. C-04-55-907-617-919; and

**WHEREAS**, Modern Group, LTD was the lowest responsible bidder at their low bid of $50,291.00; 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. The Council of the City of Linden hereby awards a contract to Modern Group LTD whose bid amounted to $50,291.00.

2. This Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents between Modern Group LTD 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: 2015-255**

**RESOLUTION APPROVING AN AGREEMENT TO PROVIDE UNEMPLOYMENT INSURANCE TAX CONTROL FOR THE CITY OF LINDEN**

**WHEREAS**, there exists a need for a consultant to continue to provide unemployment insurance tax control and consultant services including supervision of claims, survey of coverage, verification of contributions, making necessary reports, with regard to this program; and

**WHEREAS**, the Chief Financial Officer/Municipal Treasurer has certified as to the availability of funds for this purpose, which will be charged to account/line item No. 1-01-115-255, 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 is also independently exempt from bidding pursuant to N.J.S.A 19:44A20.4 or 20.5, said contract is awarded as a non-fair and open contract; and

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

**now, therefore, be it RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** as follows:

1. That an agreement be and hereby is awarded to Talx Corporation, 4076 Paysphere Circle, Chicago, Illinois 60674 for a period of three years as follows:
2. The first year, July 1, 2015 through June 30, 2016 in an amount not to exceed $2,517.00; and
3. The second year, July 1, 2016 through June 30, 2017 in an amount not to exceed $2,642.85; and
4. The third year, July 1, 2017 through June 30, 2018 in an amount not to exceed $2,775.00.

**RESOLUTION: 2015-256**

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

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

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

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

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

Block 178 Lot 19 1112 Walnut Street

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

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

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

properties cleaned up at the direction of the Board of Health at the cost as follows:

Block 178 Lot 19 1112 Walnut Street $725.00

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

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

**RESOLUTION: 2015-257**

**RESOLUTION AUTHORIZING AN AMENDMENT TO THE AGREEMENT APPOINTING MCMANIMON, SCOTLAND & BAUMANN AS SPECIAL REDEVELOPMENT COUNSEL TO REPRESENT THE CITY IN REDEVELOPMENT MATTERS FOR SOUTH WOOD AVENUE AND GRASELLI ROAD TO BE PAID FROM ESCROW**

**WHEREAS,** the City Council of the City of Linden passed a Resolution on September 3, 2008 retaining the services of McManimon, Scotland & Baumann, LLC, as Special Redevelopment Counsel representing the City in various redevelopment matters pending in the City of Linden; and

**WHEREAS,** because of the ongoing nature of the services in this matter, there is a need for additional funds not to exceed $29,000.00 for legal services relative to the aforesaid matter; and

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

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

**WHEREAS,** the Chief Financial Officer has certified to the availability of funds for this purpose, to be charged as follows:

1. $15,000.00 to Account No. T- 17-55-800-999-502
2. $14,000.00 to Account No. C-04-55-901-608-920

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that they do hereby approve the additional amount not to exceed $29,000.00 for services rendered by McManimon, Scotland & Baumann, LLC.; and

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

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

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

**RESOLUTION: 2015-258**

**RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN THE**

**CITY OF LINDEN AND COMMUNITIES IN COOPERATION, INC.**

**FOR THE USE OF CITY PROPERTY FOR COMPUTER TRAINING**

**WHEREAS**, Communities in Cooperation, Inc. a 501(c) (3) non-profit corporation, seeking to provide computer training courses in the City of Linden, and seeks to enter into an agreement to utilize a portion of the Linden Multi-Purpose Center at Union and John Street; and

**WHEREAS,** the City of Linden (“the City”) is desirous of making such services available to the residents of the City of Linden, and same is in the best interest of the City to enter into an agreement to allow Communities in Cooperation, Inc. to utilize a portion of the Linden Multi-Purpose Center for said purposes;

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

1. The City is hereby authorized to enter into an agreement with Communities in Corporation, Inc. at no fee, to allow utilization of space at the Linden Multi- Purpose Center at Union and John Street for purposes of providing computer classes upon execution of an acceptable agreement with the City of Linden which will provide for appropriate insurance, indemnification, and other matters relating to the use of said premises.

2. The Mayor and/or other City Officials, and the City Clerk and/or Deputy Municipal Clerk are hereby authorized to execute and attest to said agreement as approved by the City Law Department.

3. This Resolution shall take effect immediately.

RESOLUTION: 2015-259

**A RESOLUTION MAKING THE PROVISIONS OF SUBTITLE ONE OF TITLE 39 APPLICABLE TO THE PRIVATE ROAD SERVICING NUSTAR, CITGO, P-66 and LINDEN BULK, ALSO KNOWN AS TREMLEY POINT ROAD, PURSUANT TO N.J.S.A. 39:5A-1**

**WHEREAS**, the Tremley Point Road Road Committee (NuStar, Citgo, P-66 and Linden Bulk) (the “Owners”) have filed written consent in accordance with N.J.S.A. 39:5A-1 with the City of Linden asking that the provisions of Subtitle One of Title 39 of the Revised Statutes of New Jersey be made applicable to the semipublic or private roads, streets, driveways, trails, terraces, bridle paths, parkways, parking areas, or other roadways open to or used by the public, tenants, employees, and the members of such institutions for purposes of vehicular travel by permission of such persons, corporations, or institutions and not as matter of public right; and

**WHEREAS**, by instrument dated July 9, 2015, the Owners consented to the City’s enforcement of Title 39, Subtitle One, of the Statutes of the State of New Jersey on Tremley Point Road; and

**WHEREAS**, the City agrees to such consent.

**NOW, THEREFORE, BE IT RESOLVED,** that the City of Linden hereby

consents, in relation to Owners and Tremley Point Road, to the enforcement of

Subtitle One of Title 39 of the Statutes of the State of New Jersey upon the semipublic or private roads, streets, driveways, trails, terraces, bridle paths, parkways, parking areas, or other roadways open to or used by the public, tenants, employees, and the members of such institutions for purposes of vehicular travel by permission of such persons, corporations, or institutions and

not as matter of public right.

**NOW THEREFORE, BE IT RESOLVED** that the City of Linden Governing Body authorizes the Purchasing Agent to enter into a contract with ETI Management, LLC as described herein; and,

**RESOLUTION: 2015-260**

**CITY OF LINDEN RESOLUTION**

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

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

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

**CURRENT**

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

6/3/15 Worker’s Comp. claims 7,633.74

6/3/15 Vision Service Plan claims 4,127.80

6/4/15 Payroll FICA 55,316.53

6/4/15 Payroll payroll 1,569,242.88

6/11/15 SHBP Retirees June Health Premium 529,008.78

6/11/15 SHBP Actives April Health Premium 655,239.81

6/11/15 Payroll FICA 6,712.92

6/11/15 Payroll payroll 79,352.73

6/17/15 Worker’s Comp. claims 15,293.71

6/18/15 Payroll FICA 53,121.01

6/18/15 Payroll payroll 1,425,381.08

6/18/15 Muller Bohlin grant funding 8,950.00

6/18/15 Lionel Prophete refund taxi license 25.00

6/18/15 M. Virginia Guinta court reporter 162.50

6/18/15 County of Union REPLACEMENT CK 2,556.29

6/26/15 Sam’s Club food for 5K Run 203.49

**TRUST**

6/4/15 Payroll payroll 7,088.15

6/11/15 Payroll payroll 50,093.25

6/18/15 Payroll payroll 5,839.05

6/18/15 Dondria Newton refund day camp 100.00

6/30/15 J&J BBQ Caleb Brown 5K Run/Walk 300.00

6/30/15 Joseph Fadline REPLACEMENT CK 100.00

**GRANT**

6/4/15 Payroll payroll 26,429.04

6/11/15 Payroll payroll 174.23

6/18/15 Payroll payroll 27,642.15

6/30/15 Prevention Links DWI program 16,377.14

6/30/15 Det. Joseph Birch AOD presentation 1,500.00

**SANITARY LANDFILL**

6/4/15 Payroll payroll 4,623.60

6/11/15 Payroll payroll 1,199.20

6/18/15 Payroll payroll 4,277.28

**CAPITAL**

6/4/15 Payroll payroll 389.34

6/18/15 Payroll payroll 346.18

**RESOLUTION: 2015-261**

**RESOLUTION AUTHORIZING AN AMENDMENT TO THE AGREEMENT APPOINTING ANTHONY PALUMBO, ESQ. OF THE FOR REPRESENTATION OF COUNCILMAN ROBERT SADOWSKI**

**WHEREAS,** the City Council of the City of Linden passed Resolution No. 2014-179 on April 15, 2014 retaining the services of Anthony Palumbo, Esq. for the representation of Councilman Robert Sadowski; and

**WHEREAS,** because of the ongoing nature of the services in this matter, there is a need for additional funds not to exceed $1,527.50 for legal services relative to the aforesaid matter; and

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

**WHEREAS,** inclusive of these additional funds the total expenditures paid to date to Anthony Palumbo, Esq. for services rendered under the original or substantially related contract is $2,527.50; 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 they do hereby approve the additional amount not to exceed $1,527.50 for services rendered by Anthony Palumbo, Esq.; and

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

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

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

**RESOLUTION: 2015-262**

**RESOLUTION RESCINDING RESOLUTION 2015-209 AUTHORIZING A CONTRACT TO HARBOR CONSULTANTS, INC. FOR THE SOIL TESTING, SPECIFICATIONS AND INSPETION OF UNDERGROUND TANKS AT THE ANIMAL CONTROL AND JTG CENTERS IN THE CITY OF LINDEN**

**WHEREAS,** the City of previously adopted Resolution 2015-209 on May 19, 2015 authorizing a contract with Harbor Consultants, Inc.; and

**WHEREAS,** Harbor Consultants, Inc. did not respond to the City’s prior Request for Qualifications and therefore was not qualified by the City to perform work.

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

1. Resolution 2015-209 is hereby rescinded.

**RESOLUTION: 2015-263**

**RESOLUTION AUTHORIZING AN AMENDMENT TO THE AGREEMENT APPOINTING MCMANIMON, SCOTLAND & BAUMANN AS SPECIAL REDEVELOPMENT COUNSEL TO REPRESENT THE CITY IN THE VARIOUS REDEVELOPMENT MATTERS PENDING IN THE CITY OF LINDEN**

**WHEREAS,** the City Council of the City of Linden passed a Resolution on September 3, 2008 retaining the services of McManimon, Scotland & Baumann, LLC, as Special Redevelopment Counsel representing the City in various redevelopment matters pending in the City of Linden; and

**WHEREAS,** because of the ongoing nature of the services in this matter, there is a need for additional funds not to exceed $35,000.00 for legal services relative to the aforesaid matter; and

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

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

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

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that they do hereby approve the additional amount not to exceed $35,000.00 for services rendered by McManimon, Scotland & Baumann, LLC.; and

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

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

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

RESOLUTION: 2015-264

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR ETI MANAGEMENT, LLC

**WHEREAS,** the City of Linden has a need for an analysis/operational assessment of the Division of Public Works and the assistance with the search for a qualified Director of Public Works, as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4/20.5; and,

**WHEREAS,** the anticipated term of this contract is for oneyear*;* and,

**WHEREAS,**ETI Management, LLChas submitted a proposal dated July 8, 2015 indicating they will provide the analysis/ operational assessment for the City of Linden Division of Public Works and the assistance with the search for a qualified Director of Public Works for an amount not to exceed $17,350.00; and

**WHEREAS,** ETI Management, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that ETI Management, LLC has not made any reportable contributions to a political or candidate committee in the City of Linden in the previous one year, and that the contract will prohibit the ETI Management, LLC from making any reportable contributions through the term of the contract, and

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

**NOW THEREFORE, BE IT RESOLVED** that the City of Linden Governing Body authorizes the Purchasing Agent to enter into a contract with ETI Management, LLC as described herein; and,

**BE IT FURTHER RESOLVED** that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

Diane Wilverding, 1633 Lenape Road. Ms. Wilverding asked what the review the company was conducting would include. Mr. Bodek responded the operations of the DPW division. She noted that the resolution speaks to the search for an outside director. Mr. Bodek stated that Council has not made that decision.

**Mr. Medina moved for approval of Resolution #2015-264. The motion was seconded by Mrs. Hickey and was ordered approval by all voting yes with exception of Mrs. Cosby-Hurling who voted no.**

**RESOLUTION: 2015-265**

**RESOLUTION AUTHORIZING A REFUND RELATIVE TO A QUARTERLY PARKING PERMIT**

**WHEREAS,** Fred Hagen purchased a quarterly parking pass for the Linden Train Station and paid the sum of $150.00; and

**WHEREAS,** a longtime customer and commuter, Mr. Hagen passed away and the family no longer needs the parking pass and has requested a refund; and

**WHEREAS,** due to said circumstances, the City is desirous of refunding the $150.00;

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

1. A check in the amount of $150.00 is to be refunded to: Holly Hagen, 45 Hawthorne Ave., Clark, N.J. 07066.

2. Said check will be mailed to the address noted above.

3. This Resolution shall take effect pursuant to law.

**RESOLUTION: 2015-266**

**RESOLUTION APPROVING A CONTRACT TO BOSWELL ENGINEERING FOR SOIL TESTING, SPECIFICATIONS AND INSPECTION OF UNDERGROUND TANKS IN THE CITY OF LINDEN**

**WHEREAS**, there exists a need for soil testing, specifications and inspection of underground tanks; and

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

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

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

**WHEREAS**, the Chief Financial Officer has certified to the availability of funds for this purpose, to be charged to Account No. C-04-55-901-611-919;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** that a contract for Professional Services be and hereby is awarded to Boswell Engineering, 330 Phillips Avenue, P.O. Box 3152, South Hackensack, New Jersey 07606, at a fee not to exceed $20,000.00 in accordance with their proposal dated June 11, 2015; and

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

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk be and hereby are empowered and directed to execute a contract with Boswell Engineering to effectuate the foregoing, in accordance with all state and federal regulations; and

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

**RESOLUTION: 2015-267**

**RESOLUTION AMENDING A CONTRACT WITH C&S ENGINEERS TO PROVIDE CONSTRUCTION ADMINISTRATION SERVICES AT LINDEN AIRPORT FOR THE INFIELD DRAINAGE IMPROVEMENT PROJECT**

**WHEREAS**, the City of Linden passed a Resolution on April 21, 2015, No. 2015-187, retaining the services related to construction administration for the Airport Infield Drainage Improvement Project; and

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

**WHEREAS**, C&S Engineers, 499 Col. Eileen Collins Blvd., Syracuse, New York, 13212 submitted a qualification to the City and has qualified for the aforesaid service for 2015, and

**WHEREAS**, it is necessary to provide for additional funds for said purpose in an amount not to exceed $32,200.00; and

**WHEREAS**, inclusive of these additional funds the total expenditures paid to date to C&S Engineers for services rendered under the original or substantially related contract is

$46,200.00; 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.G-02-40-165-009-220.

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

**LINDEN** that they do hereby approve the additional amount not to exceed $32,200.00 for

services rendered by C&S Engineers for the City of Linden; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the

negotiation and execution of the necessary contract documents between C&S Engineers 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 consistent with the above; and

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

Ms. Snowden, 807 Lindegar Street. In response to Mr. Bodek explained who uses Linden Airport. Ms. Snowden asked that a similar project be considered for property that Greater Mt. Moriah Church resides due to the constant flooding of the site. She noted the flooding issues over the years and asked that the City address them.

Mr. Medina moved for approval of Resolution #2015-267. The motion was seconded by Mrs. Hickey and was unanimously ordered approved on a roll call vote.

**RESOLUTION: 2015-268**

**RESOLUTION APPROVING THE AWARD OF A CONTRACT TO DAS INDUSTRIAL, LLC FOR DEMOLITION OF 1100-1122 E. BALTIMORE AVENUE IN THE CITY OF LINDEN**

**WHEREAS,** sealed bids were received by the Purchasing Agent on June 8, 2015 for the demolition of 1100-1122 E. Baltimore Avenue in the City of Linden; and

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

**WHEREAS**, the Chief Financial Officer or her designee has certified as to the availability of funds for this purpose, as attached hereto, which will be charged to account/line item C-04-55-901-579-919 ($57,150.00) and N-18-55-014-231-019 ($151,850.00); and

**WHEREAS**, DAS Industrial, LLC. was the lowest responsible bidder at their bid of $209,000.00; and

**WHEREAS**, the Local Public Contract 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 DAS Industrial, LLC at their bid of $209,000.00.
2. This Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents between DAS Industrial, LLC and the City of Linden.
3. The Mayor and City Clerk are hereby authorized to execute all documents to effectuate the purposes herein above expressed.

**Diane Wilverding, 1633 Lenape Road.** In response to Ms. Wilverding, Mr. Vircik provided information on what building was being knocked down, and that it was City property. He described the condition of the property and why it is being knocked down. Mrs. Cosby-Hurling noted that this is part of the redevelopment project on St. Georges Ave. She noted how bad of a condition the property was in.

**Mr. Medina moved for approval of Resolution #2015-268. The motion was seconded by Mrs. Hickey and was unanimously ordered approved on a roll call vote.**

**RESOLUTION: 2015-269**

**RESOLUTION AUTHORIZING ENTERING INTO A NEW JERSEY INTEROPERABLE COMMUNICATIONS SYSTEM (NJICS) USER AGREEMENT WITH THE COUNTY OF UNION**

**WHEREAS**, the Union County Board of Chosen Freeholders has authorized the County

Manager to enter into an agreement with the State of New Jersey, Office of Information

Technology to provide Emergency Telecommunications Services for the County of Union as per the FCC's Narrow banding Mandate, effective January 1, 2013; and

**WHEREAS**, it hereby further authorizes the County Manager to execute any and all agreements with municipalities and/or private nonprofit agencies with a necessity for emergency telecommunication services, upon approval of the Office of County Counsel; and

**WHEREAS**, the City of Linden is one of those designated agencies that qualifies for radio interoperability services; and

**WHEREAS**, the City of Linden is desirous of said radio interoperability services.

**now, therefore, be it RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** the City hereby approves the submission of a NJICS User Agreement to the Union County Office of Emergency Services.

**RESOLUTION: 2015-270**

**RESOLUTION AUTHORIZING PAYMENT FROM THE COMCAST GRANT FOR THE UPGRADE OF THE LINDEN LIBRARY’S WEBSITE**

**WHEREAS,** the City of Linden wishes to assist the Linden Library by using funds from the Comcast Grant to upgrade the library’s website; and

**WHEREAS,** the City of Linden hereby authorizes the transferred of the sum of $16,700 to the Linden Library to be used for the payment of a proposal from AlphaDog Solutions dated June 4, 2015.

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

1. The sum of $16,700 shall be transferred to the Linden Library to be used for the payment of a proposal from AlphaDog Solutions dated June 4, 2015.

**RESOLUTION: 2015-271**

**A RESOLUTION AUTHORIZING THE MAYOR AND MUNICIPAL CLERK OF THE MUNICIPALITY OF LINDEN TO EXECUTE AN AGREEMENT WITH THE COUNTY OF UNION TO MODIFY THE COOPERATIVE AGREEMENT DATED JUNE 2011**

**WHEREAS,** certain Federal funds are potentially available to the County of Union under Title I of the Housing and Community Development Block Grant Act of 1974, as amended, commonly known as the Community Development Block Grant Program; and

**WHEREAS,** certain Federal funds are potentially available to the County of Union under Title II of the National Affordable Housing Act of 1990, commonly known as the HOME Investment Partnership program; and

**WHEREAS**, substantial Federal funds provided through subtitle B of Title IV of the McKinney-Vento Homeless Assistance Act commonly known as the Emergency Solutions Grants program (ESG) are allocated to prevent homelessness and to enable homeless individuals and families to move toward independent living; and

**WHEREAS,** it is necessary to amend an existing Cooperative Agreement for the County of Union and its people to benefit from this program; and

**WHEREAS,** it is in the best interest of the Municipality of Linden and the County of Union in cooperation with each other to enter into a modification of the existing Cooperative Agreement pursuant to N.J.S.A. 40A:65-1 et seq;

**NOW THEREFORE, BE IT RESOLVED** by the Mayor and Governing Body of the Municipality of Linden that the agreement entitled **“COOPERATIVE AGREEMENT BETWEEN THE COUNTY OF UNION AND CERTAIN MUNICIPALITIES FOR CONDUCTING CERTAIN COMMUNITY DEVELOPMENT ACTIVITIES,”** dated June 2011, for the Purpose of Inserting a Description of Activities for Fiscal Year 2015-2016 of the Union County Community Development Block Grant program, the HOME Investment Partnership program, and the Emergency Shelter Grant program (ESG), a copy of which is attached hereto; be executed by the Mayor and Municipal Clerk in accordance with the provisions of law;

**BE IT FURTHER RESOLVED** that this resolution shall take effect immediately upon its adoption.

**Resolution: 2015-272**

**RESOLUTION WAIVING FEES FOR PERMITS CITY WIDE GARAGE SALE**

WHEREAS, the city council has determined to allow a city wide garage sale on September ??, 2015 with a rain date on September ??, 2015; and

WHEREAS, the City of Linden shall waive all fees for permits for a garage sale including the completion of an application form pursuant to City Code 4-3.1 entitled “Garage Sales”; and

WHEREAS, the city wide garage sale shall not impact a resident’s right to conduct up to two garage sales in a year; and

WHEREAS, chapter 4-3.6 shall still apply, limiting one singled faced sign containing not more than four square feet in total area to be placed upon the premises where the sale is being conducted, and further prohibiting any other signs and either public or private property.

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

1. The City of Linden hereby waives fees for permits for a city wide garage sale to be held on October 3, 2015 with a rain date on October 4, 2015.
2. The city wide garage sale shall not impact a resident’s right to conduct up to two garage sales in a year.
3. Chapter 4-3.6 shall still apply, limiting one singled faced sign containing not more than four square feet in total area to be placed upon the premises where the sale is being conducted, and further prohibiting any other signs and either public or private property.
4. This Resolution shall take effect pursuant to law.

**RESOLUTION: 2015-273**

**CITY OF LINDEN**

**COUNTY OF UNION**

**A RESOLUTION AUTHORIZING THE CANCELATION OF TAX SALE CERTIFICATE PREMIUM MONIES**

**WHEREAS**, a tax sale certificate #060091 on block 128, lot 10 was sold on April 13, 2007; and

**WHEREAS**, a premium of $ 100.00 was paid on this certificate; and

**WHEREAS**, Stacey L. Carron, Tax Collector has verified that the redemption has taken place and the lien holder, Frederick H. Schieferstein has not forwarded the Tax Sale certificate within 5 years and recommends said premium, totaling $100.00, be canceled and turned over the City Treasurer.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the City of Linden that it does hereby authorize the cancellation.

**BE IT FURTHER RESOLVED** that the Clerk forward a certified true copy of this resolution to the Tax Collector and the City Treasurer.

**RESOLUTION: 2015-274**

**CITY OF LINDEN**

**COUNTY OF UNION**

**A RESOLUTION AUTHORIZING THE CANCELATION OF TAX SALE CERTIFICATE PREMIUM MONIES**

**WHEREAS**, a tax sale certificate #07-00198 on block 507, lot 11 was sold on June 13, 2008; and

**WHEREAS**, a premium of $ 500.00 was paid on this certificate; and

**WHEREAS**, Stacey L. Carron, Tax Collector has verified that the redemption has taken place and the lien holder, MACWCP, II, LLC has forwarded the Tax Sale certificate but it is over 5 years and recommends said premium, totaling $500.00, be canceled and turned over the City Treasurer.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the City of Linden that it does hereby authorize the cancellation.

**BE IT FURTHER RESOLVED** that the Clerk forward a certified true copy of this resolution to the Tax Collector and the City Treasurer.

**RESOLUTION: 2015-275**

Resolution Authorizing Tax Collector

To forward monies to lien holders

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

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

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

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

**Resolution: 2015-276**

**CITY OF LINDEN**

**RESOLUTION CHAPTER 159**

**PHILLIPS 66 DONATION TO LINDEN FIRE DEPARTMENT**

**WHEREAS,** N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

**WHEREAS,** said Director may also approve the insertion of an item of appropriation for equal amount, and

**WHEREAS,** the City of Linden will receive $35,000.00 from Phillips 66 Company and wishes to amend its 2015 Budget to include this amount as a revenue, and

**NOW, THEREFORE, BE IT RESOLVED** that the Council of the City of Linden hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2015 in the sum of $ 35,000.00 which item is now available as a revenue from:

Miscellaneous Revenues

Special items of General Revenue Anticipated with

Prior Written Consent of the Director of Local

Government Services:

Public and Private Revenues off-set with Appropriations:

***Fire Department Donation from Phillips 66***

***(upgrading fire apparatus and laptop computers)***

**BE IT FURTHER RESOLVED** that a like sum of $ 35,000.00 be and the same is hereby appropriated under the caption of:

General Appropriations

(A) Operations excluded from "CAPS"

Public and Private Programs off-set by revenues:

***Fire Department Donation from Phillips 66***

***(upgrading fire apparatus and laptop computers)***

**RESOLUTION: 2015-277**

**RESOLUTION APPROVING THE DONATION OF $35,000.00 FROM PHILLIPS 66 COMPANY TO THE CITY OF LINDEN**

**WHEREAS,** the Phillips 66 Company wishes to donate $35,000.00 to the Fire Department for the upgrading of fire apparatus and laptop computers; and

**WHEREAS,** the City of Linden is desirous of accepting the aforesaid donation.

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

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

**RESOLUTION: 2015-278**

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

**AND SETTING THE HEARING ON THE BUDGET**

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

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

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

**WHEREAS,** Linden Code 27-5 establishes a maximum added assessment that shall not exceed a sum of $0.050 of the total assessment; and

**WHEREAS,** the Tax Assessor has determined that the total assessment for the Special Improvement District is $200,940.50 in 2015; and

**WHEREAS,** resolution 2015-193. Adopted on April 21, 2015 was incorrect and must be rescinded; and

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

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

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

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

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

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

less than 28 days after the approval of the budget.

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

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

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

August 18, 2015 at City of Linden City Hall, Council Chambers, 301 North Wood

Avenue, Linden New Jersey, at 7:00 p.m.

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

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

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

4. Resolution 2015-193 is rescinded in its entirety.

**RESOLUTION: 2015-279**

**RESOLUTION OF THE MUNICIPAL COUNCIL OF THE CITY OF LINDEN, COUNTY OF UNION, NEW JERSEY AUTHORIZING COMMENCEMENT OF STUDIES AND THE DEVELOPMENT OF PRELIMINARY PLANS AND SPECIFICATIONS RELATING TO THE CREATION OF A SPECIAL IMPROVEMENT DISTRICT WITHIN THE CITY IN ACCORDANCE WITH *N.J.S.A*. 40:56-70*.***

**WHEREAS,** pursuant to the terms of *N.J.S.A.* 40:56-65 *et seq*. (the “**SID Law**”), municipalities are authorized to protect the public welfare and preserve and enhance the function and appearance of business districts through the creation of pedestrian malls or special improvement districts; and

**WHEREAS**, to determine whether certain parcels of land warrant the creation of a special improvement district or pedestrian mall under the SID Law, the municipal council (the “**Municipal Council**”) of the City of Linden (the “**City**”) may authorize the commencement of studies and/or the development of preliminary plans and specifications for the creation and maintenance of a pedestrian mall or special improvement district, which plans should, when possible, include estimates of construction and maintenance as well as estimates of the potential gross benefit assessment; and

**WHEREAS,** the Municipal Council believes it is in the best interests of the City to commence such a study and the development of a plan pertaining to the creation of a special improvement district encompassing the properties identified on Exhibit A and Exhibit B attached hereto and made a part hereof (the “**Study Area**”), and further such study and plan shall include criteria to regulate the construction and alteration of the facades of buildings and structures in a manner that promotes a unified and compatible design throughout.

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

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. Pursuant to the authority of the SID Law, specifically *N.J.S.A.* 40:56-70, the Municipal Council authorizes the commencement of a study and the development of preliminary plans and specifications for the creation and maintenance of a special improvement district in the Study Area, which study and plan shall include criteria to regulate the construction and alteration of the facades of buildings and structures in a manner that promotes a unified and compatible design throughout.

Section 3. The Mayor and City Council together with the employees and the professionals currently working on behalf of the city, NW Financial, Greener by Design, Supplee Clooney & Company of the City, are hereby authorized to undertake all actions, including the preparation and execution of any agreements or documents, in order to effectuate the purposes of this Resolution with an estimated cost to perform same at $22,500.00. If the need arises to retain any other professional not currently named in this section, any proposal must be provided and voted on by council.

Section 4. The results of the study and the plan shall be reported back to the Municipal Council upon completion of same.

Section 5. This Resolution shall take effect immediately.

**RESOLUTION: 2015-280**

**RESOLUTION OPPOSING THE 9 PERCENT FARE INCREASE OF**

**NEW JERSEY TRANSIT**

**WHEREAS,** New Jersey Transit has proposed a fare increase that will average 9%; and

**WHEREAS,** this is on top of an 22% average fare increase implemented in 2010; and

**WHEREAS,** New Jersey commuters are often frazzled by breakdowns, delays and antiquated facilities on the buses and trains that New Jersey Transit operates; and

**WHEREAS,** Linden’s train station, and its prime placement on two New Jersey Transit rail lines makes it a cornerstone of our community:

**WHEREAS,** an entire portion of Linden depends on reliable, affordable transportation to entice future taxpayers to settle in Linden and a fare increase possess a threat to the livelihood of our City; and

**WHEREAS,** a major portion of this increase will go to funding employee compensation instead of funding improvements to New Jersey’s transits system which handles an average of 955,000 passenger trips on a typical weekday; and

**WHEREAS,** the Mayor and Council of the City of Linden wish to take a stand, on behalf of the citizens of Linden, and oppose the proposed fare increase.

**NOW THEREFORE BE IT RESOLVED,** that the Mayor and Council of the City of Linden are solidly opposed to the fare increase of 9%, proposed by New Jersey Transits due to the burden that it places on Linden and its residents, who are in need of reliable and affordable transportation; and

**BE IT FURTHER RESOLVED** that a copy of this resolution noting the opposition of the Governing Body of the City of Linden be sent to the Board of Directors of New Jersey Transit, Governor Chris Christie, Senator Nicholas Scutari, Assemblyman Jerry Green and Assemblywoman Linda Stender.

**RESOLUTION: 2015-281**

**RESOLUTION FOR STATE CONTRACT PURCHASE OF 2015 FORD F-250 4WD REG CAB 137” W OPTIONS FOR PUBLIC PROPERTY - FROM BEYER FORD**

**WHEREAS**, the City of Linden wishes to purchase one 2015 Ford F-250 4WD REG CAB 137” WB with options from an authorized vendor under the State of New Jersey contract A88727. Awarded to Beyer Ford, 170 Ridgedale Avenue, Morristown, NJ 07936, an authorized vendor and,

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

**WHEREAS**, Beyer Ford, 170 Ridgedale Avenue, Morristown, NJ 07936 has been awarded Contract No A88727 for the provision of trucks; and,

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

**WHEREAS**, the amount of the service is not to exceed $33,645.50and,

**WHEREAS**, the Chief Finance Officer has certified the availability of funds for this contract, which will be charged to account number C-04-55-904-628-919 and,

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

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

President Alvarez noted that there were two additional resolutions to be added to the agenda, and called upon the Clerk to read them, in full.

**Resolution:2015-282**

**RESOLUTION OF THE MUNICIPAL COUNCIL OF THE CITY OF LINDEN, COUNTY OF UNION, NEW JERSEY AUTHORIZING THE PLANNING BOARD TO INVESTIGATE WHETHER THE PROPERTY COMMONLY KNOWN AS BLOCK 496, LOT 3 ON THE CITY TAX MAPS SHOULD BE DESIGNATED AS AN ‘AREA IN NEED OF REDEVELOPMENT’ PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A*. 40A:12A-1 *et seq.***

**WHEREAS,** the Local Redevelopment and Housing Law, *N.J.S.A.* 40A:12A-1 *et seq*. (the “**Redevelopment Law**”), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment; and

**WHEREAS**, to determine whether certain parcels of land constitute areas in need of redevelopment under the Redevelopment Law, the municipal council (the “**Municipal Council**”) of the City of Linden (the “**City**”) must authorize the planning board of the City (the “**Planning Board**”) to conduct a preliminary investigation of the area and make recommendations to the Municipal Council; and

**WHEREAS,** the Municipal Council believes it is in the best interest of the City that an investigation occur with respect to a certain parcel within the City, and therefore seeks to authorize and direct the Planning Board to conduct an investigation of the property commonly known as Block 496, Lot 3 on the tax map of the City (hereinafter the “**Study Area**”), to determine whether the Study Area meets the criteria set forth in the Redevelopment Law, specifically  *N.J.S.A.* 40A:12A-5, and should be designated as an area in need of redevelopment; and

**WHEREAS,** the redevelopment area determination initiated hereunder intends to authorize the City and Municipal Council to use all those powers provided by the Redevelopment Law for use in a redevelopment area, including the power of eminent domain (hereinafter referred to as a “**Condemnation Redevelopment Area**”).

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

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. The Planning Board is hereby authorized and directed to conduct an investigation pursuant to *N.J.S.A.* 40A:12A-6 to determine whether the Study Area satisfies the criteria set forth in *N.J.S.A.* 40A:12A-5 to be designated as an area in need of redevelopment.

Section 3. As part of its investigation, the Planning Board shall prepare a map showing the boundaries of the Study Area and the location of the parcel contained therein and appended thereto shall be a statement setting forth the basis of the investigation. A copy of the map shall be maintained on file with the office of the City Clerk.

Section 4. The Planning Board shall conduct a public hearing in accordance with the Redevelopment Law, specifically *N.J.S.A.* 40A:12A-6, after giving due notice of the proposed boundaries of the Study Area and the date of the hearing to any persons who are interested in or would be affected by a determination that the Study Area is an area in need of redevelopment. The notice of the hearing shall specifically state that the redevelopment area determination shall authorize the City to exercise the power of eminent domain to acquire any property in the delineated area, for the Study Area is being investigated as a possible Condemnation Redevelopment Area.

Section 5. At the public hearing, the Planning Board shall hear from all persons who are interested in or would be affected by a determination that the Study Area is a redevelopment area.  All objections to a determination that the Study Area is an area in need of redevelopment and evidence in support of those objections shall be received and considered by the Planning Board and made part of the public record.

Section 6. After conducting its investigation, preparing a map of the Study Area, and conducting a public hearing at which all objections to the designation are received and considered, the Planning Board shall make a recommendation to the Municipal Council as to whether the Municipal Council should designate all or some of the Study Area as an area in need of redevelopment.

Section 7. This Resolution shall take effect immediately.

Mr. Bodek noted that this resolution and a second one, were addressing the former Park Plastic site, and the United Lacquer site. It was noted that complete copies of both resolutions are available on the table at the front of the room.

Patti Murgo, 2519 Grier Avenue. Ms. Murgo thanked Council for the resolution dealing with Park Plastics, as it has been a long thorn in her side and that of the community.

Mr. Medina moved for approval of resolution 2015-282. The motion was seconded by Mrs. Hickey and was unanimously ordered approved by a roll call vote.

Mr. Bodek then read resolution 2015-283.

**Resolution:2015-283**

**RESOLUTION OF THE MUNICIPAL COUNCIL OF THE CITY OF LINDEN, COUNTY OF UNION, NEW JERSEY AUTHORIZING THE PLANNING BOARD TO INVESTIGATE WHETHER THE PROPERTY COMMONLY KNOWN AS BLOCK 423, LOT 4.02 ON THE CITY TAX MAPS SHOULD BE DESIGNATED AS AN ‘AREA IN NEED OF REDEVELOPMENT’ PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A*. 40A:12A-1 *et seq.***

**WHEREAS,** the Local Redevelopment and Housing Law, *N.J.S.A.* 40A:12A-1 *et seq*. (the “**Redevelopment Law**”), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment; and

**WHEREAS**, to determine whether certain parcels of land constitute areas in need of redevelopment under the Redevelopment Law, the municipal council (the “**Municipal Council**”) of the City of Linden (the “**City**”) must authorize the planning board of the City (the “**Planning Board**”) to conduct a preliminary investigation of the area and make recommendations to the Municipal Council; and

**WHEREAS,** the Municipal Council believes it is in the best interest of the City that an investigation occur with respect to a certain parcel within the City, and therefore seeks to authorize and direct the Planning Board to conduct an investigation of the property commonly known as Block 423, Lot 4.02 on the tax map of the City (hereinafter the “**Study Area**”), to determine whether the Study Area meets the criteria set forth in the Redevelopment Law, specifically  *N.J.S.A.* 40A:12A-5, and should be designated as an area in need of redevelopment; and

**WHEREAS,** the redevelopment area determination initiated hereunder intends to authorize the City and Municipal Council to use all those powers provided by the Redevelopment Law for use in a redevelopment area, including the power of eminent domain (hereinafter referred to as a “**Condemnation Redevelopment Area**”).

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

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. The Planning Board is hereby authorized and directed to conduct an investigation pursuant to *N.J.S.A.* 40A:12A-6 to determine whether the Study Area satisfies the criteria set forth in *N.J.S.A.* 40A:12A-5 to be designated as an area in need of redevelopment.

Section 3. As part of its investigation, the Planning Board shall prepare a map showing the boundaries of the Study Area and the location of the parcel contained therein and appended thereto shall be a statement setting forth the basis of the investigation. A copy of the map shall be maintained on file with the office of the City Clerk.

Section 4. The Planning Board shall conduct a public hearing in accordance with the Redevelopment Law, specifically *N.J.S.A.* 40A:12A-6, after giving due notice of the proposed boundaries of the Study Area and the date of the hearing to any persons who are interested in or would be affected by a determination that the Study Area is an area in need of redevelopment. The notice of the hearing shall specifically state that the redevelopment area determination shall authorize the City to exercise the power of eminent domain to acquire any property in the delineated area, for the Study Area is being investigated as a possible Condemnation Redevelopment Area.

Section 5. At the public hearing, the Planning Board shall hear from all persons who are interested in or would be affected by a determination that the Study Area is a redevelopment area.  All objections to a determination that the Study Area is an area in need of redevelopment and evidence in support of those objections shall be received and considered by the Planning Board and made part of the public record.

Section 6. After conducting its investigation, preparing a map of the Study Area, and conducting a public hearing at which all objections to the designation are received and considered, the Planning Board shall make a recommendation to the Municipal Council as to whether the Municipal Council should designate all or some of the Study Area as an area in need of redevelopment.

Section 7. This Resolution shall take effect immediately.

Mr. Medina moved for approval of resolution 2015-283. The motion was seconded by Mrs. Hickey and was unanimously ordered approved by a roll call vote.

**ORDINANCE – FIRST READING**

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

**An Ordinance entitled:**

**#59-33 Bond Ordinance amending Bond Ordinance #58-45 adopted by the City Council on June 17, 2014 providing an appropriation of $60,000.00 for speed humps and authorizing $57,000.00 to finance part of the cost. The ordinance is hereby amended by adding after the phrase “construction of speed humps on various roads in the City” the phrase “and repaving/resurfacing City owned parking lots.”**

President Alvarez asked if there were comments from the public.

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

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

**An Ordinance entitled:**

**#59-34 Ordinance to amend and supplement Chapter VII, Traffic, Section 7-42 Parking Fines, 7-42.1 Fines Established, shall be amended as follows: (amending various parking fines,**

**complete ordinance is available in the City Clerk’s office)**

President Alvarez asked if there were comments from the public.

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

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

**An Ordinance entitled:**

**#59-35 An ordinance to amend Chapter IX of the City Code entitled “Personnel Policies”**

**establishing specific procedures for the implementation of said regulations in disciplinary matter involving municipal employees. (Not including the Police Department)**

President Alvarez asked if there were comments from the public.

Patti Murgo 2519 Grier Avenue. Ms. Murgo asked why the policy was being changed. It was noted that questions are for next month, this was to afford the public time to comment on the ordinance. Ms. Murgo noted that her comments would also apply to #56-36.

Scharlene Snowden, 87 Lindegar St. Ms. Snowden asked why the ordinance did not include the Police Department. President Alvarez noted this was a comment period only. Ms. Snowden stated that she would want the Police Department included in the ordinance.

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

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

**An Ordinance entitled:**

**#59-36 An ordinance to amend an ordinance entitled” An ordinance establishing a schedule of titles, salary ranges and regulations for maintaining the classification and salary standardization plan of all employees of the City of Linden,” passed august 15, 1995 and approved August 16, 1995. Add: Schedule 4-JJ-4**

President Alvarez asked if there were comments from the public.

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

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

**An Ordinance entitled:**

**#59-37** **An ordinance to amend and supplement Chapter VII, Traffic, Section 7-33 Handicapped Parking, 7-33.1A Handicapped Parking on-Street. Delete: 522 Miltonia Street, 1 space**

President Alvarez asked if there were comments from the public.

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

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

**An Ordinance entitled:**

**#59-38 An ordinance to amend Chapter 2-26 entitled “Department of Construction and Inspections” eliminating the position of Elevator Sub-Code Official.**

President Alvarez asked if there were comments from the public.

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

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

**PUBLIC COMMENT**

President Alvarez read the rules under which public comment would be allowed.

Scharlene Snowden, 807 Lindegar Street. Ms. Snowden noted that she had watched the last few council meetings, and had observed the hiring of new police officers and firefighters. She stated that she was dismayed that there were no people of color who were hired. She asked if there is an Affirmative Action report on file, for public view. She stated that she would like clarity and transparency regarding the hiring the hiring process for police officers and fire personnel. She then asked about new revenue that might be coming into the City from the construction of the new CVS, Subway, and 7-11, on St. Georges Ave. Mr. Roth responded stating that the City hires off of the Civil Service list, issued by Civil Service. He explained the process for hiring, including a background check. He spoke about the US Department of Justice monitoring of the test administered by Civil Service. Ms. Snowden asked what was involved in the background check, to which Mr. Roth responded. Mr. Brown noted that the way to get more diversity on the force is for the information regarding the testing be given out. He noted tutoring for the test, that is done by both departments. Ms. Snowden commented on the background check part of process.

Rita Roper, 833 E. Blancke Street. Ms. Roper addressed her comments to Mr. Brooks about the safety of children, in the Fourth Ward. She noted that in addition to the streets named by Mr. Brooks, there are additional streets that she has safety concerns with. She named the streets, noted the issues, and what should be done to address them. Mr. Brooks agreed with Ms. Roper. He spoke about the need to add four way stop signs to certain streets to slow the flow of traffic and prevent speeding.

Gerald Bishop, 650 N. Wood Avenue. Mr. Bishop spoke his, and his family’s history in Linden. He spoke about the rally, on City Hall steps, regarding human rights in the Dominican Republic for the Haitian people. He noted that the civilian employees of the City of Linden are being told where they can live and where they cannot live. He asked Council to rescind the rule that employees of the City of Linden must live in Linden.

Michael Broderick, 3500 Rt. 35, Hazlet. Mr. Broderick noted that he represents the Teamster bargaining unit which represents some employees of the City of Linden. He spoke in opposition to the City’s residency requirements for its employees. He noted that most cannot afford to purchase a home, based on the salary structure here, in the City of Linden. He asked to Council to reconsider its residency requirement, for employees, just as a number of other municipalities have done. He spoke about his willingness to discuss the issue, and work towards a compromise. Mrs. Hickey spoke about why Linden has this requirement, but that she was willing to look at the issue.

Lisa Ormon, 901 Summit Street. Mrs. Ormon stated that she, and the entire Armstead Family wished to thank everyone who paid their respects or supported the family during the loss of their loved one, Rubin Henry Armstead. She spoke about Mr. Armstead, what he meant to them and what he taught them. Mrs. Ormon expressed her, and the families, gratitude for all of the expressions of sympathy that they had received. Mrs. Ormon spoke about the issue of the Friday before July 4th and the release of employees on that day. She stated that she appreciated all those companies that let their employees leave early on July 3rd, and what it meant to the families. She urged all members of Council to have compassion and kindness, and to be a good employee. Next Mrs. Ormon spoke about her disgust for the City of Linden with how they treated children, with disabilities, by not having a special needs camp program for them. She noted that for the last two years the ball was dropped on this program, and it cannot happen again. Mr. Brooks responded and said that he believes that Mrs. Ormon was right and the City does have to do more. He stated that he was willing to work with her to make it better. Mrs. Cosby-Hurling noted that part of the problem was the lack of children signing up, and that some of the options, noted by Mr. Brooks, were not addressed. She also noted the lack of qualified persons to run the program. Mrs. Hickey stated that she appreciated the comments of Mrs. Ormon regarding the 4th of July holiday. Mrs. Hickey noted the holiday was on a Saturday, employees were off all day on Friday, and the issue was over sending them home a half day on the Thursday prior. She spoke about the matters that she took into consideration in making her decision. President Alvarez stated that he will work with Mrs. Ormon to help with a program for special needs children.

Cleadel Waye, 1027 Essex Avenue. Ms. Waye stated she was present at the rally, this Saturday, and that she cannot equate the issue of the Haitian Community with the issue of employee residency. Next Ms. Waye asked for an update on the status of the hazardous waste storage fee. Next she talked about the issue of the half day off, on July 2nd, and her opinion that the rescinding of the time was a way to undercut the Mayor. She spoke about how upset and angry people were in the community. Ms. Waye said that the moving of the SID program forward was a positive thing, especially with the inclusion of the St. Georges Ave area in the study. She spoke about the poor condition of sections of St. George Ave. Ms. Waye spoke about comments made by Ms. Snowden about the police and fire test, and noted that it is a proven fact that these test have some bias to them. She noted that she would like to be part of a group that would look into the issue of the test and other qualification for these jobs. Ms. Waye spoke about what Council has to do to show solidarity, and act as a group. The Mayor responded to the questions asked by Ms. Waye. He noted the purpose of the hazardous waste storage fee, and its ability to provide revenue to the City, and noted possible uses for the funds. He next addressed the issue of what happened over the 4th of July holiday, with regards to employees getting time off. President Alvarez spoke about, from his point of view, about what happened with the 4th of July holiday. He read from a memo regarding the authority of the Mayor and Council to close city hall from 2014, from Councilman Derek Armstead to then Mayor Gerbounka. Mr. Brown noted that we are talking about working together, and following the rules. He noted that he was a Council member who was not called with the poll to rescind the closing of City Hall, by the Mayor. He explained how he thought the issue should have been handled. Mrs. Cosby-Hurling noted that she was not called, for the poll, and the call that she had received from the Mayor’s office. She noted her concern, and issues, with the closing of City Hall.

Christopher Lukenda, Garfield Street. Mr. Lukenda thanked Public Works for the job they are doing. He noted the job being done by the police chief, that there are eight recruits in the academy, and the City probably needs twenty more. He next stated that he spoke as President of the firefighters union and thanked Mr. Brooks and Mrs. Yamakaitis for showing up to a house and observing what the firefighters do. He noted that he also has invited Mr. Brown to train with the new fire recruits, and the reason why. Mr. Lukenda spoke on the residency issue raised earlier. He noted that police and fire are allowed to live out of town, by state law, and the reason he supports it.

Ahmed Badr, 708 W. St. Georges Avenue. Mr. Badr, and his wife, spoke about a business they own on St. Georges Ave. The business includes a Hooka Lounge. The Board of Health says that it is not a permitted use in town. Mrs. Badr noted the hardship this issue is creating for them. She noted that summons were issued, and they are due in Municipal Court on July 28th. She spoke about the reasons they want to stay and asked for Council help and support to stay in Linden. Mrs. Cosby-Hurling commented on the issue. Mrs. Badr noted that there are other Hooka lounges operating in Linden. Mr. Antonelli informed Council that this is a matter pending in municipal court, and that the matter should be addressed there. President Alvarez stated that the Badr’s should tell the judge everything they just told Council. Mr. Antonelli noted there was nothing that this governing body can do as the shop is in violation of a State Statue and a Municipal Ordinance. Mrs. Badr said this was not fair as there are other Hooka Lounges operating in Linden. Mr. Brown stated they should provide the information to the Board of Health so that the issue can be addressed.

John Francis Roman, 15 W. Linden Avenue. Mr. Roman asked who is in charge, in the City, of getting the train station bridge painted. Mr. Antonelli responded that the bridge is owned by Amtrak. Mr. Roman how horrible the bridge looks, and the message it sends about Linden. Mr. Sadowski noted that others have brought this matter to his attention. Mr. Brown noted that Unity Bank paid for the original advertisement. He offered to contact the individual to find out how permission was gotten to paint the original sign on the bridge.

Henry Mack, Linden. Mr. Mack stated that he was summoned by the peoples to speak to the members of the governing body. He spoke about the need to work together for the good of community. He asked how to get a smaller garbage can, for an 88 year old man, one that he could handle. He asked who is responsible for ordering the cans. He noted other issues with the size of the garbage can. He noted other issues of concern to him that he has observed around the City. Mrs. Cosby-Hurling responded to Mr. Mack that the Public Works Committee has directed that the smaller cans be purchased, and the department manager has told them that it has been done. The cans were supposed to be ordered two months ago. Mrs. Cosby-Hurling spoke about issues related to the discipline of employees that do not follow Council directives.

Mr. Brown moved to close the public portion of the meeting. The motion was seconded by Mrs. Hickey, and was unanimously ordered approved by a roll call vote.

**ANNOUNCEMENTS**

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

**\*Council Conference meeting:**

**Monday, August 17, 2015, 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, August 18, 2015 at 6:00 pm in the Council Conference Room, City Hall, 301 N. Wood Ave.**

**\*Council Meeting:**

**Tuesday, August 18, 2015 at 7:00 p.m. in the Council Chambers, City Hall, 301 N. Wood Ave.**

**ADJOURN**

There being no further business to come before the Governing Body, Mrs. Cosby-Hurling moved to adjourn the meeting. The motion was seconded by Mr. Brooks and was unanimously ordered approved on a roll call vote. The meeting was adjourned at 10:07 pm

Respectfully submitted,

Joseph C. Bodek

City Clerk