**Minutes of the Regular**

**Meeting of the 2015 Council of the**

**City of Linden, held Tuesday**

**March 17, 2015**

The regular meeting of the 2015 Council of the City of Linden, was held in the Council Chambers in the City Hall on Tuesday, March 17, 2015 at 7:06 pm., prevailing time.

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

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

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

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

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

A roll call showed the following members were present:

Councilman Christopher Kolibas

“ Donald Beyer

“ Peter Brown

“ Monty Brooks

Councilwoman Rhashonna Cosby- Hurling

Councilman Robert Sadowski

“ Michael Minarchenko

Councilwoman Michele Yamakaitis

Councilman Armando Medina

Councilwoman Gretchen Hickey

Council President Jorge Alvarez

Mayor Dereck Armstead

**APPROVAL OF MINUTES**

Mrs. Yamakaitis moved for the approval of the Regular Meeting Minutes of February 17, 2015. The motion was seconded by Mr. Minarchenko and was ordered approved by all voting yes with the exception of Mr. Beyer who abstained.

**PRESENTATIONS**

MY BROTHER’S KEEPER INITIATIVE

Mayor Armstead introduced Lolita Slater, and spoke about her lifelong concern for the Linden Community. He noted her most recent efforts to assist at risk youth, explained the resolution and read it. The Mayor commended Mrs. Slater for taking on this tremendous task, and commented she has been working with the Mayor’s Youth Commission. Mrs. Slater spoke about her efforts were focused on all the young men of Linden and detailed the actions she would be taking to address this initiative. She spoke about how she looked forward to working with all of the Council to assist the youth of Linden.

**ORDIANCES ON HEARING**

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

further consideration respecting an ordinance entitled:

**59-05 BOND ORDINANCE AUTHORIZING REMOVAL OF UNDERGROUND STORAGE TANKS AND REMEDIATION AT SITES AT VARIOUS LOCATIONS FOR THE ENGINEERING DEPARTMENT, APPROPRIATING $110,000.00 THEREFORE AND AUTHORIZING THE ISSUANCE OF $104,500.00 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, Mr. Brown moved that the hearing be closed and the ordinance be adopted. The motion was seconded by Mr. Sadowski and on a roll call vote the foregoing ordinance was unanimously ordered approved.

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

further consideration respecting an ordinance entitled:

**59-06 BOND ORDINANCE PROVIDING AN APPROPRIATION OF $176,000.00 FOR THE ACQUISITION OF SPORT UTILITY VEHICLES FOR THE POLICE DEPARTMENT, AND AUTHORIZING THE ISSUANCE OF $167,200.00 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, Mr. Brown moved that the hearing be closed and the ordinance adopted. The motion was seconded by Mrs. Yamakaitis 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:

**59-07 BOND ORDINANCE AUTHORIZING THE RESURFACING OF VARIOUS STREETS IN THE CITY OF LINDEN, APPROPRIATING $2,310,000.00 AND AUTHORIZING THE ISSUANCE OF $2,194,500.00 IN BONDS AND 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, Mr. Brown moved that the hearing be closed and the ordinance adopted. The motion was seconded by Mr. Sadowski 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:

**59-08 BOND ORDINANCE AMENDING BOND ORDINANCE NUMBER 55-12**

**FINALLY ADOPTED BY THE CITY COUNCIL, CITY OF LINDEN ON MARCH 15, 2011 RELATIVE TO THE CLOSURE OF LINDEN LANDFILL. (Increasing the bond amount by $341,000.00 for additional engineering costs and electrical testing**

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

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

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

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

further consideration respecting an ordinance entitled:

**59-09 AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED, “AN ORDINANCE ESTABLISHING A SCHEDULE OF TITLES, SALARY RANGES AND REGULATIONS FOR MAINTAINING THE CLASSIFICATION AND SALRY STANDARDIZATION PLAN FOR ALL EMPLOYEES OF THE CITY OF LINDEN, “PASSED AUGUST 15, 1995 AND APPROVED AUGUST 16, 1995. ADD SCHEDULE 4-JJ-3 (PART-TIME CLERK 1 AND PART-TIME TEMPORARY CLERK 1)**

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

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

There being no persons to be heard, Mr. Kolibas moved that the hearing be closed and the ordinance adopted. The motion was seconded by Mr. Brooks 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:

**59-10 BOND ORDINANCE PROVIDING AN APPROPRIATION OF $1,100,000.00 FOR WETLANDS REMEDIATION FOR THE LANDFILL AND AIRPORT AND AUTHORIZING THE ISSUANCE OF $1,045,000.00 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.

Pat Hero, 1009 Wheatsheaf Road. Ms. Hero thought the sum was very large and asked what the City was getting for their money. President Alvarez and Mr. Vircik explained the need for the sum and that it was required by the ACO the City entered into with the DEP a number of years ago.

There being no persons to be heard, Mr. Brown moved that the hearing be closed and the ordinance adopted. The motion was seconded by Mrs. Hickey 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 February 2015 and turned over to the treasurer’s office is as follows:

2015 Taxes $23,464,969.29

2014 Taxes $339,417.28

2013 Taxes $0.00

Garbage Fee Payments $123,976.94

Garbage Fee Penalty $2,025.00

Municipal Lien Redemption $0.00

Tax Search $0.00

Lien Redemption Request Fee $0.00

Year End Penalty $633.47

Returned Check Fee Paid $60.00

Returned Check Fee Garbage Paid $0.00

Returned Check 2013 ($0.00)

Returned Check 2014 ($15,110.64)

Returned Check Interest ($16.68)

Returned Online Payment 2014 Taxes ($2,686.66)

Returned Check Garbage Fee ($65.00)

Returned Check Garbage Fee Penalty ($0.00)

Counterfeit Funds ($100.00)

Arrears $0.00

Sewer Clean out charge $1,900.00

DPW 2014 Reso payments $735.09

State Audit Payment/Disallowed Deductions $0.00

Tax Sale Cost/Before Tax Sale Cost $0.00

Premium $0.00

Interest $40,661.43

Total $23,956,399.52

**Credit** Block 99 Lot 12, Jesse Witherspoon

**Balance** 312 Carnegie Street

There now exists a credit balance on the above referenced block & lot due to an overpayment by the Mortgage Company Wells Fargo for the 2015-1st quarter, as this property owner is considered a 100% Disabled Veteran, the 2015 taxes will be cancelled. The overpayment amount is $1,740.33.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,740.33 payable to: Wells Fargo Real Estate Tax Service, LLC, Attention: Financial Support Unit, 1 Home Campus, MAC X 2302-04D, Des Moines IA, 50328, charging same to account #5-01-55-288-999-904.

**Refund** Moorehouse Linden, LP

Block 421 Lot 11

821 N. Stiles Street

2009-Tax Court Docket#-006486-2009

2010-Tax Court Docket#-008194-2010

2011-Tax Court Docket#-005792-2011

The below referenced property owner is entitled to a refund due to a Tax Court of New Jersey judgment reducing the assessment by Tax Court for tax year 2009, 2010 & 2011 by 490,000.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $77,199.50, payable to: Blau & Blau, C/O.Moorehouse Linden, LP, 223 Mountain Ave, P.O. Box 50, Springfield, NJ 07081, charging same to account #-5-01-55-288-999-904.

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

**Block Lot Redemption Date CTF# Amount**

10 2 2/13/15 13-00011 $2,500.00

553 5 2/27/15 13-00472 $3,600.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $6,100.00 payable to: TTLBL, LLC, Attention: John Lemkey, 4747 Executive Drive, Suite 1, San Diego, CA 92121 charging same to account #-5-01-55-276-999-956.

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

**Block Lot Redemption Date CTF# Amount**

3 3 1/29/15 13-00003 $1,400.00

10 27 1/29/15 13-00014 $1,400.00

53 1 1/29/15 13-00059 $1,400.00

85 2 1/29/15 13-00104 $1,300.00

87 4 1/28/15 13-00107 $1,300.00

96 9 1/14/15 13-00117 $1,300.00

101 12 2/11/15 13-00125 $1,700.00

116 17.01 1/14/15 13-00146 $1,800.00

117 4 2/5/15 13-00148 $1,000.00

132 12 1/14/15 13-00176 $1,300.00

148 1 1/14/15 13-00189 $1,300.00

152 11 2/2/15 13-00196 $6,300.00

154 3 1/14/15 13-00200 $1,300.00

155 15 1/14/15 13-00203 $3,000.00

164 2 1/16/15 13-00209 $2,000.00

167 2 1/14/15 13-00215 $1,000.00

199 6 1/20/15 13-00244 $1,300.00

248 18 1/30/15 13-00281 $1,300.00

263 9.01 1/30/15 13-00285 $1,300.00

276 25 3/2/15 13-00286 $1,300.00

290 12 1/30/15 13-00296 $1,300.00

303 4 1/13/15 13-00300 $900.00

309 12.01 1/30/15 13-00308 $1,000.00

332 35 1/30/15 13-00317 $900.00

359 27 2/11/15 13-00336 $1,300.00

371 8 2/2/15 13-00343 $1,000.00

406 3 2/2/15 13-00366 $1,300.00

406 11 1/28/15 13-00368 $1,000.00

419 35 1/28/15 13-00378 $900.00

470 48 1/16/15 13-00412 $1,000.00

471 10 1/29/15 13-00414 $1,300.00

496 4 1/28/15 13-00436 $1,000.00

537 10 1/29/15 13-00454 $3,200.00

549 15 1/14/15 13-00469 $1,300.00

571 11 1/29/15 13-00491 $1,000.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $52,400.00 payable to: MTAG Cust Fig Cap Invest NJ, 13, P.O. Box 54472, New Orleans, LA 70154, charging same to account #5-01-55-276-999-956.

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

**Block Lot Redemption Date CTF# Amount**

125 20 3/4/15 13-00172 $15,900.00

164 3 2/25/15 13-00210 $900.00

305 10 2/10/15 13-00302 $900.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $17,700.00 payable to: US Bank Cust for PC4 Firstrust, 50 South 16th Street, Suite #2050, Philadelphia, PA 19102, charging same to account #-5-01-55-276-999-956.

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

**Block Lot Redemption Date CTF# Amount**

197 27 C023 2/17/15 13-00241 $100.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $100.00 payable to: Trade Money, LLC, 29 Palisades Road, Old Bridge, NJ 08857, charging same to account #-5-01-55-276-999-956.

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

**Block Lot Redemption Date CTF# Amount**

285 5 3/2/15 13-00293 $1,000.000

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,000.00 payable to: US Bank Cust BV001 Trust, 50 South 16th Street, Suite #19, Philadelphia, PA 19102, charging same to account #-5-01-55-276-999-956.

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

**Block Lot Redemption Date CTF# Amount**

309 2 2/23/15 11-00142 $20,100.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $20,100.00 payable to: US Bank Cust. For Tower DBW II, 50 South 16th Street, Suite 1950-TOW, Philadelphia, PA 19102, charging same to account #-4-01-55-276-999-956.

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

1. Requesting a refund payable to Michele Espino, in an amount of $35.00 for a Certificate

of Smoke Detector and Carbon Monoxide Alarm Compliance that was previously paid for by the previous owner.

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

1. Advising that twenty-nine (29) certificates of occupancy were issued by the Board of

Health during the month of February 2015.

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

1. Advising that he is appointing Mr. Robert Sadowski to the Local Assistance Board, as a member of Council to serve a one (1) year term commencing January 1, 2015 and expiring December 31, 2015.

Advising that he is appointing Mr. Jeffrey Krowicki to the Local Assistance Board, to serve a two (2) year term commencing January 1, 2015 and expiring December 31, 2016.

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

1. Advising that he is appointing Dr. Marlena Berghammer to the Linden Library Board, to serve a two (2) year term commencing January 1, 2015 and expiring December 31, 2016.

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

1. Advising that he is appointing Ms. Patti Murgo to the Linden Environmental Commission, to serve a four (4) year term commencing January 1, 2015 and expiring December 31, 2018.

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

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

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

**DPW Matthew Hirsch Motor Broom Operator Tier 1 April 1, 2015**

**Fire Dept. Michael Cybulski Deputy Fire Chief April 1, 2015**

**DPW \* Allen Lubas Senior Laborer Tier 1 April 1, 2015**

**\*amended date, originally approved for March 1, 2015 retirement**

**(\*\*\*) CITY ENGINEER:**

1. On behalf of Development Directions, LLC, I am requesting Council approval for the

following applicants:

Home Improvement Program

Case L 40 - 02                     $24,999                 One (1) Family

Case L 40 – 04                    $24,999                 One (1) Family

President Alvarez asked if anyone wanted to remove a Consent item from consideration. There was no one. **Mr. Brown moved for approval of Consent Items #1 through #8, with the exception of item #7 from which he removed the name of Michael Cybulski from consideration. The motion was seconded by Mr. Brooks and was unanimously ordered approved, as corrected, by a roll call vote.**

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

**FIRST WARD**

Mr. Kolibas gave the report of the City Clerk’s office, License Inspector’s office for the month of February. A total of $2,902.00 was collected. Next he gave the report of the City Clerk’s office. A total of $4,913.80 was collected for the month of January, and $6,743.00 was collected for the month of February.

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

1. The approval of the following FMLA/NJFLA leaves:
   1. Employee id #107244 intermittent NJFLA 1/31/15 through 7/1/15
   2. Employee id #000075 intermittent FMLA 1/1/15 through 6/30/15
   3. Employee id #000180 intermittent FMLA 3/1/15 through 9/1/15
   4. Employee id #000163 intermittent FMLA 1/21/15 through 2/20/15
2. Approval of personnel list to carry out Department of Public Property & Community Services programs. The list is on file in the Treasurer’s Office.
3. In the Division of Public Property, the retro-active payment of $16,186.80 less applicable deductions, including taxes and pension payments, following the off-set of unemployment payments for Dwayne Jones.
4. In the construction Code Department the hiring of Tracy Birch as a part-time Clerk 1 at the hourly rate of $18.98 not to exceed 19.5 hours per week effective March 23, 2015 pending successful completion of all applicable background checks.

Mr. Kolbas moved for approval of the Personnel Report. The motion was seconded by Mrs. Yamakaitis and was ordered approved with all voting yes with the exception of Mrs. Cosby-Hurling who voted no on Items #2 and #4, and Mr. Brooks, Mr. Brown, and Mr. Kolibas who abstained on Item #4.

Mr. Kolibas congratulated the Linden High School Boys Basketball team on becoming Union County champs and North II Group IV champions. He commended the coach, staff and team members for a great season.

Mr. Kolibas provided his contact information and asked any First Ward residents with questions or concerns to contact him.

**SECOND WARD**

Mr. Beyer announced that FEMA was releasing revised flood insurance maps for the City of Linden. He spoke about the purpose of the maps and provided details regarding a public hearing the State would be holding, in Linden, about the maps.

Mr. Beyer provided details on the annual Earth Day Poster contest, for those wishing to participate. He noted that the environment, in Linden, is improving. As proof of this he spoke about Linden being the home, since Hurricane Sandy, to a nesting pair of bald eagles.

Mr. Beyer spoke about the amount of money that the landfill has been costing us, and provided some examples. Now some of those costs would be offset by fees that would be paid, by a company, for allowing the placement of solar panels on the closed landfill. The company would pay all of the upfront cost for the project.

Mr. Beyer announced that residents could now go to the City website to report potholes.

**THIRD WARD**

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

1. The payment of bills totaling $1,525,920.65. The bills have been signed by the Mayor, Council President and Finance Chairman and a detailed check register and vouchers are on file in the Clerk’s Office.

Mr. Brown moved for approval of the Budget Review & Finance. The motion was seconded by Mrs. Yamakaitis and was unanimously ordered approved.

Mr. Brown announced that he would now be introducing the 2015 City of Linden budget. He then made the following statement:

I would like to take this time to introduce the 2015 City of Linden Municipal Budget. The Budget represents a total of $100,371,367.38 for expenditures for the year 2015, which is a decrease in appropriations from the 2014 introduced budget of $316,766.90. The Finance Committee will continue to work to further reduce expenses, wherever possible. The Finance Committee has worked with every Department Head in keeping expenditures to a minimum. However, due to the State of New Jersey’s 2% cap levy and loss in ratables the municipal tax rate for the City of Linden will be increased by five tax points, I am pleased to announce this is the lowest municipal tax increase since 2006 which includes the minimum Library tax levy; or an increase of $69.78 annually per household based on the average assessed home of $134,000 or an additional $5.81 a month.

This year’s budget addresses many issues pertaining to our Police Department. It puts more cops on the streets and addresses issues in our police headquarters, focuses on improving and updating the infrastructure in the police department along with a major capital upgrade for the Public Safety Communications system citywide.

In the department of Public Works, we addressed aging infrastructure, adding additional laborer’s to their workforce, provides training for additional cdl drivers, which is a necessity for the department to continue to provide services for the residents, and addresses the issue of supervision within the department.

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

Please be advised that anyone interested in obtaining a copy of the 2015 Municipal budget, copies will be available in the City Clerk’s Office from 9:00 am to 5:00 pm Monday through Friday. If you are unable to pick up a copy you may contact the City Clerk’s Office at

(908) 474-8452 and a copy will be sent to you. It is also available on the City’s website

[www.linden-nj.org](http://www.linden-nj.org) and for viewing at the Linden Municipal Library.

The Clerk then read the following resolution introducing the budget:

Municipal Budget of the City of Linden, County of Union for the Calendar Year 2015.

Be it Resolved, that the following statement of revenues and appropriation shall constitute the Municipal Budget for the Year 2015.

Be it Further Resolved, that said Budget be published in the Union County Local Source (formerly The Progress) in the issue of March 26, 2015.

The Governing Body of the City of Linden does hereby introduce the following as the Budget for the year 2015.

Notice is hereby given that the Budget and Tax Resolution was introduced by the Governing Body of the City of Linden, County of Union, on March 17, 2015.

A Hearing on the Budget and Tax Resolution will be held at City Hall, on April 21, 2015 at 7:00 o’clock (p.m.) at which time and place objections to said Budget and Tax Resolution for the year 2015 may be presented by taxpayers or other interested persons.

Mr. Brown moved to introduce the budget. The motion was seconded by Mrs. Yamakaitis and was unanimously ordered approved by a roll call vote.

President Alvarez congratulated Mr. Brown and his committee on the great job they did on the budget.

**FOURTH WARD**

Mr. Brooks gave the report of the Division of Transportation and Parking for the month of February, 2015.

Mr. Brooks commented on the Linden Multi-purpose (LMP) Center and Gregorio Centers staff and the great job they are doing. He noted the job that the staff at the LMP center did for the MLK day program. He spoke about the need for the staff, supervisors, and members of the Committee to work together to get more done.

**FIFTH WARD**

Mrs. Cosby-Hurling announced her monthly community meeting, and that Mr. Brown would be present to speak on the 2015 Budget. She invited all members of the public, not just residents of the Fifth Ward to attend. Next she spoke about the pothole reporting system that is on the City website. She added that Fifth Ward residents could also report them to her. Mrs. Cosby-Hurling spoke about the Canadian Geese problem in Iozzio Park and the efforts to deal with it.

Mrs. Cosby-Hurling announced that the Charles Street Park renovations have been completed and there will be a grand re-opening, on Saturday, April 18, 2015. She provided details on the celebration. Next she spoke about participating in the Read Across America Program, and noted that the African American History Program, Mr. Brooks spoke about was available for viewing on Linden TV. She thanked a number of individuals and organizations for their help with History Program.

Mrs. Cosby-Hurling spoke about the Council Committee on restructuring, and the purpose of the Committee. She noted that in prior years the Committee had recommended staff changes that would save an additional $177,000.00. The Committee, today, was also recommending those reductions. She could not understand why this changes in efficiency are not being adopted.

**SIXTH WARD**

Mr. Sadowski spoke about problems, in the Sixth Ward, associated with the work being done, by the water company, in putting in new mains. He noted that the work, while causing problems, will eventually result in the betterment of the neighborhood. Next he talked about the various process that residents could use to report potholes. Mr. Sadowski then addressed the issue of shopping carts being left on the streets, particularly in the Sixth and Seventh Wards. He thanked the Public Works Department for their assistance in removing them from the streets. He asked residents not to remove them from the stores parking lots, and asked them to be patient, with the street sweeping. The snow has been gone only for a few days.

Mr. Sadowski informed all that the Wawa, proposed for the Smith St. and 1 & 9 area will not be built due to issues with the airport flight path.

Mr. Sadowski announced that the Concerned Citizens will be having their meeting, which includes a presentation on the budget, and that the meeting was open to the public. He provided details on the meeting.

**SEVENTH WARD**

Mr. Minarchenko gave the report of the Construction Code Department for the month of February. 124 permits and 40 certificates were issued and $93,673.00 was collected.

Mr. Minarchenko noted that he has also been receiving a lot of complaints regarding the work being done by the water company replacing water mains. He stated he understood the complaints but the work would ultimately increase the water quality and pressure. He added that once the project is completed the roads will be repaved. He asked residents to be patient.

Mr. Minarchenko spoke about the upcoming FEMA meeting, regarding the flood maps, and noted that the new maps would affect a lot of the property owners in the Sixth and Seventh Ward and he urged them to attend the meeting. He provided the specifics on the meeting.

Mr. Minarchenko, on behalf of the Shade Tree Commission, asked homeowners, who had a new tree planted in front of their house to be careful when cutting the grass so as not to injure the bark on the tree. Mr. Minarchenko invited residents to attend the budget presentation on Thursday evening that Mr. Sadowski spoke about.

Mr. Minarchenko spoke about the incident that happened at the Dragon Fly restaurant, and the article which referred to them as a “nightclub.” If in fact they are operating as a nightclub, then they maybe operating outside their scope as a restaurant. He has asked the City Council to request that the City Attorney be directed to ask the Departments of Construction Code, Zoning and the ABC Board as well as any other relevant department or board to ensure that they are operating within the law. Aviation Plaza is a family entertainment complex, and this type of incident gives the City a bad name and will not be tolerated.

Mr. Minarchenko talked about the landfill closure and how he is working with the Operating Engineers, Local 825 to form a partnership to address wetlands restoration issues at the landfill, at a substantial savings to the City.

Mr. Minarchenko noted that he has begun making list for tree trimmings and sidewalk repairs for Seventh Ward residents and provided his contact information.

**EIGHTH WARD**

Mrs. Yamakaitis began by wishing all a happy St. Patrick’s Day. She then gave the report of the Fire Prevention Bureau report. They collected $4,849.50 in fees for the month of February.

On behalf of the Board of Health Mrs. Yamakaitis announced that March is Colo-Rectal Cancer Awareness month. She noted that it is the second leading cause of cancer deaths in the United States, and the need for early detection, informing all of the free screening kits being offered by the Board of Health. Mrs. Yamakaitis informed all that the Board of Health is also sponsoring a free mold remediation work shop. She provided details on when the program would be offered.

Mrs. Yamakaitis announced that the Park Avenue Bridge would be paved this spring. She talked about the condition it was in and that the work was supposed to be done last fall. She further announced that the City would be taking bids for the paving of E. Linden Ave for this summer, and that a request has been made to Union County regarding the repair of potholes on E. Elizabeth Ave, a County road. She spoke about the process to repair potholes on City streets.

Mrs. Yamakaitis noted that the work being done to the McGillvary and Bachellor Ave Parks is continuing. A re-opening ceremony would be held in the spring. She also spoke about the cleanup, on Bedle Place, being done by Public Works, around the old Park Plastics building. She asked anyone observing dumping, in the area, to please call the police or try and get a license plate number. She thanked Public Works for their efforts.

Mrs. Yamakaitis announced the dates for the following Eight Ward events: The annual Easter Egg Hunt; Community Meeting; and Annual Cleanup date. Next she spoke of the passing of a good friend of Linden, Carol Hall. She talked about Ms. Hall’s efforts in support of the Linden Library. Mrs. Yamakaitis thanked Mrs. Zack, and her staff, for all their help in preparing this year’s budget. She concluded by speaking about the efforts of the Consolidation Committee to help continue to reduce cost.

President Alvarez recognized Mr. Kolibas who announced that starting on April 1st dog licenses would be available in the City Clerk’s office.

**NINTH WARD**

Mr. Medina wished all a happy St. Patrick’s Day. He then announced that the Linden Citizens Association would be sponsoring a presentation on the City budget, and provided the details for those that wanted to attend. Next he announced that there would be a joint community meeting of the Ninth and Tenth Ward, and provided the details, and what the subjects of the meeting would be. Next he spoke about potholes and asked Ninth Ward residents to report it to him.

Mr. Medina informed all of his discussion, with the County of Union, regarding the issue of speeding and accidents on Raritan Road and N. Wood Ave, both of which are County Roads. Next he spoke about the Linden Police Department and thanked them for enforcing our laws.

**TENTH WARD**

Mrs. Hickey wished all a happy St. Patrick’s Day. She next spoke about the 2015 budget and gave a special thanks to Alexis Zack, and her staff, for the professionalism and patients they showed Mrs. Hickey. She also thanked Mr. Brown for bringing the City its lowest budget since 2006. The City is starting to move forward. Next, as member of the Revenue Committee she gave a special thank you to Lt. Babulski for helping the City to get a $200,000.00 grant for Safe Routes to Schools.

Mrs. Hickey noted that this is the first time in years that she was unable to attend the Linden Housing Authority’s St. Patrick’s Day dinner. She thanked a number of individuals for their help in cooking and serving the dinners to the seniors and disabled in the buildings.

Mrs. Hickey noted that she has been receiving some complaints regarding garbage cans. She provided some direction on where residents should be placing the cans, and the reasons why. She then spoke about the issue of potholes, and that they are numerous, and for residents to give Public Works a chance to address them.

Mrs. Hickey gave a special thank you to the Sheriff’s Department of Union County for the donation of two vans to the City’s OEM. She then spoke about the SID Committee meeting and provided details on the summer kickoff that the SID was planning for June. She also spoke about working together with the Ninth Ward to make our homes a better place.

Mrs. Hickey stated that when she ran for office, she ran for the office for the people, and any decisions she makes are not personal. She noted her decisions are made on being involved in the Community for a large number of years, and provided some examples.

**MAYOR’S REPORT**

Mayor Armstead announced that the Mayor’s Annual 5K run would be held on June 27th, and provided details on it. Next the Mayor announced that the City received a $200,000.00 grant for Safe Routes to School. He provided details on the grant, noting that Mr. Brown initiated the grant application.

Mayor Armstead spoke about the reporting of pot holes, in Linden, and that he had initiated a way to report the potholes on the City’s website. He provided an explanation on how it worked. He added that residents could also call his office to report potholes, and how the City needed residents help in reporting the potholes.

Mayor Armstead next talked about the proposed settlement of the Exxon Mobile environmental lawsuit by Governor Chrisie’s administration. He spoke in support of Senator Lesniak’s opposition to the settlement, and how the site needs to be cleaned up.

Mayor Armstead then addressed the issue of the St. George’s Ave Redevelopment project. He spoke about the proposal to build a justice complex on the site, developers he had spoken to and his efforts to provide for the best development for the City. Next he talked about revenue enhancement, and the concept of licensing all of the rental units in the City. He also discussed the possibility of starting a property cash rewards program, and explained how it would benefit the residents and businesses of Linden. The Mayor provided his comments on the recommendations of the Consolidation Committee.

Mayor Armstead informed all that he had received a call from AgEnergyUSA. They are interested in the former DuPont site, and want to build a plant that would process agricultural waste (such as food waste) into clean energy. The plant would use Anaerobic Digestion of wet agricultural products to do this. It would be one of the largest plants of its kind. The City would receive a host community fee as an additional benefit.

**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.

**Resolution #2015-129, #2015-136, #2015-144, #2015-146, #2015-157, #2015-163 were removed at the request of Ms. Malik.**

**Resolutions #2015-136, #2015-140, #2015-151 #2015-152 and #2015-159 were removed at the request of Ms. Hero.**

**Resolutions #2015-136 #2015-146 were removed at the request of Mr. Roman.**

**Mr. Brooks moved for approval of Resolutions #2015-127 through #2015-157 with the exception of Resolutions #2015-129, #2015-136, #2015-140, #2014-144, #2014-146 #2015-151, #201-152, #2015-157, and #2015-163. The motion was seconded by Mrs. Coby-Hurling and was unanimously ordered approved on a roll call vote.**

**RESOLUTION: 2015-127**

**RESOLUTION FOR BUS TRANSPORTATION FOR VILLANI BUS COMPANY BY QUOTATIONS FOR THE CITY OF LINDEN**

**WHEREAS**, the City of Linden wishes to purchase bus transportation services for the City of Linden; and

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

**WHEREAS,** Villani Bus Company, 811 E. Linden Avenue, Linden, NJ 07036 was solicited for quotations; and

**WHEREAS,** Villani Bus Company provided the most advantageous quote, price and others factors considered in the amount not to exceed $33,075.00; and

**WHEREAS**, the Chief Finance Officer has certified the availability of funds for this award, which will be charged to the following:

5-01-28-370-199-271 $13,920.00

5-01-28-370-199-273 1,475.00

5-01-28-370-199-294 950.00

T-14-56-850-000-107 16,730.00

**NOW THEREFORE BE IT RESOLVED** Villani Bus Company be awarded a contract to supply bus transportation services at the low quote of $33,075.00

**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- 128**

**RESOLUTION**

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

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

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

**Debt Collection Service**

**Commercial Acceptance Company**

**2 West Main Street**

**Shiremanstown, PA 17011**

**Account Control Systems**

**256 Livingston Street**

**Northvale, NJ 07647-1902**

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

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

**RESOLUTION: 2015-129**

**CITY OF LINDEN RESOLUTION**

**WHEREAS,** there were certain payments made by the Municipal Treasurer during the month of February 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**

2/4/15 Worker’s Comp. claims $22,865.03

2/4/15 Medco claims 88,860.18

2/4/15 Vision Service Plan claims 4,247.34

2/5/15 Payroll FICA 7,349.15

2/5/15 Payroll payroll 207,102.46

2/11/15 Delta Dental claims 44,854.78

2/11/15 Worker’s Comp. claims 11,760.16

2/11/15 Payroll FICA 62,375.27

2/11/15 Payroll payroll 1,644,370.73

2/13/15 SHBP Retirees Feb. premium 523,970.10

2/13/15 SHBP Active Dec. premium 626,156.13

2/18/15 Medco claims 87,550.08

2/18/15 Worker’s Comp. claims 34,024.22

2/19/15 Payroll payroll 9,030.16

2/19/15 Payroll payroll 114,314.48

2/24/15 Worker’s Comp. claims 4,150.51

2/26/15 Payroll payroll 55,112.31

2/26/15 Payroll payroll 1,457,005.97

**TRUST**

2/5/15 Payroll payroll 44,874.22

2/11/15 Payroll payroll 17,142.13

2/19/15 Payroll payroll 65,767.00

2/26/15 Payroll payroll 4,948.16

**GRANT**

2/11/15 Payroll payroll 26,046.52

2/26/15 Payroll payroll 24,028.51

**SANITARY LANDFILL**

2/5/15 Payroll payroll 1,199.20

2/11/15 Payroll payroll 4,402.53

2/19/15 Payroll payroll 1,199.20

2/26/15 Payroll payroll 4,277.28

**CAPITAL**

2/5/15 Payroll payroll 89.94

2/11/15 Payroll payroll 667.06

2/19/15 Payroll payroll 443.67

2/26/15 Payroll payroll 1,574.16

Virginia Malik, 1633 Lenape Road. Ms. Malik asked what was missing on the list. Mrs. Zack explained what the claims list was, and why Council votes on it.

**Mr. Brooks moved for approval of Resolution #2015-129. The motion was seconded by Mrs. Cosby-Hurling and was unanimously ordered approved on a roll call vote.**

**RESOLUTION: 2015- 130**

**CITY OF LINDEN RESOLUTION TO**

**ESTABLISH THE SANITARY LANDFILL**

**UTILITY OPERATING BUDGET**

**FOR THE PERIOD OF**

**JANUARY 1, 2015 THROUGH APRIL 30, 2015**

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

**WHEREAS**, the total appropriations in the 2014 Sanitary Landfill Utility Operating Budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance, is the sum of $351,400.00; and **WHEREAS,** four months of the total temporary appropriations for 2015 Sanitary Landfill Utility Operating Budget cannot exceed the sum of $117,133.00; and

**NOW, THEREFORE, BE IT RESOLVED** that the following temporary appropriations be made in the amount of $117,133.00 and that a certified copy of this resolution be transmitted to the Chief Financial Officer for his records.

**RESOLUTION: 2015- 131**

**TEMPORARY CAPITAL BUDGET FOR 2015**

**WHEREAS,** the City of Linden desires to introduce the 2015 Temporary Capital budget of said municipality.

**NOW, THEREFORE, BE IT RESOLVED** that the Council of the City of Linden introduces the 2015 Temporary Capital Budget follows:

**Section 1.** The 2015 Temporary Capital Budget of the City of Linden is hereby introduced to read as follows:

**METHOD OF FINANCING**

**Est. Budget Capital Grant Debt**

**Project Costs Approp. Impr. Fund in Aid Authorized**

Brush Chipping Machine $ 71,500.00 $75,000.00 $ 3,575.00 $ 67,925.00

Hot Patch Trailer (Asphalt) $ 39,600.00 $ 39,600.00 $ 1,980.00 $37,620.00

Asphalt $110,000.00 $ 110,000.00 $ 5,500.00 $ 104,500.00

Ground master grass cutter $ 23,100.00 $23,100.00 $ 1,155.00 $21,945.00

Toro with plow

LMPC Roof Replacement $440,000.00 $440,000.00 $22,000.00 $418,000.00

LMPC HVAC Replacement $110,000.00 $110,000.00 $ 5,500.00 $ 104,500.00

**Section 2.** The Clerk be and is authorized and directed to file a certified copy of this resolution with the Division of Local Government Services, Department of Community Affairs, State of New Jersey, within three days after the adoption of these projects for 2015 Capital Budget, to be included in the 2015 Capital Budget as adopted.

**RESOLUTION: 2015- 132**

**CITY OF LINDEN RESOLUTION TO**

**ESTABLISH THE CURRENT FUND**

**OPERATING BUDGET FOR THE PERIOD OF**

**JANUARY 1, 2015 THROUGH APRIL 30, 2015**

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

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

**WHEREAS,** four months of the total appropriations in the 2015 Current Operating Budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance in said Current Operating Budget is the sum of $29,929,184.09; and

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

**RESOLUTION: 2015-133**

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: 2015-134**

**RESOLUTION AUTHORIZING THE FILING OF A MUNICIPAL**

**RECYCLING GRANT APPLICATION** **FORM WITH THE NEW JERSEY DEPARTMENT OF** **ENVIRONMENTAL PROTECTION AND ENERGY**, **OFFICE OF RECYCLING**

**WHEREAS,** the City of Linden has adopted an Ordinance providing for the collection of newspapers by the City of Linden on August 17, 1982 and approved August 18, 1982; and

**WHEREAS,** said Ordinance and amendments thereto requiring the recycling of glass containers and aluminum cans have actually been implemented under the direction of the Superintendent of Public Works within the City of Linden; and

**WHEREAS,** it is the intent and spirit of the Recycling Act P.L. 1981, c. 278 to use the tonnage grants to develop new municipal recycling programs and to continue and expand existing programs;

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

**LINDEN** that the Public Works Department of the City of Linden is hereby authorized to apply for a Municipal Recycling Grant as authorized by the New Jersey Department of Environmental Protection and Energy, Office of Recycling; and

**BE IT FURTHER RESOLVED** that the Mayor, City Clerk and authorized personnel from the Public Works Department shall be permitted to sign any documents necessary to implement the application in order to obtain the grant for the year 2014; and

**BE IT FURTHER RESOLVED** that a copy of the Ordinance providing for the recycling of glass containers, aluminum cans and used newspapers by the City of Linden is attached hereto and made a part of this Resolution.

**RESOLUTION: 2015- 135**

**RESOLUTION SUPPORTING THE “MY BROTHERS KEEPER” INITIATIVE TO HELP YOUNG MEN OF COLOR STAY ON TRACK BY BUILDING LADDERS OF OPPORTUNITY THROUGHOUT THE LINDEN COMMUNITY AND REGION**

**WHEREAS**, the President's My Brother’s Keeper (MBK) initiative is focused on helping boys and young men of color achieve success and ensuring that all young people can reach their full potential;

**WHEREAS**, as part of the MBK Initiative, President Obama issued the “MBK

Community Challenge,” which is a call to action to encourage communities to implement

coherent cradle-to-college-and-career strategies for improving the life outcomes of all young people and ensure that they can reach their full potential, regardless of who they are, where they come from, or the circumstances into which they are born;

**WHEREAS**, the six goals of the MBK Community Challenge are to:

• Ensure our youth enter school cognitively, physically, socially, and emotionally ready;

• Ensure our children read at grade level by third grade;

• Ensure our youth graduate from high school and are prepared for college and/or career pathways;

• Ensure our youth complete post-secondary education or training to enter the workforce;

• Ensure all youth out of school are employed; and

• Ensure all youth remain safe from violent crime.

**WHEREAS**, the MBK Community Challenge encourages communities to focus on at least two of the six goals and to conduct a policy review and form recommendations for action to address these issues as well as to launch a plan of action, next steps, and a timetable for review;

**WHEREAS,** the City of Linden accepts the "MBK Community Challenge" to join

communities across the country to implement strategies that will put boys and young men on the path to success by working and partnering with foundations, businesses, and community leaders to ensure that all young people, including boys and young men of color, who are willing to work hard have an opportunity to get ahead and reach their full potential;

**NOW THEREFORE BE IT RESOLVED**, the City of Linden pledges its

commitment to the MBK Community Challenge to continue to build on the use of proven tools throughout the Linden community in order to expand opportunity for young people, including access to health, transportation, environmental quality, nutrition, outdoor recreation, mentorship, and high-quality early education; help youth secure employment; and to partner with stakeholders and police to reduce violence, to make our classrooms and streets safer, and to enhance the vitality and prosperity of our community.

**RESOLUTION: 2015- 136**

**RESOLUTION APPROVING A CONTRACT WITH THE LINDEN ECONOMIC**

**DEVELOPMENT CORPORATION (LEDC) AND THE CITY OF LINDEN**

**WHEREAS,** the City is desirous of entering into a contract with the Linden

Economic Development Corporation (“LEDC”)a non-profit organization whose purpose is to promote, encourage and assist the industrial, commercial, and economic development of the City of Linden; and

**WHEREAS,** in accordance with the provisions of N.J.S.A. 40A:11-5(2), as LEDC is a non-profit organization and agency of the City of Linden, deemed to be providing essential governmental functions on behalf of the City, the Contract is exempt from bidding under the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.); and

**WHEREAS,** the Local Public Contracts Law requires that Council pass a resolution authorizing the award of contracts; 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. 5-01-40-700-104-208; and

**WHEREAS,** the term of the contract will be for a period of one (1) year commencing January 1, 2015 and terminating December 31, 2015, at a fee not to exceed $35,000.00.

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

1. The City will enter into a contract with the LEDC, commencing January 1, 2015 and terminating December 31, 2015, not to exceed $35,000.00.

2. The Mayor and City Clerk are hereby directed and empowered to execute any and all documents required as approved by the Law Department.

1. This Resolution shall take effect immediately.

Pat Hero, 1009 Wheatsheaf Road. Ms. Hero asked if this is all the funding that the LEDC would get for the year. President Alvarez responded in the affirmative.

John Roman, 23 Union Ave. Mr. Roman asked for clarification as to the year the funding was for. President Alvarez responded that it was last year’s funding. Mr. Roman asked what the LEDC was supposed to do with $35,000.00. He noted that the director gets paid $20,000.00 so that leaves $15,000.00 for economic development in all of the rest of Linden. Mr. Roman went on to urge the Council to provide additional funding, for economic development, so that the LEDC could be more effective in attracting business to Linden. He raised a number of issues to prove his point. Mr. Brown responded to each of the points raised by Mr. Roman. He noted that the City makes a contribution to LEDC. They can solicited additional funding from organizations other than the City.

Virginia Malik, 1633 Lenape Rd. Ms. Malik asked about the LEDC’s executive director and will someone be hired to replace Mr. Stefanowicz. President Alvarez responded, explaining that it is up to the LEDC to hire a person, if they so wish, and to do determine a salary out of the contribution the City gives LEDC.

Mr. Brown moved for approval of Resolution #2015-136. The motion was seconded by Mr. Minarchenko and was ordered approved on a roll call vote with all voting yes with the exception of Mrs. Cosby-Hurling who voted no.

**RESOLUTION: 2015- 137**

**RESOLUTION AMENDING A RESOLUTION AUTHORIZING ACTING MUNICIPAL PROSECUTORS FOR LINDEN MUNICIPAL COURT FOR 2015**

**WHEREAS**, the City of Linden passed Resolution, No. 2015-49 at the January 20, 2015 Council meeting authorizing acting municipal prosecutors for Linden Municipal Court for 2015; and

**WHEREAS**, Kantor Jalloh, LLC had qualified for said services, however as of February 17, 2015, Mohamed Jalloh, Esq. of Kantor Jalloh, LLC was appointed as Assistant Municipal Prosecutor/Attorney for the City of Linden and can no longer be qualified as an acting prosecutor; and

**WHEREAS**, said resolution needs to be amended to remove Kantor Jalloh, LLC from the 2015 list of qualifications for acting municipal prosecutors;

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

1. Effective as of February 17, 2015, Kantor Jalloh, LLC be removed from the City of Linden 2015 qualification list as acting prosecutor.
2. This Resolution shall take effect pursuant to law.

**RESOLUTION: 2015-138**

**RESOLUTION AMENDING A RESOLUTION AUTHORIZING ACTING MUNICIPAL PUBLIC DEFENDERS FOR LINDEN MUNICIPAL COURT FOR 2015**

**WHEREAS**, the City of Linden passed Resolution, No. 2015-48 at the January 20, 2015 Council meeting authorizing acting municipal public defenders for Linden Municipal Court for 2015; and

**WHEREAS**, Kantor Jalloh, LLC had qualified for said services, however as of February 17, 2015, Mohamed Jalloh, Esq. of Kantor Jalloh, LLC was appointed as Assistant Municipal Prosecutor/Attorney for the City of Linden and can no longer be qualified as an acting public defender; and

**WHEREAS**, said resolution needs to be amended to remove Kantor Jalloh, LLC from the 2015 list of qualifications for acting municipal public defenders;

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

* + - 1. Effective as of February 17, 2015, Kantor Jalloh, LLC be removed from the City of Linden 2015 qualification list as acting public defender.

2. This Resolution shall take effect pursuant to law.

**RESOLUTION: 2015- 139**

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

**WHEREAS,** the City Council of the City of Linden passed Resolution No. 2015-34 on January 20, 2015 retaining the services of DeCotiis, FitzPatrick & Cole, LLP for professional services of Bond Counsel in connection with the City’s participation in the New Jersey Environmental Infrastructure Trust Financing Program; and

**WHEREAS,** Gluck Walrath, LLP, 428 River View Plaza, Trenton, New Jersey 08611, is the correct appointed counsel for professional services for NJEIT Special Bond Counsel; and

**WHEREAS,** due to the aforementioned reasons, an amendment is necessary.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that they do hereby approve the change of counsel to Gluck Walrath, LLP, 428 River View Plaza, Trenton, New Jersey 08611, for professional services for NJEIT Special Bond Counsel; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary amendatory contract documents between Gluck Walrath, LLP and the City of Linden; and

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk be and hereby are empowered and directed to execute 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: 2015-140**

**RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN VISITING NURSE AND HEALTH SERVICES, INC., D/B/A HOLY REDEEMER HOME CARE AND THE LINDEN BOARD OF HEALTH FOR 2015**

**WHEREAS,** the City of Linden is desirous of entering into a contract with Visiting Nurse and Health Services, Inc., d/b/a Holy Redeemer Home Care-NJ North for health educator services; and

**WHEREAS,** pursuant to N.J.S.A. 40A:11-5(2), said contract is exempt from the bidding requirements of the Local Public Contracts Law; and

**WHEREAS,** funds are available for this purpose, to be charged to account/line item No. 5-01-27-330-183-255;

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

1. The City of Linden and the Linden Health Department hereby approve the 2015 Health Educator Agreement between the City of Linden and Visiting Nurse and Health Services, Inc., d/b/a Holy Redeemer Home Care-NJ North, attached hereto and made a part hereof, in the amount of $608.30 for eleven months and $608.70 for one month, totaling $7,300.00, for a maximum amount of 100 hours, effective January 1, 2015 through December 31, 2015.

2. The Mayor and City Clerk be and hereby are directed, empowered and authorized to execute said 2015 Health Educator Agreement on behalf of the City of Linden.

3. This Resolution shall take effect pursuant to law.

Pat Hero, 1009 Wheatsheaf Road. Ms. Hero asked what are health education services and why the Board of Health could not do them. Ms. Kolibas explained what the services are, the requirements of the State of New Jersey, and that there is no one on staff who is capable of being certified.

**Mr. Brooks moved for approval of Resolution #2015-140. The motion was seconded by Mrs. Cosby-Hurling and was unanimously ordered approved on a roll call vote.**

**RESOLUTION: 2015- 141**

**RESOLUTION AUTHORIZING A MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF LINDEN BOARD OF HEALTH AND THE NEW JERSEY MEDICAL SCHOOL GLOBAL TUBERCULOSIS INSTITUTE AT RUTGERS BIOMEDICAL AND HEALTH SCIENCES (RBHS) FOR 2015 FOR TB SERVICES**

**WHEREAS,** the City of Linden is desirous of entering into a Memorandum of Agreement with the New Jersey Medical School Global Tuberculosis Institute at Rutgers Biomedical and Health Sciences (RBHS) for TB services; and

**WHEREAS,** pursuant to N.J.S.A. 40A:11-5(2), said contract is exempt from the bidding requirements of the Local Public Contracts Law; and

**WHEREAS,** funds are available for this purpose, to be charged to account/line item No. 5-01-27-330-183-255;

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

1. The City of Linden and the Linden Health Department hereby approve the Memorandum of Agreement between the City of Linden and the New Jersey Medical School Global Tuberculosis Institute at Rutgers Biomedical and Health Sciences (RBHS) providing for TB Services, attached hereto and made a part hereof, at a fee not to exceed $11,528.00.

2. The Mayor and City Clerk be and hereby are directed, empowered and authorized to execute said Agreement on behalf of the City of Linden.

3. This Resolution shall take effect pursuant to law.

**RESOLUTION: 2015-142**

**RESOLUTION AUTHORIZING LETTER OF AGREEMENT**

**BETWEEN THE CITY OF LINDEN BOARD OF HEALTH AND THE**

**CITY OF ELIZABETH DEPARTMENT OF HEALTH AND HUMAN SERVICES, IN CONJUNCTION WITH TRINITAS HOSPITAL FOR**

**2015 FOR STD CLINIC SERVICES**

**WHEREAS,** the City of Linden is desirous of entering into a contract with the City of Elizabeth Health Department, in conjunction with Trinitas Hospital, for STD testing; and

**WHEREAS,** pursuant to N.J.S.A. 40A:11-5(2), said contract is exempt from the bidding requirements of the Local Public Contracts Law; and

**WHEREAS,** funds are available for this purpose, to be charged to account/line item No. 5-01-27-330-183-255;

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

1. The City of Linden and the Linden Health Department hereby approve the Letter of Agreement between the City of Linden and the City of Elizabeth, Department of Health and Human Services providing for STD testing, attached hereto and made a part hereof, in an amount of $150.00 per patient, not to exceed $4,000.00.

2. The Mayor and City Clerk be and hereby are directed, empowered and authorized to execute said Letter of Agreement on behalf of the City of Linden.

3. This Resolution shall take effect pursuant to law.

**RESOLUTION: 2015-143**

**RESOLUTION APPROVING THE AWARD OF A CONTRACT TO CHARLES E. HECK FOR APPRAISER/EXPERT WITNESS/CONSULTANT FOR TAX APPEALS FOR 2015**

**WHEREAS**, the City Council of the City of Linden has determined that it would be advisable and in the best interests of the City to retain the services of an appraiser/expert witness/consultant for defense of 2015 Union County tax appeals and assistance to the Tax Assessor in completing added assessment rolls; 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**, Charles E. Heck, CTA submitted a qualification to the City and has qualified for the aforesaid services for 2015; and

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

**WHEREAS**, the Chief Financial Officer or her designee has certified to the availability of funds for this purpose, to be charged to the Account No. 5-01-20-156-117-273;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that a contract for Professional Services be and hereby is awarded to Charles E. Heck, CTA, 506 Thompson Place, Middletown, New Jersey 07748, appraiser/consultant/expert witness at a fee not to exceed $16,000.00.

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents between Charles E. Heck, CTA and the City of Linden; and

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk be and hereby are empowered and directed to execute a contract with Charles E. Heck, CTA to effectuate the foregoing; and

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

**RESOLUTION: 2015-144**

**RESOLUTION APPROVING A**

**HOLD HARMLESS AGREEMENT WITH TRIPLE F FIREFIGHTER FITNESS, LLC**

**WHEREAS**, the Linden Fire Department has come to an agreement with Triple F Firefighter Fitness, LLC to allow for City of Linden Firehouse # 3 to be used in a fitness training shoot; and

**WHEREAS**, City of Linden is requiring a Hold Harmless Agreement from Triple F Firefighter Fitness, LLC for City of Linden Firehouse # 3 to be used in a fitness training shoot.

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

1. The Mayor and City Clerk are hereby authorized and directed to execute a Hold Harmless/Indemnification Agreement as attached hereto and approved by the Law Department, along with providing the appropriate certificate of insurance as required.

2. This Resolution shall take effect pursuant to law.

Virginia Malik, 1633 Lenape Road. Ms. Malik asked questions to clarify what this is. Chief Dooley responded with an explanation.

**Mr. Brooks moved for approval of Resolution #2015-144. The motion was seconded by the Mrs. Cosby-Hurling and was unanimously ordered approved on a roll call vote.**

**RESOLUTION: 2015-145**

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

**WHEREAS,** on December 5, 2008, the resident of 900 McCandless Street, Linden entered into a mortgage with the City of Linden Neighborhood Preservation Program in the amount of $20,007.00; and

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

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

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

**RESOLUTION: 2015-146**

**RESOLUTION OPPOSING A SETTLEMENT BETWEEN EXXONMOBIL AND THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**WHEREAS,** the City of Linden has become aware of a settlement between ExxonMobil and the New Jersey Department of Environmental Protection concerning property formerly owned by ExxonMobil in the City of Linden; and

**WHEREAS,** in 2006, former Superior Court Judge Ross Anzaldi ruled that ExxonMobil must pay for decades of polluting waterways, wetlands and wildlife around the refinery ExxonMobil owned in the City of Linden; and

**WHEREAS,** at that time both the New Jersey Attorney General and the New Jersey Environmental Protection Agency called the court’s ruling a major victory for the State of New Jersey and the City of Linden; and

**WHEREAS,** the estimated cost to clean up the impacted areas was projected at over $8.6 billion dollars; and

**WHEREAS,** the Christie Administration in a recent court filing stated “the scope of the environmental damage resulting from the discharges is as obvious as it is staggering and unprecedented in New Jersey”; and

**WHEREAS,** despite these claims by the Christie Administration, a settlement of approximately $225 million dollars was agreed to with ExxonMobil; and

**WHEREAS,** the City of Linden is shocked, disappointed and does not agree with a settlement that amounts to “pennies on the dollar.”

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

1. The City of Linden vigorously opposes the settlement of this litigation, where projections to restore the subject property is around $8.9 billion dollars, for a minimal sum of $225 million dollars.

2. The Mayor and City Clerk are hereby directed and authorized to execute said Resolution, which shall be forward to the Mayors of the twenty-one municipalities in the County of Union, to all Union County Freeholders and the legislative leaders of the 22nd Legislative District, all Members of the Legislature and the Governor.

3. This Resolution shall take effect pursuant to law.

Virginia Malik, 1633 Lenape Road. Ms. Malik asked if there is anything that the City could do regarding this settlement. President Alvarez responded, with Mayor Armstead about the City’s efforts. The Mayor noted that this settlement addressed pollution that occurred under the former property owners, Exxon Mobile and is not about the current owners, Phillips 66, who are responsible and good corporate citizens of Linden.

John Roman, 23 Union Street. Mr. Roman spoke about the settlement by Governor Christie, which represents about $.03 on the dollar of what could have been gotten. Mr. Roman noted several reasons that the Governor is accepting this settlement. He thanked the City for passing this resolution.

**Mr. Brooks moved for approval of Resolution #2015-146. The motion was seconded by Mrs. Cosby-Hurling and was unanimously ordered approved on a roll call vote.**

RESOLUTION: 2015-147

RESOLUTION TO AMEND RESOLUTION NO. 2015-115 ENTITLED: “RESOLUTION COMBINING BONDS AGGREGATING THE PRINCIPAL SUM OF $11,625,000 AUTHORIZED BY THIRTY-EIGHT BOND ORDINANCES HERETOFORE ADOPTED TO FINANCE PART OF THE COST OF VARIOUS GENERAL IMPROVEMENTS IN THE CITY OF LINDEN, COUNTY OF UNION, NEW JERSEY INTO ONE CONSOLIDATED ISSUE OF BONDS AND PROVIDING FOR THE FORM, MATURITIES AND OTHER DETAILS OF SAID CONSOLIDATED ISSUE” ADOPTED ON FEBRUARY 17, 2015.

**March 17, 2015**

WHEREAS, the City Council of the City of Linden, in the County of Union, State of New Jersey (the “City”) has heretofore adopted Resolution No. 2015-115 entitled: “RESOLUTION COMBINING BONDS AGGREGATING THE PRINCIPAL SUM OF $11,625,000 AUTHORIZED BY THIRTY-EIGHT BOND ORDINANCES HERETOFORE ADOPTED TO FINANCE PART OF THE COST OF VARIOUS GENERAL IMPROVEMENTS IN THE CITY OF LINDEN, COUNTY OF UNION, NEW JERSEY INTO ONE CONSOLIDATED ISSUE OF BONDS AND PROVIDING FOR THE FORM, MATURITIES AND OTHER DETAILS OF SAID CONSOLIDATED ISSUE” on February 17, 2015 (the “Bond Resolution”); and

WHEREAS, the City desires to amend Section 1.I. of the Bond Resolution;

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

1. Amendment. Section 1.I. of the Bond Resolution is hereby amended in its entirety as follows:

“15,000 bonds, being a portion of the bonds authorized by an ordinance entitled: (Ord. No. 54-31)

‘BOND ORDINANCE AUTHORIZING RESURFACING OF DEWITT TERRACE AND E. LINDEN AVENUE IN AND FOR THE CITY OF LINDEN, IN THE COUNTY OF UNION, NEW JERSEY, APPROPRIATING $400,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF $95,000 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF’

heretofore finally adopted. The average period of usefulness stated in said ordinance is 10 years.”

1. Effective Date. This resolution shall take effect immediately upon its a adoption.
2. RESOLUTION: 2015-
3. RESOLUTION AUTHORIZING A REFUND RELATIVE TO AN
4. TAX LIEN FOR PROPERTY CLEAN UP
5. **WHEREAS,** on September 17, 2013 and February 14, 2014, the Department of Public Works responded to 1601 S. Wood Avenue for property clean-up resulting in a tax lien on the property; and
6. **WHEREAS,** said liens totaled $879.65; and
7. **WHEREAS,** said liens were not disclosed at the time of purchase, a credit of $879.65 should be applied; and
8. NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN as follows:
9. 1. A tax credit is to be applied in the amount of $879.65 on the property located at 1601 S. Wood Avenue, Block 537, Lot 1.
10. 2. This Resolution shall take effect pursuant to law.

**RESOLUTION: 2015-148**

**RESOLUTION AUTHORIZING A REFUND RELATIVE TO AN**

**TAX LIEN FOR PROPERTY CLEAN UP**

**WHEREAS,** on September 17, 2013 and February 14, 2014, the Department of Public Works responded to 1601 S. Wood Avenue for property clean-up resulting in a tax lien on the property; and

**WHEREAS,** said liens totaled $879.65; and

**WHEREAS,** said liens were not disclosed at the time of purchase, a credit of $879.65 should be applied; and

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

1. A tax credit is to be applied in the amount of $879.65 on the property located at 1601 S. Wood Avenue, Block 537, Lot 1.

2. This Resolution shall take effect pursuant to law.

**RESOLUTION:2015-149**

**RESOLUTION APPOINTING JOSEPH DOOLEY A**

**COMMISSIONER OF THE INSURANCE FUND COMMISSION TO FILL AN UNEXPIRED TERM**

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

That Joseph Dooley**,** residing at 111 Georgian Drive, in the City of Linden, County of Union and State of New Jersey, be and he hereby is appointed a Commissioner of the Insurance Fund Commission of the City of Linden according to a Resolution entitled “A RESOLUTION APPOINTING INSURANCE FUND COMMISSIONERS IN THE CITY OF LINDEN, PASSED FEBRUARY 7, 1984 AND APPROVED FEBRUARY 8, 1984", to fill an unexpired term, effective immediately, that commenced February 18, 2014 and terminates February 6, 2016, and until his successor is appointed and qualifies.

**RESOLUTION: 2015-150**

**RESOLUTION APPROVING THE AWARD OF A CONTRACT TO SOCKLER REALTY GROUP FOR REAL ESTATE APPRAISER SERVICES FOR STATE COURT TAX APPEALS FOR 2015**

**WHEREAS**, it is necessary to hire a real estate appraiser who is a member of the Appraisal Institute (M.A.I.) in order to defend the City of Linden on all industrial and commercial tax appeals filed before the Union County Board of Taxation for 2015 and also new and pending cases before the Tax Court of New Jersey; and

**WHEREAS**, Sockler Realty Group submitted a qualification to the City and has qualified for the aforesaid services for 2015; and

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

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

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that a contract for Professional Services be and hereby is awarded to Sockler Realty Group, 299 Ward Street, Suite C, Hightstown, New Jersey 08520; and

**BE IT FURTHER RESOLVED** the terms of said agreement shall be for a period of one year at a fee not to exceed $7,500.00; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents between Sockler Realty Group 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 Sockler Realty Group, to effectuate the foregoing; and

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

**RESOLUTION: 2015-151**

**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 $10,000.00 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 2014; and

**WHEREAS,** inclusive of these additional funds the total expenditures paid to date to McManimon, Scotland & Baumann, LLC for services rendered under the original or substantially related contract is $193,932.84; 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 $10,000.00 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.

**FOR ROLL CALL AND COMMENTS REFER TO RESOLUTION #2015-152**

**RESOLUTION: 2015-152**

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

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

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

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

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

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

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

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

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

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

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

Pat Hero, 1009 Wheatsheaf Road. Ms. Hero stated her opposition to municipalities being involved in redevelopment. If the City was not involved, private developers would be paying the fees, not the City. President Alvarez stated his agreement with Ms. Hero, but the Council inherited this. Mr. Brown noted that at times the developer reimburses us for these fees. Mr. Antonelli spoke to this point.

**Mr. Brooks moved for approval of Resolutions #2015-151 and #2015-152. The motion was seconded by Mrs. Cosby-Hurling and on a roll call vote with all voted in favor of Resolution #2015-151. Resolution #2015-152 was defeated with all voting yes with the exception of Mr. Medina, Mr. Minarchenko, Mr. Sadowski, Mr. Brooks, Mr. Brown and Mr. Alvarez who voted no.**

**RESOLUTION: 2015-153**

**RESOLUTION APPROVING DEVELOPER AGREEMENT WITH**

**LINDEN PROPERTY HOLDINGS LLC**

**WHEREAS**, Linden Property Holdings LLC (“LPH”) is the owner of certain real property located in the City of Linden (the “City”), County of Union, State of New Jersey, designated as Block 587, Lots 1 and 2.01 on the City’s official tax map (the “Property”); and

**WHEREAS**, Goodman North American Partnership LLC is the contract purchaser and intended developer of the Property and has received site plan approval from the City Planning Board for the construction of a warehouse and distribution facility containing five (5) buildings and 2.84 million square feet of warehouse and office space (the “Project ”); and

**WHEREAS**, as a condition of the approval, the Planning Board requires the construction of certain off-site public improvements to support the Project, including without limitation, roadway improvements, which, upon completion and approval by the City, will be dedicated to the City and devoted to public use as part of the City’s public street and highway system; and

**WHEREAS**, although not a requirement of the Planning Board’s approval, LPH intends to construct a bridge to connect Tremley Point Road/South Wood Avenue to the Property which, upon completion and approval by the City, will be dedicated to the City and devoted to public use as part of the City’s public street and highway system; and

**WHEREAS**, in order to complete construction of the above-described improvements, the Owner requires construction easements on, over and across certain City property; and

**WHEREAS**, the City has determined that it is in the best interest of the City to encourage development of the Project and construction of the contemplated improvements.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that the Mayor and City Clerk be and hereby are empowered and directed to execute a developer agreement with Linden Property Holdings LLC in substantially the same form as attached hereto as Exhibit A; and

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

**RESOLUTION: 2015-154**

**RESOLUTION APPROVING DEVELOPER AGREEMENT WITH**

**GOODMAN NORTH AMERICAN PARTNERSHIP LLC FOR THE REAL PROPERTY KNOWN AS BLOCK 587, LOTS 1 AND 2.01 IN THE CITY OF LINDEN,**

**COUNTY OF UNION, STATE OF NEW JERSEY**

**WHEREAS**, Goodman North American Partnership LLC (the “Developer”) is the contract purchaser and intended developer of the real property designated as Block 587, Lots 1 and 2.01 (the “Property”) on the official tax map of the City of Linden (the “City”); and

**WHEREAS**, by resolution dated September 9, 2014, the City Planning Board (the “Planning Board”) granted preliminary and final major site plan approval to the Developer for the construction of a warehouse and distribution facility containing five (5) buildings and 2.84 million square feet of warehouse and office space (the “Project ”); and

**WHEREAS**, as a condition of the approval, the Planning Board requires the Developer to construct certain off-site public improvements to support the Project, including without limitation, roadway improvements, which upon completion and approval by the City, will be dedicated to the City and devoted to public use as part of the City’s public street and highway system; and

**WHEREAS**, although not a requirement of the Planning Board’s approval, the Developer intends to construct a bridge to connect Tremley Point Road/South Wood Avenue to the Property upon issuance of final and unappealable approvals and building permits for the Project and which, upon completion and approval by the City, will be dedicated to the City and devoted to public use as part of the City’s public street and highway system.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that the Mayor and City Clerk be and hereby are empowered and directed to execute a developer agreement with Goodman North American Partnership LLC in substantially the same form as attached hereto as Exhibit A; and

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

**Resolution: 2015-155**

**Resolution Authorizing a 6 month Extension to D. T. Allen to foreclose**

**Tax Sale Certificate # A0900282**

**WHEREAS**, the City of Linden in accordance with Resolution # 2013-220 authorized a restricted Assignment of Tax Sale Certificate # A09-00282, aka 4400 Tremley Point Road, from the City of Linden to D.T. Allen ; and

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

**WHEREAS**, D.T. Allen has been diligently pursing a tax sale foreclosure, but complicated title, engineering needs and backlog of the foreclosure unit will make it impossible for D.T. Allen to record its final judgment within two years of May21, 2013: and

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

**WHEREAS**, said complicated title work and engineering needs are still ongoing;

**NOW, THEREFORE, BE IT RESOLVED,** by the City of Linden, as follows: D.T. Allen, is hereby granted a 6 month extension to foreclose Tax Sale Certificate A0900282, and therefore, the Final Judgment needs to be recorded by November 21, 2015.

**RESOLUTION: 2015-156**

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

**WHEREAS**, the City of Linden passed Resolution, No. 2015-25 at the January 6, 2015 Council meeting awarding a contract to Associated Humane Societies, Inc. for animal control services; and

**WHEREAS**, the Board of Health would like to add an addendum to said contract appointing Associated Humane Societies, Inc. as Chief Investigator of animal cruelty cases within the City of Linden, under the direction of the Board of Health, and not to interfere with any Police investigation; and

**WHEREAS**, an amendment is needed for said purpose;

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

1.Add the amending addendum to the existing contract between Associated Humane Societies, Inc. and the City of Linden.

2.The Mayor is hereby authorized and directed to execute the attached Addendum, attached hereto and made a part hereof, for the aforesaid purposes.

1. This Resolution shall take effect pursuant to law.

**RESOLUTION: 2015-157**

**RESOLUTION APPROVING A**

**A HOME FIRE PREPAREDNESS CAMPAIGN WITH THE AMERICAN RED CROSS FOR RESIDENTS OF THE CITY OF LINDEN**

**WHEREAS**, the Linden Fire Department has come to an agreement with American Red Cross for a Home Fire Preparedness Campaign for the residents of the City of Linden; and

**WHEREAS**, City of Linden is requiring each participant of the campaign to complete the attached Hold Harmless Agreement.

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

1. The Mayor and City Clerk hereby authorizes the American Red Cross to have each participant in the aforementioned campaign, execute the Hold Harmless/Indemnification Agreement as attached hereto and approved by the Law Department.
2. The American Red Cross must provide the appropriate certificate of insurance as required.

3. This Resolution shall take effect pursuant to law.

Virginia Malik, 1633 Lenape Road. At the request of President Alvarez, Chief Dooley explained the program to Ms. Malik. He noted a similar program run by the Fire Department. President Alvarez introduced representatives of the Red Cross, who were present to speak further on the program.

**Mr. Brooks moved for approval of Resolution #2015-157. The motion was seconded by Mrs. Cosby-Hurling and was unanimously ordered approved on a roll call vote.**

**The Clerk read resolutions #2015-158 THROUGH #2015-161, in full as they were not on the agenda.**

**RESOLUTION: 2015-158**

**SELF-EXAMINATION OF BUDGET RESOLUTION**

**WHEREAS,** N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

**WHEREAS,** N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

**WHEREAS,** pursuant to N.J.A.C. 5:30-7.2 through 7.5, the City of Linden has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2015 budget year.

**NOW THEREFORE BE IT RESOLVED** by the governing body of the City of Linden that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:

a. Payment of interest and debt redemption charges

b. Deferred charges and statutory expenditures

c. Cash deficit of preceding year

d. Reserve for uncollected taxes

e. Other reserves and non-disbursement items

f. Any inclusions of amounts required for school

purposes.

2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).

3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.

4. That pursuant to the Local Budget Law:

a. All estimates of revenue are reasonable, accurate and correctly stated,

b. Items of appropriation are properly set forth

c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.

5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.

6. That all other applicable statutory requirements have been fulfilled.

**BE IT FURTHER RESOLVED** that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

Mr. Brooks moved for approval of Resolution #2015-158. The motion was seconded by Mrs. Cosby-Hurling and was unanimously ordered approved on a roll call vote.

**RESOLUTION: 2015-159**

**RESOLUTION OF THE MUNICIPAL COUNCIL OF THE CITY OF LINDEN, COUNTY OF UNION, NEW JERSEY EXTENDING THE TERM OF A LICENSE AGREEMENT WITH MERIDIA LIFESTYLES URBAN RENEWAL LINDEN, LLC FOR THE USE OF OLD FIREHOUSE #1**

**WHEREAS,** the City of Linden (“City”) entered a license agreement dated November 1, 2013 (“License”) with Meridia Lifestyles Urban Renewal Linden, LLC (“Entity”) respecting the use of old Firehouse #1 (“Firehouse”); and

**WHEREAS,** the City entered the License in aid and furtherance of the Entity’s redevelopment project located near the Firehouse on South Wood Avenue; and

**WHEREAS,** by its terms, the License is currently renewable annually by the Entity for one-year periods thru October 31, 2017; and

**WHEREAS,** the City has determined that it is in its best interest to amend the License to extend its term through October 31, 2020, so as to further advance the Entity’s redevelopment project.

**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 term of the License is hereby extended to October 31, 2020. The Mayor, in consultation with counsel, is authorized to execute a written amendment to the License to provide for same.

Section 3. Other than the extension of the term of the License, all terms and conditions of the License shall remain unchanged and in effect.

Section 4. A copy of this Resolution shall remain on file and available for inspection in the Office of the City Clerk.

Section 5. This Resolution shall take effect immediately.

Pat Hero, 1009 Wheatsheaf Road. In response to Ms. Hero, President Alvarez explained the need of the developer to continue to rent this site from the City. Mr. Brown noted that the rental amount is $1.00 per year, and stated his objections to it.

**Mr. Brooks moved for approval of Resolution #2015-159. The motion was seconded by Mrs. Cosby-Hurling and was ordered approved on a roll call vote with all voting in favor with the exception of Mrs. Cosby-Hurling and Mr. Brown who voted no. Mr. Sadowski clarified his yes vote, stating that he has been assured by the developer that Morris Ave would be reopened between Wood Ave and Clinton Street. He made it clear that if the street would remain closed he would be voting no.**

**RESOLUTION: 2015-160**

**RESOLUTION AUTHORIZING AN AMENDMENT TO THE CONTRACT WITH EDWARD KOLOGI, ESQ. OF THE FIRM KOLOGI-SIMITZ FOR THE REPRESENTATION OF COUNCILMAN PETER BROWN**

**WHEREAS,** the Local Ethics Board in the Department of Community Affairs has filed charges against Councilman Peter Brown; and

**WHEREAS,** Councilman Peter Brown is entitled an administrative hearing and appeal; and

**WHEREAS**, pursuant to Section 2-78.7 of the Code of the City of Linden, Councilman Peter Brown is entitled to have representation provided,

**WHEREAS,** Edward Kologi, Esq. will be retained pursuant to a non-fair and open process to represent the interest of Councilman Peter Brown.

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

1. Edward Kologi, Esq. of the firm Kologi-Simitz is hereby authorized and retained as counsel to represent Peter Brown for said administrative hearing and appeal at an hourly rate of $150.00 per hour, a total not to exceed $5,000.00.

2. Edward Kologi, Esq. is retained to undertake such matter a fee not to exceed $5,000.00.

3. Edward Kologi, Esq. be retained pursuant to a non-fair and open process in accordance with N.J.S.A.19:44-20.4 et seq.

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

5. This Resolution shall take effect immediately.

**Mr. Brooks moved for approval of Resolution #2015-160. The motion was seconded by Mrs. Cosby-Hurling and was ordered approved on a roll call vote with all voting in favor with the exception of Mr. Medina, Mrs. Yamakaitis, Mr. Sadowski, Mrs. Cosby-Hurling, Mr. Brown, and Mr. Kolibas who abstained.**

**RESOLUTION: 2015-161**

**RESOLUTION AUTHORIZING A CONTRACT WITH ERIC BERNSTEIN, ESQ. OF THE FIRM ERIC BERNSTEIN AND ASSOCIATES FOR THE REPRESENTATION OF THE MAYOR AND CERTAIN MEMBERS OF THE GOVERNING BODY**

**WHEREAS,** the Local Finance Board in the Department of Community Affairs has filed charges against Mayor Derek Armstead, Councilman Armando Medina, Councilwoman Michele Yamakaitis, Councilman Robert Sadowski, Councilman Christopher Kolibas and Councilwoman Rhashonna Cosby-Hurling; and

**WHEREAS,** Mayor Derek Armstead, Councilman Armando Medina, Councilwoman Michele Yamakaitis, Councilman Robert Sadowski, Councilman Christopher Kolibas and Councilwoman Rhashonna Cosby-Hurling are entitled an administrative hearing and appeal; and

**WHEREAS**, pursuant to Section 2-78.7 of the Code of the City of Linden, Mayor Derek Armstead, Councilman Armando Medina, Councilwoman Michele Yamakaitis, Councilman Robert Sadowski, Councilman Christopher Kolibas and Councilwoman Rhashonna Cosby-Hurling are entitled to have representation provided,

**WHEREAS,** Eric Bernstein, Esq. will be retained pursuant to a non-fair and open process to represent the interests of Mayor Derek Armstead, Councilman Armando Medina, Councilwoman Michele Yamakaitis, Councilman Robert Sadowski, Councilman Christopher Kolibas and Councilwoman Rhashonna Cosby-Hurling.

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

1. Eric Bernstein, Esq. of the firm Eric Bernstein and Associates is hereby authorized and retained as counsel to represent Mayor Derek Armstead, Councilman Armando Medina, Councilwoman Michele Yamakaitis, Councilman Robert Sadowski, Councilman Christopher Kolibas and Councilwoman Rhashonna Cosby-Hurling at an hourly rate of $150.00 per hour, a total not to exceed $5,000.00.

2. Eric Bernstein, Esq. is retained to undertake such matter a fee not to exceed $5,000.00.

3. Eric Bernstein, Esq. be retained pursuant to a non-fair and open process in accordance with N.J.S.A.19:44-20.4 et seq.

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

5. This Resolution shall take effect immediately.

**Mr. Brooks moved for approval of Resolution #2015-161. The motion was seconded by Mrs. Cosby-Hurling with all voting in favor with the exception of Mr. Medina, Mrs. Yamakaitis, Mr. Sadowski, Mrs. Cosby-Hurling, Mr. Brown and Mr. Kolibas who abstained.**

**ORDINANCES ON FIRST READING**

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

**An Ordinance entitled:**

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

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

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

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

**An Ordinance entitled:**

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

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

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

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

**An Ordinance entitled:**

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

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

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

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

**An Ordinance entitled:**

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

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

Mrs. Cosby-Hurling spoke about the need for this equipment and how it help the City deal with the pothole issue. The equipment would be in use for a long time. She thanked the members of Council for supporting the ordinance.

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

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

**An Ordinance entitled:**

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

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

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

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

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

**An Ordinance entitled:**

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

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

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

On motion of Mr. Brooks seconded by Mr. Brown, the foregoing Ordinance was on a roll call vote ordered approved with all voting in favor with the exception of Mrs. Cosby-Hurling who was absent from the room.

**An Ordinance entitled:**

**59-17 ORDINANCE ESTABLISHING A CAP BANK FOR CALENDAR YEAR 2015**

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

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

On motion of Mr. Brown seconded by Mr. Medina, the foregoing Ordinance was on a roll call vote ordered approved with all voting in favor with the exception of Mrs. Cosby-Hurling who was absent from the room.

**An Ordinance entitled:**

**59-18 AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER XVIII SEWER AND WATER, SHALL BE AMENDED AS FOLLOWS:**

**DELETE SECTION 17-8.10 USER CHARGES**

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

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

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

On motion of Mr. Brooks seconded by Mr. Sadowski, the foregoing Ordinance was on a roll call vote ordered approved with all voting in favor with the exception of Mrs. Cosby-Hurling who was absent from the room.

**PUBLIC COMMENT**

President Alvarez noted the rules under which public comment would be allowed. He also reminded members of the public that all questions and comments should be addressed through the chair.

Mr. Medina provided additional information on joint Ninth and Tenth Ward Community meeting.

President Alvarez informed all that comments and questions should be directed to him during the comment period.

Molly Lenz, 2 Gresser Avenue. Ms. Lenz spoke about her role with the Red Cross and provided additional details about the smoke detector program. She explained the reasons for the program, as a way of reducing death and injuries from fires, and provided statistics about the program.

Diane Wilverding, 150 E. Morris Avenue. Ms. Wilverding asked for an update on the GM property. President Alvarez noted that the City hasn’t had an update for a while. He understood that there is a rumor that Walmart has pulled out of the project. He asked Mr. Antonelli, if he had any additional information, which he did not.

Pat Hero, 1009 Wheatsheaf Road. Ms. Hero thanked the DPW worker who assisted her when she fell on her driveway. She then congratulated the Linden High football and basketball teams for their outstanding performances this season. Ms. Hero spoke about an incident from the February Council meeting. She noted that the members of the public are the governing body’s employers. She spoke about the need to heed the advice given at the podium, otherwise the governing body may find itself unemployed. She spoke about the incident involving the Mayor and Ms. Malik.

Robert Scutro, 300 W. Curtis Street. Mr. Scutro asked questions about the City accepting the bid of the Humane Society over the low bidder. Ms. Koblis explained that State law allows a municipality to not go to bid when there is a humane society. Mr. Scutro asked why the City did not accept the bid of the City of Perth Amboy, of $75,000.00 which was substantially below the price charged by the humane society. President Alvarez assured Mr. Scutro he would look into it. Mr. Scutro compared the records of the humane society and Perth Amboy in putting animals down. He then reviewed an incident involving the pickup of a dog in Linden. Mr. Scutro noted his objections to the City hiring the humane society.

John Roman, 23 Union Avenue. Mr. Roman spoke about several issues that had arisen tonight. He spoke in favor of the lease for firehouse 1 and the reasons why. He then addressed the issue of the LEDC and providing it with adequate funding. Mr. Roman additionally talked about the role of a business administrator with economic development.

Virginia Malik, 1633 Lenape Road. Ms. Malik spoke about the importance of not squandering City resources, especially during this difficult financial times. She spoke about a resident who called her to come tonight and bring up the Mayor’s use of a police officer to drive him to a basketball game. She noted the decrease in the police compliment, and how it may be a misappropriation of resources. Ms. Malik stated that the Mayor had Council hire Mr. James Moore as a driver for the Mayor.

Rhashonna Cosby-Hurling, 1122 Middlesex Street. Mrs. Cosby-Hurling explained why she put her name down as a public speaker. She then spoke about the need to make cuts, and how some highly paid employees, with base salaries over $100,000.00, are authorized to work overtime. A number of times a lesser paid employee is capable of doing the job. The negotiation committee is looking at this, and what can be done through that process. Mrs. Cosby-Hurling explained that when she looks at an issue she asks that the person’s name be removed from the paper work so that she is only dealing with the position and the salary. She spoke about the need to move away from relationships and into the business world.

Peter Brown, 800 Clark Street. Mr. Brown responded to the earlier comments about LEDC and the budget. He noted the turn around, on the budget, over the last few years, which included less use of reserves and an upgrade in the City’s bond rating. He noted that not only were expenses cut, but retables’ are coming into the town. He noted how the Mayor and Council are working together.

Mayor Armstead, 516 Carnegie St. Mayor Armstead addressed the issues raised by Ms. Malik regarding the issue of his use of a police officer to drive him. He explained why, and why Mr. Moore did not drive that evening. He added that this was the only time, in his two and half months in office that he used a police officer. He did not see it as an abuse of his authority.

**ANNOUNCEMENTS**

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

**\*Council Conference meeting:**

**Monday, April 20, 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, April 21, 2015 at 6:00 pm in the Council Conference Room, City Hall, 301 N. Wood Ave.**

**\*Council Meeting:**

**Tuesday, April 21, 2015 at 7:00 p.m. in the Council Chambers, City Hall, 301 N. Wood Ave.**

**ADJOURN**

There being no further business to come before the Governing Body, Mrs. Cosby-Hurling moved to adjourn the meeting. The motion was seconded by Mr. Minarchenko and was ordered approved, with all voting yes except Mr. Brown who abstained. The meeting was adjourned at 10:06 pm.

Respectfully submitted,

Joseph C. Bodek

City Clerk