**Minutes of the Regular**

**Meeting of the 2015 Council of the**

**City of Linden, held Tuesday**

**November 10, 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, November 10, 2015, 2015 at 7:00 pm., prevailing time.

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

The Clerk rendered the opening prayer, after which the members of the Governing Body and the persons in attendance saluted the flag. President of Council Jorge Alvarez asked that all remain standing for a moment of silence for former City Engineer John Ziemian who recently passed away.

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

Councilwoman Michele Yamakaitis

Councilman Armando Medina

Councilwoman Gretchen Hickey

Council President Jorge Alvarez

Mayor Dereck Armstead

**APPROVAL OF MINUTES**

Mrs. Hickey moved for the approval of the Regular Meeting Minutes of October 20, 2015. The motion was seconded by Mr. Medina and was unanimously ordered approved on a roll call vote.

**PRESENTATIONS**

**VETERAN’S DAY REGONITION**

**GEORGE JOHN SPILICH**

President Alvarez asked the Mayor, Mr. Medina and Mr. Kolibas to step forward to make a presentation. The Mayor noted that tomorrow is Veteran’s Day, noted that tonight the City would be honoring George Spilich, and thanked all veterans for their service to this Country so that we can continue to enjoy our freedoms. The Mayor then read the resolution honoring Mr. Spilich, and he and the councilpersons presented a copy of the resolution to Mr. Spilich.

President Alvarez noted that tomorrow is Veteran’s Day, and that all should take a moment to honor those who sacrificed so that all can continue to enjoy the freedoms we have in this country. He stated that the Veteran’s groups, located in Linden, have a tradition of visiting all of the veteran’s memorials in Linden and placing a wreath on Veteran’s day. He announced the schedule for those visitations and asked that members of the public take a moment and visit a memorial when the veterans were there placing a wreath and honor the veterans. President Alvarez read a poem that he had read that help lead to his decision to enlist in the Navy. He asked all veterans in the room to stand and be recognized.

**SELECTION OF A 7TH WARD COUNCILPERSON**

**\*Swearing-in of 7th Ward Councilperson**

President Alvarez stated that at the conclusion of last month’s meeting Mr. Minarchenko announced that he would be stepping down as Seventh Ward Councilman due to issues related to Super Storm Sandy. Mr. Minarchenko resigned the next day. President Alvarez outlined the process by which a replacement Councilperson is selected, and as a result of that process the Democratic City had presented three names to City Council for them to select one from. The Committee preference was for Ralph Strano.

Mr. Kolibas read the following resolution to fill the vacant Seventh Ward Council seat:

**WHEREAS**, Mike Minarchenko, a duly elected member of the City Council of the City of Linden, has resigned from his office effective October 21, 2015; and

**WHEREAS**, pursuant to the provisions of the Municipal Vacancy Law, specifically N.J.S.A. 40A:16-11, the municipal committee of the Democratic Party, of which Mr. Minarchenko is a member, has put forward three nominations to fill the vacancy, including the name Ralph Strano.

**NOW, THEREFORE, BE IT RESOLVED,** by the City Council of the City of of Linden, County of Union, State of New Jersey, that Ralph Strano is hereby appointed to fill the unexpired term of Mike Minarchenko in accordance with the law and that Ralph Strano shall replace Mr. Minarchenko in all committees he is a part of.

Mr. Kolibas moved for the approval of Resolution appointing Ralph Strano as Councilman of 7th Ward. The motion was seconded by Mrs. Yamakaitis and was unanimously ordered approved on a roll call vote.

The City Clerk then administered the oath of office to Mr. Strano. Mr. Strano’s wife, Marybeth held the bible for him. Mr. Strano commented on his appointment, and his reasons for selecting Mr. Bodek to swear him in. He thanked the members of Council for their support and confidence in him. He thanked the members of the City Democratic Committee for selecting him, and Mr. Minarchenko for his service to the residents of the Seventh Ward.

Senator Nicholas Scutari congratulated Mr. Strano on his selection, and thanked Mr. Minarchenko for his outstanding and dedicated service to the citizens of the Seventh Ward and Linden. He spoke about Mr. Strano and his qualities that make him a good choice to fill this vacancy.

**ORDINANCE TABLED FROM THE MEETING OF OCTOBER 20, 2015**

**#59-43 An Ordinance amending Chapter 19-1.3 of the City Code entitled “permits” by the City**

**council of the City of Linden. (Section 1 striking the language allowing for permits for use of recreation facilities can be signed by a staff official of the Recreation Department).**

President of Council Jorge Alvarez announced that the hearing on ordinance #59-43 was held last month, and closed. He asked for a motion on the ordinance.

Mr. Brooks moved that the ordinance be continued to the December meeting. The motion was seconded by Mr. Beyer and approved on a roll call vote with all members voting yes, with the exception of Mr. Strano who abstained the ordinance was tabled.

**ORDINANCE – HEARING**

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

further consideration respecting an ordinance entitled:

**#59-44 BOND ORDINANCE PROVIDING AN APPROPRIATION OF $605,000.00 FOR THE**

**ACQUISITION OF INFORMATION TECHNOLOGY EQUIPMENT AND RELATED SOFTWARE FOR THE DISASTER RECOVERY PROJECT AND AUTHORIZING THE ISSUANCE OF $574,750.00 IN BONDS OR NOTES FOR FINANCING 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.

Virginia Malik, 1633 Lenape Road. Ms. Malik asked for a summary on what this project was about. Police Captain Turbett provided a response, and provided responses to her follow up questions.

Patricia Hero, 1009 Wheatsheaf Road. Ms. Hero questions about the site selected to determine that it to wasn’t subject to be affected by potential disasters. Captain Turbett provided the response.

Mr. Brown moved that the hearing be closed and the ordinance be adopted. The motion was seconded by Mr. Medina and on a roll call vote the foregoing ordinance was ordered approved by all voting in favor with the exception of Mr. Strano who abstained.

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

further consideration respecting an ordinance entitled:

**#59-45 BOND ORDINANCE AMENDING BOND ORDINANCE NUMBER 59-10 FINALLY ADOPTED**

**ON MARCH 17, 2015. PROVIDING AN APPROPRIATION OF $2,328,000.00 AND AUTHORIZING THE ISSUANCE OF $551,600.00 IN BONDS OR NOTES TO FINANCE PART OF THE COST. (RELATIVE TO THE WETLANDS REMEDIATION FOR THE LANDFILL AND AIRPORT)**

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.

Diane Wilverding, 150 East Morris Ave. Ms. Wilverding asked if any of the money, from the EXXON settlement, is coming to the City of Linden to do this project. President Alvarez responded that the City is not receiving any money from the EXXON settlement, and is paying for this project. Ms. Figueiredo noted that the City is receiving grant funds towards this project, and the ordinance is being amended to reflect that.

Pat Hero, 1009 Wheatsheaf Road. Ms. Hero noted that the grants are still taxpayer funds paid to other entities. Mr. Vircik noted that the work being done is being required by the Administrative Consent Order the City signed with the NJDEP. He explained what the work being done involved.

Mr. Brooks moved that the hearing be closed and the ordinance be adopted. The motion was seconded by Mr. Beyer and on a roll call vote the foregoing ordinance was ordered approved with all voting in favor with the exception of Mr. Brown who voted no and Mr. Strano who abstained.

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

further consideration respecting an ordinance entitled:

**#59-46 AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER VII, TRAFFIC SHALL BE AMENDED AS FOLLOWS: 7-33 HANDICAPPED PARKING REGULATIONS, 7-33.1 Handicapped Parking On-Street Delete: 817 West Elm Street 1 space**

**335 Spruce Street 1 space**

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. Beyer moved that the hearing be closed and the ordinance be adopted. The motion was seconded by Mr. Kolibas and on a roll call vote the foregoing ordinance was ordered approved with all voting in favor with the exception of Mr. Strano who abstained.

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

further consideration respecting an ordinance entitled:

**#59-47 AN ORDINANCE TO AMEND AND SUPPLEMENT AN ORDINANCE ENTITLED, “AN**

**ORDINANCE ESTABLISHING A SCHEDULE OF TITLES, SALARY RANGES AND REGULATIONS FOR MAINTAINING THE CLASSIFICATION AND SALARY STANDARDIZATION PLAN FOR ALL EMPLOYEES OF THE CITY OF LINDEN, “PASSED AUGUST 15, 1995 AND APPROVED AUGUST 16**

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. Beyer moved that the hearing be closed and the ordinance be adopted. The motion was seconded by Mr. Kolibas and on a roll call vote the foregoing ordinance was ordered approved with all voting in favor with the exception of Mr. Strano and Mrs. Yamakaitis who both abstained.

**CONSENT AGENDA**

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

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

2016 Taxes $432,768.81

2015 Taxes $14,474,587.46

2014 Taxes $500.00

2013 Taxes $160.25

Garbage Fee Payments 184,605.00

Garbage Fee Penalty $485.00

Municipal Lien Redemption $0.00

Tax Search $0.00

Lien Redemption Request Fee $100.00

Year End Penalty $0.00

Returned Check Fee Paid $20.00

Returned Check Fee Garbage Paid $0.00

Returned Check 2015 ($1865.37)

Returned Check Interest ($38.66)

Returned Online Payment 2015 Taxes ($0.00)

Returned Online Interest ($0.00)

Returned Check Garbage Fee ($0.00)

Returned Check Garbage Fee Penalty ($0.00)

Counterfeit Funds ($0.00)

Arrears $0.00

Sewer Clean out charge $1,000.00

DPW 2014 Reso payments $0.00

Tax Sale Cost/Before Tax Sale Cost $0.00

Premium $0.00

Interest $14,088.66

Total $15,106,411.15

**Credit** Block 226 Lot 2, Stephen Drastura

**Balance** 17 Furber Avenue

There now exists a credit balance on the above referenced block & lot due to an overpayment by Mortgage Company, Green Servicing on the 2014-4th quarter. The overpayment amount is $2,596.22.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $2,596.22 payable to Core Logic Tax Services, Attention: Kathy Bishop, 92-16 220th Street, Queens Village, NY 11428 charging same to account #5-01-55-288-999-904..

**Credit** Block-241 Lot-13, Romon Soriano

**Balance** 44 W. Gibbons Street

There now exists a credit balance on the above referenced block & lot due to an overpayment paid by the owner’s title agency and mortgage company for the 2014-4th quarter. The overpayment amount is $2,059.12.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of **$2,059.12** payable to: Freedom Mortgage, 907 Pleasant Valley Avenue, Suite 3, Mount Laurel, NJ 08054 refunds charging same to account # 5-01-55-288-999-904.

**Credit** Block 278 Lot 11, 318 W. Henry Street

**Balance** Water Damaged Home

There now exists a credit balance on the above referenced block & lot due the property

having water damage due to broken pipes and inspected by Mike Frangella, Tax Assessor. The property owner has paid the 1st half 2015 and is entitled to a refund of $60.00.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $60.00 payable to: Kathleen Curtin, 36 King Street, Edison, NJ 08820, charging same to account *#*5-01-08-607-011.

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

block & lot.

Block Lot Redemption Date CTF# Amount

35 18 10/13/15 13-00043 $1,300.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,300.00 payable to: FWDSL & Associates, LP, Attention: Jared Cucci, 5 Cold Hill Road, S. #11, Mendham, NJ 07945 charging same to account ##5-01-55-276-999-956.

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

**Block Lot Redemption Date CTF# Amount**

52 8 10/14/15 13-00057 $2,900.00

385 8 10/19/15 14-00257 $25,700.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $28,600.00 payable to: MTAG Cust Fig Cap Invest NJ, 13, P.O. Box 54472, New Orleans, LA 70154, charging same to account #5-01-55-276-999-956.

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

**Block Lot Redemption Date CTF# Amount**

138 4 10/26/15 14-00106 $1,500.00

191 10 10/19/15 13-00234 $2,400.00

228 32 10/26/15 14-00188 $1,500.00

282 21 10/14/15 14-00213 $1,800.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $7,200.00 payable to: TTLBL, LLC, Attention: John Lemkey, 4747 Executive Drive, Suite 1, San Diego, CA 92121 charging same to account #-5-01-55-276-999-956.

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

block & lot.

**Block Lot Redemption Date CTF# Amount**

143 12 10/23/15 14-00109 $22,400.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $22,400.00 payable to: Murray Hill Investments, LLC, 83 Hunterdon Boulevard, Murray Hill, NJ, 07974, charging same to account #-5-1-55-276-999-956.

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

**Block Lot Redemption Date CTF# Amount**

174 3 10/13/15 14-00143 $900.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $900.00 payable to: US Bank Cust for PC5 Sterling National, 50 South 16th Street, Suite #2050, Philadelphia, PA 19102, charging same to account #-5-01-55-276-999-956.

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

block & lot.

**Block Lot Redemption Date CTF# Amount**

234 3 10/13/15 14-00194 $200.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $200.00 payable to: Public Tax Investments, LLC, 575 Route 70, 2nd Floor, Brick, NJ, 08723, charging same to account #-5-1-55-276-999-956.

**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**

373 3 10/13/15 13-00344 $900.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $900.00 payable to: US Bank Cust for Pro Cap 4 & Crdtrs, 50 South 16th Street, Suite #2050, Philadelphia, PA 19102, charging same to account #-5-01-55-276-999-956.

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

**Block Lot Redemption Date CTF# Amount**

495 14 10/26/15 13-00435 $200.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $200.00 payable to: US Bank Cust BV001 Trst & Crdtrs, 50 South 16th Street, Suite #19, Philadelphia, PA 19102, charging same to account #-5-01-55-276-999-956.

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

**Block Lot Redemption Date CTF# Amount**

569 20 10/15/15 11-00234 $13,200.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $13,200.00 payable to: Virgo Municipal Finance Fund, LP, 1441 Broadway, Suite # 5010, New York, NY 10018, charging same to account #-5-01-55-276-999-956.

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

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

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

Police Dept. Edward Chabak Police Sergeant Dec. 1, 2015

Police Dept. Anthony Hatzlhofer Police Officer Dec. 1, 2015

Police Dept. Matthew Marcino Police Lieutenant Dec. 1, 2015

City Clerk Diane McKowne Senior Clerk Dec. 1, 2015

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

1. Advising that the total reimbursement to City Employees who have waived their health plan coverage for the year 2015 is $59,437.95.

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

1. Requesting approval of a refund in the amount of $126.66 for two months of a parking

Permit to Dona-Jean Solski, 532 Miller Avenue, Apt. 19A, Hamilton, NJ 08610.

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

1. Advising that he is appointing Judy McCarthy to the Shade Tree Commission to fill the unexpired term of former commissioner Diane Wilverding who resigned September 11. 2015. Ms. McCarthy’s term shall begin immediately and terminate December 31, 2018.

**(\*\*\*) CITY CLERK’S OFFICE:**

1. Advising that the following bingo/raffle applications have been submitted for approval:

**Raffle Application Organization** **Event** **Fees**

RA-1479 Linden Baseball PA 50/50 $20.00

RA-1480 Linden Baseball PA Tricky Tray $20.00

BA-1481 Linden Baseball PA Bingo $20.00

RA-1482 Deerfield School PTA #9 (3) 50/50 $60.00

RA-1483 Deerfield School PTA #9 Prize Raffle $20.00

**(\*\*\*) TRANSPORTATION & PARKING:**

1. Requesting permission to cover the parking meters for the Holiday Season for the period of December 18, 2015 through January 4, 2016.

**(\*\*\*) CAR, TRUCK, BIKE & AIRPLANE SHOW – SCHOLARSHIP FUNDRAISER:**

1. Advising that the City of Linden will be co-sponsoring the event along with Jardims Auto Body and the Linden PBA on November 15, 2015 at Linden Airport on Sunday, November 15, 2015 between the hours of 10am and 4pm. And authorizing the waiving of permit fees and insurance requirements relative to City Ordinance 4-21 Circuses and Carnivals. Insurance will be provided to Linden Airport Corp. by the City of Linden in the amount of $2,000,000.00 as required.

**(\*\*\*) TREE LIGHTING CEREMONY:**

1. Requesting approval from the County of Union to close Wood Avenue between Elm Street and Price Street on Friday, December 4, 2015 between the hours of 4pm to 9pm to hold the Annual Tree Lighting Ceremony.

**(\*\*\*) SEVENTH WARD COUNCIL PERSON:**

**(9)** Advising that Seventh Ward Councilman, Mike Minarchenko has resigned from his

position effective October 21, 2015.

Mr. Kolibas moved for approval of consent items #1 through #9. The motion was seconded by Mr. Beyer and was ordered approved by a roll call vote with all in favor with the exception of Mr. Strano who abstained.

**COMMITTEE REPORTS**

**FIRST WARD**

Mr. Kolibas gave the report of the City Clerk’s office. A total of $7000.15 in various fees was collected for various permits, licenses and documents for the month of November.

Mr. Kolibas gave the following Personnel report:

1. In the Police Department – the approval of the increase in hours for Jackie Williams, not to exceed 35 hours per week, for the duration of the leave of absence of Employee #000090 at her current hourly rate.
2. In the Personnel Division – the hiring of Katarzyna Agata Kozak as a Clerk 3, effective November 23, 2015 at the annual salary of $43,451.00, subject to the citizens pre-employment requirements.

3. From the Personnel Division – the approval of the following FMLA/NJFLA requests:

a. Employee #000988 FMLA from 1/17/15 through 2/1/16.

b. Employee #908545 FMLA from 10/15/15 through 11/30/15

c. Employee #107893 FMLA from 11/13/15 through 12/25/15

d. Employee #908821 unpaid Leave of Absence 9/23/15 through 12/31/15

Mr. Kolibas moved for approval of the Personnel Report. The motion was seconded by Mrs. Cosby-Hurling and ordered approved by a roll call vote, with all voting in favor except Mrs. Cosby-Hurling who voted yes to all except item #2 and item #3d, and Mr. Strano who abstained. Mrs. Cosby-Hurling spoke about item #2, stating that in all other municipalities a Clerk 3 position was a promotional position. It will put out for an open competitive Civil Service test. The Councilwoman thought that those already working in Clerk 1 and Clerk 2 positions should have had the opportunity to apply for the position. She spoke about the need to recognize those working for the City and doing a good job, should have had the opportunity of being promoted. Mrs. Cosby-Hurling also spoke about item #1.

**SECOND WARD**

Mr. Beyer gave the report of the Engineering Committee. He informed all that on November 5th the New Jersey Corporate Wetlands Restoration Partnership awarded Linden $25,000.00 for the Marsh’s Creek Wetlands Project. The award was due to a joint City of Linden, Phillips 66 and Rutgers joint effort. He spoke about the funds would be used.

Mr. Beyer noted that the Linden Development LLC constructed a 144,000 sq. ft. warehouse at 301 Pleasant St. last year. Now a commercial laundry is proposed for the building. A NJDEP Treatment Works Approval Permit is needed for the laundry. Their engineer has calculated the amount of sewerage that will discharge into the City sewers. The permit has been reviewed, by the City Engineer and he is requesting permission to sign it. Mr. Beyer moved for approval. The motion was seconded by Mrs. Cosby-Hurling and was approved by a roll call vote, with all voting in favor except Mr. Strano, who abstained.

Mr. Beyer reported that the Street Lighting Committee was seeking approval for the placement of street lights at 10019 W. Blancke St., Pole #E65497LD and at 841 Mack Place, Pole #637553. Mr. Beyer moved for approval. The motion was seconded by Mrs. Cosby-Hurling and was ordered approved by a roll call vote, with all voting in favor except Mr. Strano, who abstained.

Mr. Beyer reported that the Construction Code Department collected fees for the amount of October totaling $120,624.00

Mr. Beyer asked any Second Ward resident requiring leaf bags to give him a call. He provided his contact information.

**THIRD WARD**

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

1. The payment of bills totaling $1,087,519.29 The bills have been signed by the Mayor, Council President and Finance Chairman and a detailed check register and vouchers are on file in the Clerk’s Office.
2. We are in receipt of the investments made by the City Treasurer for the month of October at the rate of .10%

He moved for approval of the report. The motion was seconded by Mrs. Hickey and was ordered approved by a roll call vote with all voting in favor, except Mr. Strano who abstained.

Mr. Brown congratulated Mr. Strano on his appointment and spoke about the number of years that they have known each other. He noted Mrs. Zack being absent, the hard work she does, and that she is dealing with a personal issue.

**FOURTH WARD**

Mr. Brooks gave the report of the Division of Transportation and Parking, noting that he was giving the report for September and October. For the month of September a total of $84,621.60 was collected from all sources. For the month of October a total of $62,027.13 was collected from all sources.

Mr. Brooks reported on various activities being offered by the Division of Recreation, and provided information on how to sign up to participate. Mr. Brooks announced that he has just completed his first community newsletter. He hoped to begin distributing it on Wednesday. He provided his contact information.

Mr. Brooks stated that the flooding issue on Harrison Place was finally being addressed.

**FIFTH WARD**

Mrs. Cosby-Hurling reported on the sidewalk work that was going on in the Fifth Ward. She also provided an update on the installation of speed humps in the ward. Next she announced that Linden would be in receipt of a $700,000.00 grant from the State DOT, along with the County of Union to replace the Hussa Street Bridge. The work is planned for 2017.

Mrs. Cosby-Hurling announced that the DPW has the 65 gallon garbage cans in stock. She asked that any senior, or disabled Fifth Ward Resident, who has already given her their name, should, so that the larger cans can be swapped for the 65 gallon ones.

Mrs. Cosby-Hurling announced that on November 19th the Fifth Ward would be having its family fun night at the Linden Multi-Purpose center. She requested those interested in attending to pre-register so that there was enough food. She spoke about the activities that would take place. She announced that the tutoring program, being run by CDC, would be expanded, by a least one day. Mrs. Cosby-Hurling spoke about a State Program, “Hooked on Fishing not Drugs” and her efforts to make it available in Linden.

**SIXTH WARD**

Mr. Sadowski began by wishing all a Happy Thanksgiving. Mr. Sadowski spoke about the tenant that are occupying the warehouses on Pleasant St. He noted another proposed tenant, for the site. Next he spoke about the new parking regulations for Clinton St. Mr. Sadowski asked Sixth Ward residents, when placing leaves in the curb to please not block the sewers with them. He noted that he has leaf bags, and Sixth Ward residents in need should give him a call and he would drop them off. Mr. Sadowski explained that for the past four days he has been having phone issues. He asked that anyone who may have called in the last few days to please call back.

Mr. Sadowski wished Mr. Minarchenko good luck, and added that he was looking forward to working with Mr. Strano. He then announced the placement of wreaths, at various veteran memorials, around the City, and urged individuals to come out and support the veterans.

**SEVENTH WARD**

Mr. Strano thanked everyone for their support and wished all a happy Thanksgiving. Next he provided the details of the funeral arraignments for a long time Seventh Ward resident who passed away. Mr. Strano explained the reason that he has been abstaining on the votes, this evening, and will be for the rest of tonight. He wished all a Happy Thanksgiving, and thanked everyone, again, for their support.

**EIGHTH WARD**

Mrs. Yamakaitis reported that the Fire Prevention Bureau collected a total of $3,574.71 for the month of October 2015. Next she noted that she had received several request for updates, from residents, on the missing link project involving Route 278. She stated that as of today she has not received any notification from the Port Authority on the project.

Mrs. Yamakaitis noted that a preconstruction meeting, regarding the paving of streets, including Linden Avenue, in the Eight Ward would be held shortly. She hoped that the paving work would be done before the winter sets in. Mrs. Yamakaitis announced that the sidewalk replacement program has begun in the Eighth Ward. She then provided an update on the renovation of Bachelor Ave Park, and the completion date has been pushed back to the spring 2016. She also spoke about an issue with a street light on Mack Place.

Mrs. Yamakaitis acknowledged the members of the Mayor’s Youth Commission, for coordinating and hosting a fabulist harvest party on October 31st. She provided details on the event. She reminded all that tickets were still available for the Commission’s 70’s disco party fundraiser. She provided details on the event. Mrs. Yamakaitis announced the details of the annual Eighth Ward Photo’s with Santa.

Mrs. Yamakaitis asked Eighth Ward residents to give her a call if they needed leaf bags. She then welcomed back Ralph Strano as Seventh Ward Councilman. She wished all a Happy Thanksgiving.

**NINTH WARD**

Mr. Medina congratulated Mr. Strano on his appointment. He also spoke about Mr. Minarchenko and his service to the City. He then spoke about the car show that is to be held at Linden airport to raise money for a scholarships. Mr. Medina talked about several Ninth Ward issues, and also noted that he had leaf bags for Ninth Ward residents. He wished all a safe and healthy Thanksgiving. He added that with the holidays coming fast upon us he asked all to reflect on their situation and families and reflect on their families.

**TENTH WARD**

Mrs. Hickey spoke about trees, and tree trimming in the Tenth Ward. She noted that DPW has been working, as best they can in the Tenth Ward. She noted that she has leaf bags if anyone needs them. She noted that the 65 gallon garbage cans were in and would be distributed, by Thanksgiving, to those that need them. She provided her contact information if anyone has not contacted her regarding the replacement cans.

Mrs. Hickey spoke about Captain Turbett, who was present earlier this evening, and his role in the police departments patrol division. She then announced the details of the Linden Housing Authority’s Casino night, and urged all to come out and support it. She welcomed Mr. Strano aboard, and stated that she looked forward to working with him. Mrs. Hickey noted that Mr. Minarchenko was now a Tenth Ward resident.

Mrs. Hickey talked about development and redevelopment and she appreciates all of the comments from residents. She then thanked the veterans for their service to the Country. She wished all a happy and healthy Thanksgiving.

**MAYOR’S REPORT**

Mayor Armstead welcomed his friend, Mr. Strano back to the Council. He spoke about Mr. Strano’s dedication to the residents of the Seventh Ward. He spoke about Mr. Strano qualities.

Mayor Armstead spoke about comments, made earlier regarding a clerk 3 position. He noted his agreement with some of the comments but felt that there were extenuating circumstances that justified the hiring, at this level, and explained them. He believed that going outside was justified.

Mayor Armstead spoke about the car show that would be held at the Linden Airport and how the proceeds would be used to establish scholarships in the names of two linden residents killed in a tragic car accident. He provided details on the event and urged all to come out to support this worthy project.

Mayor Armstead thanked City employee Nancy Gomes for her efforts regarding breast cancer awareness. He noted other activities that Ms. Gomes has done to boast moral. The Mayor then spoke about Linden’s past and his hopes to build a bright future for Linden with a number of project that are on the table right now.

Mayor Armstead announced that last night a project was approved, by the Planning Board, for Bower and provided details on the project. He spoke about how this project would cleanup an eyesore that had been there for years. The Mayor also announced that Hartz Mountain has been discussing the building of a 156000 sq. ft. warehouse. He spoke about how there now companies are wanting to develop Linden.

Mayor Armstead spoke about the $700,000.00 grant to improve the bridge in the Fifth Ward. Mayor Armstead announced that the tree lighting ceremony would take place on Friday, December 4, 2015, and provided the details. He informed residents that City Hall would be closed for Veterans Day, tomorrow, November 11th.

Mayor Armstead spoke about the two proposed Special Improvement Districts, and the financial impact of having them. He thanked Council for moving this project forward. He concluded by wishing everyone a happy Thanksgiving.

**RESOLUTIONS**

**(**Mrs. Cosby-Hurling was left the room at the end of the Mayor’s report and returned during the discussion on resolution #2015-383)

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

**Resolutions #2015-380, #2015-382, #2015-383, #2015-384 were removed at the request of Ms. Malik.**

**Resolutions #2015-380, #2015-382, #2015-385, #2015-386, #2015-389 were removed at the request of Ms. Hero.**

**Resolution #2015-387 was removed at the request of Council President Jorge Alvarez.**

**Mr. Brooks moved for approval of Resolutions #2015-376 through #2015-392 with the exception of Resolutions #2015-380, #2015-382 through #2015-387 and #2015-389. The motion was seconded by Mr. Medina and was ordered approved on a roll call vote with all in favor with the exception of Mr. Kolibas who voted no on Resolution #2015-390, Mr. Brown who voted no on Resolutions #2015-378, #2015-379, #2015-381 and 2015-392, Mr. Sadowski who abstained on Resolution #2015-380 and Mr. Strano who abstained on all with the exception of Resolutions #2015-388 and #2015-392 on which he voted yes. (Mrs. Cosby-Hurling was absent from the room during this vote).**

**RESOLUTION: 2015-376**

**RESOLUTION DECLARING SURPLUS FOR SALE OR DISPOSITION NOT NEEDED FOR GOVERNMENT USE**

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

**WHEREAS, the City of Linden desires to sell certain surplus property or dispose; and**

**WHEREAS, the items listed below are being declared surplus and not needed for municipal purpose; and**

**NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN that pursuant to N.J.S.A. 40A:11-36 that the Purchasing Agent is hereby authorized to sell at public action or by other means as provided for in the statue using their best business discretion for the following items:**

HP LaserJet 2430 tn Ditto ID 05054

Kyocera FS 3140 MFP Ditto ID 6498

HP Colorsphere 2320 Ditto ID 6412

APC Smart UPS 1500

Poweredge 2600 Service Tags, 3073P31, 21TF051, 5MGX351, C42TRD1

Optiplex GX520, Service Tags, 64MG0C1, 5JW1XB1, 1PP2B21, 4KW1XB1

HP ScanJet 7650

Desk Jet 1000C

HP Office Jet G55X1

Panafax UF 490

Photocard printer

HP Laser Jet 4250tn S/N CNGXF91198

HP Laser Jet 4014n Ditto 5875

HP Colorsphere Ditto 6492

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| --- | --- | --- | --- |
|  | |  |  |
| Hp Office Jet GS5Xi(Copy, Scan) | | C6734A | SGFOAE0143 |
|  | |  |  |
| HP DeskJet 1000C (printer) | | C2670A | SG7AK13108 |
|  | |  |  |
| HP DesignJet 750C (ploter) | | C3196A | ESA6333712 |
|  | |  |  |
| HP DraftPro Plus (PLOTTER) | | C3170A | 3252L00507 |
|  | |  |  |
| Xerox 5210 (copier large format) | | 64 G | 646-023298 |
|  | |  |  |
|  |
|  | |  |  |
| Dell Precision 340 Computer | |  |  |
|  | |  |  |
| Dell Precision 360 | | DHM | 5QBDQ41 |
|  | |  |  |
| HP Vectra (computer) | |  |  |
|  | |  |  |
| Dell Optiplex GX1 (computer) | |  | 1BM2W |
|  | |  |  |
| NEC MultiSync (Monitor) | | JC-1403HMA | 2YMZ0123C |
|  | |  |  |
| Dell Computer Monitor | |  | 22794F772069 |
|  | |  |  |
| NEC Keyboard | | KB-8963 | CHKB75100736 |
|  | |  |  |
| HP Computer Monitor | | D1194A | KR13407594 |
|  | |  |  |
| NEC Powermate Computer | | PM Enterprise 8000 | 84A02472US |
|  | |  |  |
| HP Keyboard | | C1405A | 3104S51816 |
|  | |  |  |
| HP Keyboard | | C1405B #ABA | 3301M54543 |
|  | |  |  |

**BE IT FURTHER RESOLVED that the Purchasing Agent is hereby authorized to confirm the sale of said items.**

**RESOLUTION: 2015-377**

**CITY OF LINDEN**

**RESOLUTION CHAPTER 159**

**BODY ARMOR REPLACEMENT GRANT**

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

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

**WHEREAS,** the City of Linden will receive $10,519.10 from the State of New Jersey Law and Public Safety and wishes to amend its 2015 Budget to include this amount as a revenue, and

**NOW, THEREFORE, BE IT RESOLVED** that the Council of the City of Linden hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2015 in the sum of $10,519.10 which item is now available as a revenue from:

Miscellaneous Revenues

Special items of General Revenue Anticipated with

Prior Written Consent of the Director of Local

Government Services:

Public and Private Revenues off-set with Appropriations:

Body Armor Replacement Grant

**BE IT FURTHER RESOLVED** that a like sum of $10,519.10 and the same is hereby appropriated under the caption of:

General Appropriations

(A) Operations excluded from "CAPS"

Public and Private Programs off-set by revenues:

Body Armor Replacement Grant

**RESOLUTION: 2015-378**

|  |  |  |  |
| --- | --- | --- | --- |
| **CITY OF LINDEN** | | | |
| **RESOLUTION TO TRANSFER 2015 APPROPRIATIONS** | | | |
| **BE IT RESOLVED,** by the City Council of the City of Linden, County of Union, New Jersey, that the following transfers of 2015 appropriations be made in accordance with the provisions of Revised Statute 40A: 4-58. | | | |
| **CURRENT BUDGET** | | | |
| From: | Social Security System - Other Expenses | $ 42,160.00 |  |
| To: | Personnel/Human Resources - Salaries & Wages |  | $ 11,000.00 |
| To: | City Council - Salaries & Wages |  | $ 6,000.00 |
| To: | City Clerk - Salaries & Wages |  | $ 3,000.00 |
| To: | Elections - Salaries & Wages |  | $ 160.00 |
| To: | Legal Services & Costs - Salaries & Wages |  | 22,000.00 |
| From: | Other Public Works Functions - Salaries & Wages | $ 17,350.00 |  |
| To: | Legal Services & Costs - Other Expenses |  | 17,350.00 |
| From: | Business Administrator - Salaries & Wages | $ 238,600.00 |  |
| To: | Sanitary Landfill Operations & Maint - Other Expenses |  | $ 100,000.00 |
| To: | Collection of Taxes - Other Expenses |  | $ 1,100.00 |
| To: | Grant Administration - Other Expenses |  | $ 40,800.00 |
| To: | Uniform Construction Code Act - Other Expenses |  | $ 67,000.00 |
| To: | Buildings & Grounds - Other Expenses |  | $ 5,000.00 |
| To: | General Insurance - Other Expenses |  | $ 9,700.00 |
| To: | Fire Department - Other Expenses |  | $ 5,000.00 |
| To: | Board of Health - Other Expenses |  | $ 10,000.00 |
| From: | Solid Waste Collection - Salaries & Wages | $ 40,000.00 |  |
| To: | Municipal Garage - Other Expenses |  | $ 40,000.00 |
| From: | Postage - Other Expenses | $ 10,000.00 |  |
| To: | Purchasing - Other Expenses |  | $ 10,000.00 |
| From: | Social Security System - Other Expenses | $ 47,150.00 |  |
| To: | Telephone - Other Expenses |  | $ 37,800.00 |
| To: | Purchasing - Other Expenses |  | $ 5,000.00 |
| To: | Dog Regulation - Other Expenses |  | $ 4,350.00 |
| From: | Recreation Services & Programs - Salaries & Wages | $ 40,000.00 |  |
| To: | Buildings & Grounds - Salaries & Wages |  | $ 40,000.00 |
|  | Total Transfers Needed: | $ 435,260.00 | $ 435,260.00 |

**RESOLUTION: 2015-379**

**CITY OF LINDEN RESOLUTION**

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

10/1/15 Payroll FICA 7,483.53

10/1/15 Payroll payroll 85,507.53

10/8/15 Payroll FICA 53,054.32

10/8/15 Payroll payroll 1,443,833.04

10/8/15 Vision Service Plan claims 4,143.90

10/8/15 Workers Comp. claims 683.11

10/15/15 Worker’s Comp. claims 3,198.53

10/15/15 Medco claims 68,972.92

10/15/15 Payroll FICA 7,845.11

10/15/15 Payroll payroll 96,045.66

10/21/15 Worker’s Comp. claims 5,508.32

10/22/15 Payroll FICA 53,205.11

10/22/15 Payroll payroll 1,460,851.72

10/28/15 Worker’s Comp. claims 16,516.78

10/28/15 Medco claims 104,209.73

10/28/15 N.J. Transit 3rd quarter 59,800.02

10/28/15 Richard Gerbounka Mayor Portrait 1,044.60

10/29/15 Payroll payroll 7,197.58

10/29/15 Payroll payroll 102,644.91

**TRUST**

10/1/15 Payroll payroll 61,107.75

159986 10/7/15 Treasurer State of NJ training fees 98,029.00

10/8/15 Payroll payroll 5,439.69

10/15/15 Payroll payroll 39,991.41

10/22/15 Payroll payroll 6,121.04

10/29/15 Payroll payroll 58,664.25

**GRANT**

10/8/15 Payroll payroll 27,898.16

10/15/15 Payroll payroll 326.82

10/22/15 Payroll payroll 26,206.68

10/29/15 Payroll payroll 326.82

**SANITARY LANDFILL**

10/1/15 Payroll payroll 1,199.20

10/8/15 Payroll payroll 4,277.28

10/15/15 Payroll payroll 1,199.20

10/22/15 Payroll payroll 4,277.28

10/29/15 Payroll payroll 1,199.20

**CAPITAL**

10/8/15 Payroll payroll 526.33

10/15/15 Payroll payroll 101.18

**RESOLUTION: 2015-380**

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

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

**WHEREAS,** 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,** Eric Bernstein & Associates submitted a qualification to the City and has qualified for the aforesaid services; and

**WHEREAS**, due to the ongoing nature of said matter, it is necessary to provide for additional funds for said purpose in an amount not to exceed $5,000.00; and

**WHEREAS,** inclusive of these additional funds the total expenditures paid to date to Eric Bernstein & Associates for services rendered under the said contract is $10,000.00; and

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

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that they do hereby amend said contract and approve the additional funds in the amount of $5,000.00 for services to be rendered by Eric Bernstein & Associates., 34 Mountain Blvd., P.O. Box 4922, Warren, New Jersey 07059; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents between Eric Bernstein & Associates and the City of Linden; 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 which members of Council need representation and what is the complaint before the Local Finance Board. Assistant City Attorney Mr. McCarthy provided an explanation, noting that it pertained to a vote of council regarding a previous member of Council.**

**Virginia Malik, 1633 Lenape Road. Mr. McCarthy provided an explanation as to what the Local Finance Board is, and it’s over site authority.**

**Mr. Brooks moved for approval of Resolution #2015-380. The motion was seconded by Mrs. Hickey and was ordered approved on a roll call vote with Mr. Beyer, Mr. Brooks, Mrs. Hickey and Mr. Alvarez voting in favor and Mr. Kolibas, Mr. Brown, Mr. Sadowski, Mr. Strano, Mrs. Yamakaitis and Mr. Medina who abstained. Mr. Brown asked the Clerk for a tally of the vote, and when provided asked the Assistant City Attorney to provide a ruling on the approval of the resolution. Mr. McCarthy stated that the resolution was approved and explained why.**

**RESOLUTION:** **2015-381**

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

**WHEREAS**, the City of Linden passed a Resolution, No. 2015-38, dated January 20, 2015 retaining the services of an expert witness for defense of the Gulf Oil, Citgo Oil and Buckeye Pipeline State Tax Court appeals for 2015; and

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

**WHEREAS,** Integra Realty Resources submitted a qualification to the City and has qualified for the aforesaid services; and

**WHEREAS**, due to the ongoing nature of the various tax appeals, it is necessary to provide for additional funds for said purpose in an amount not to exceed $15,000.00; and

**WHEREAS,** inclusive of these additional funds the total expenditures paid to date to Integra Realty Resources for services rendered under the said contract is $50,000.00; and

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

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that they do hereby amend said contract and approve the additional funds in the amount of $15,000.00 for services to be rendered by Integra Realty Resources, 1415 Hooper Avenue, Suite 202, Toms River, New Jersey 08753; and

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

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

**RESOLUTION: 2015-381**

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

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

**WHEREAS,** the City Council of the City of Linden passed Resolution No. 2015-191 on April 21, 2015 approving an award of a contract to CMS Construction, Inc. for the Transit Village Streetscape-Phase 3 in the City of Linden in the amount of $206,370.25; and

**WHEREAS,** a second change order in the amount of $88,629.75 is required for extending the project; and

**WHEREAS,** inclusive of these additional funds the total expenditures for said contract is $295,000.00; and

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

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that the agreement awarded to CMS Construction, Inc., 521 North Avenue, Plainfield, New Jersey 07060 is hereby amended to increase the contract by the additional sum of $88,629.75, for a total contract of $295,000.00; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary amended contract documents between CMS Construction, Inc. and the City of Linden; and

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk be and hereby are empowered and directed to execute an amendatory agreement with CMS Construction, Inc.; and

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

**RESOLUTION: 2015-382**

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

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

**WHEREAS,** the City Council of the City of Linden passed Resolution No. 2015-191 on April 21, 2015 approving an award of a contract to CMS Construction, Inc. for the Transit Village Streetscape-Phase 3 in the City of Linden in the amount of $206,370.25; and

**WHEREAS,** a second change order in the amount of $88,629.75 is required for extending the project; and

**WHEREAS,** inclusive of these additional funds the total expenditures for said contract is $295,000.00; and

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

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that the agreement awarded to CMS Construction, Inc., 521 North Avenue, Plainfield, New Jersey 07060 is hereby amended to increase the contract by the additional sum of $88,629.75, for a total contract of $295,000.00; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary amended contract documents between CMS Construction, Inc. and the City of Linden; and

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk be and hereby are empowered and directed to execute an amendatory agreement with CMS Construction, Inc.; and

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

**Pat Hero, 1009 Wheatsheaf Road. Ms. Hero asked questions regarding the amount of money that the City was spending on this project. Mr. Vircik answered the question and informed her that the City was also receiving a grant from NJDOT to cover part of the cost of the project. Ms. Hero noted that the NJDOT grant means that it is coming from state taxpayers. In response to Ms. Hero, Mr. Vercik explained what phase III of the project entailed.**

**Virginia Malik, 1633 Lenape Road. Ms. Malik asked what phase we are in now. Mr. Vircik, explained the phases of the project. Ms. Malik asked additional questions regarding the project that Mr. Vircik responded to. Mr. Brown also spoke on the project and its impact on pedestrian safety. A discussion followed on the phases and the work being done.**

**Mr. Brooks moved for approval of Resolution #2015-382. The motion was seconded by Mrs. Hickey was ordered approved on a roll call vote with all in favor with the exception of Mrs. Cosby-Hurling who was excused from the room and Mr. Strano who abstained.**

**RESOLUTION: 2015-383**

**A RESOLUTION REQUESTING THE UNION COUNTY COMMUNITY**

**DEVELOPMENT REVENUE SHARING COMMITTEE TO APPROVE THE PROPOSALS HEREINAFTER LISTED AND PRIORITIES FOR YEAR XXXXI FUNDING (2016-2017)**

**WHEREAS**, the County of Union has provided Community Development Block Grant Funding from the U. S. Department of Housing and Urban Development since 1974‑1975; and

**WHEREAS,** the City of Linden has been a participating Union County Community Development Program municipality; and

**WHEREAS**, in order to continue to receive program funding, it is now necessary for the City of Linden to prepare and submit applications for funding assistance; and

**WHEREAS**, the City of Linden has conducted a public hearing on October 29, 2015 in order to receive project funding requests and recommendations.

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

**LINDEN** that the following projects have been selected for submission to the County of Union for Community Development funding and that the Mayor is hereby authorized to execute all documentation necessary to complete formal application for requested funding.

**Project Priority**

Street Improvements 1

Home Improvement Program 2

**BE IT FURTHER RESOLVED** that the Union County Community Development Revenue Sharing Committee be urged to approve the proposals set forth herein and that a copy of this resolution be forwarded to the Union County Community Development Revenue Sharing Committee forthwith.

**(Mrs. Cosby-Hurling returned at this time).**

**Virginia Malik, 1633 Lenape Road. Ms. Malik asked what where the value of these projects and who is actually paying for this. Mr. Vircik noted that the funds are supplied by the Federal Government, and how the allocation is done, and who serves on the committee allocating the funds. Mr. Vircik explained that the City had requested $250,000.00 for each of the two projects and what the funds are allocated for in the City.**

**Mr. Brooks moved for approval of Resolution #2015-383. The motion was seconded by Mrs. Cosby-Hurling and was ordered approved on a roll call vote with all in favor with the exception of Mr. Strano who abstained.**

**RESOLUTION: 2015-384**

**RESOLUTION OF CONTINUING SUPPORT FOR THE GOALS AND PURPOSES OF THE**

**2004 HIGHLANDS WATER PROTECTION AND PLANNING ACT**

**WHEREAS,** the New Jersey Highlands Water Protection and Planning Act (The Highlands Act) was enacted in order to protect the State’s water supplies and other significant resources; and

**WHEREAS,** The Highlands Act was passed with overwhelming bipartisan support in both the New Jersey State Senate and the New Jersey State Assembly; and

**WHEREAS,** subsequently in 2008, the New Jersey Highlands Water Protection and Planning Council adopted the New Jersey Highlands Regional Master Plan, and proceeded with a program for its implementation through a Plan Conformance process; and

**WHEREAS,** the City of Linden is a municipality that receives all or a portion of its drinking water from sources within the Highlands Region; and that the City of Linden relies on the resources of the Highlands to meet the current and future needs of its residents.

**NOW, THEREFORE, BE IT RESOLVED** that the governing body of The City of Linden wishes that it be known that we strongly support the goals, policies and objectives of the 2004 Highlands Water Protection and Planning Act and the Highlands Regional Master Plan.

**Virginia Malik, 1633 Lenape Road. In response to Ms. Malik, Mr. Bodek responded that there are no funds to be allocated in support of this resolution and that the resolution had been requested by the Linden Environmental Commission. Mr. Bodek clarified what the support was that was being provided.**

**Mr. Brooks moved for approval of Resolution #2015-384. The motion was seconded by Mrs. Cosby-Hurling and was ordered approved on a roll call vote with all in favor with the exception of Mr. Strano who abstained.**

**RESOLUTION: 2015-385**

**RESOLUTION APPROVING THE AWARD OF A CONTRACT TO FAI-GON ELECTRIC, INC. FOR BALL FIELD LIGHTING AT MEMORIAL PARK AND TREMLEY PARK IN THE CITY OF LINDEN**

**WHEREAS,** sealed bids were received by the Purchasing Agent on October 28, 2015 for the ball field lighting at Memorial Park and Tremley Park in the City of Linden; and

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

**WHEREAS**, the Chief Financial Officer or her designee has certified as to the availability of funds for this purpose, as attached hereto, which will be charged to account/line item C-04-55-904-610-919; and

**WHEREAS**, Fai-Gon Electric, Inc. was the lowest bidder at their bid of $701,935.00; and

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

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

1. A contract is awarded to Fai-Gon Electric, Inc. at their bid of $701,935.00.
2. This Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents between Fai-Gon Electric, Inc. and the City of Linden.
3. The Mayor and City Clerk are hereby authorized to execute all documents to effectuate the purposes herein above expressed.

**Diane Wilverding, 150 E. Morris Ave. Ms. Wilverding asked what is wrong with the lights that they need to be replaced. President Alvarez explained that the lights are beyond their life expectancy, and need to be replaced. Mr. Vircik noted that the project includes the replacement of the poles they are on. There was a brief discussion on the project, and the possibility of getting a grant, and splitting the project up. Mr. Beyer explained that the City is receiving some money, toward the cost, from a Union County recreational grant. Mr. Brown stated that he thought the money was being utilized for another project.**

**Pat Hero, 1009 Wheatsheaf Road. Ms. Hero commented, on the project, from her seat.**

**Mr. Brooks moved for approval of Resolution #2015-385. The motion was seconded by Mrs. Cosby-Hurling and was ordered approved on a roll vote with all in favor with the exception of Mr. Brown, Mr. Medina and Mrs. Hickey who voted no and Mr. Strano who abstained. Mr. Brown stated he voted no as he does not have an accounting of how much grant money is being utilized for this project.**

**RESOLUTION: 2015-386**

**RESOLUTION APPROVING A SHARED SERVICES AGREEMENT**

**WITH THE TOWNSHIP OF CRANFORD FOR THE USE OF THE CITY OF LINDEN FIREARMS RANGE**

**WHEREAS**, the Township of Cranford requires the usage of the City of Linden Firearms Range for its Police Department; and

**WHEREAS,** the City of Linden has the ability to provide said services to the Township of Cranford Police Department; and

**WHEREAS,** in exchange for waiving the $400.00 per week fee to use said range, the Township of Cranford has agreed to store City property in the Township of Cranford; and

**WHEREAS,** N.J.S.A 40A:65-4 et seq., allows the City of Linden and the Township of Cranford to enter into a shared services agreement for the City of Linden to provide these services to the Township of Cranford.

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

1. The Mayor and City Clerk be and hereby are directed and authorized

to execute a Shared Services Agreement with the Township of Cranford as aforesaid upon approval of the Law Department.

2. The City of Linden hereby waives the fee of $400.00 per week for the use of the City of Linden Firearms Range in exchange for the Township of Cranford storing City property.

3. This Resolution shall take effect immediately.

4. This Resolution shall be published as required by law.

**Pat Hero, 1009 Wheatsheaf Road. Ms. Hero noted the potential income to Linden, under this resolution, and added that the Cranford floods. Mr. Antonelli explained that the fee was for only the weeks that the range was used, which was for only 2 or 3 weeks. He noted the type of equipment being stored and the reasons why.**

**Mr. Brooks moved for approval of Resolution #2015-386. The motion was seconded by Mrs. Cosby-Hurling and was ordered approved on a roll vote with all in favor with the exception of Mr. Brown, Mr. Medina and Mrs. Hickey who voted no and Mr. Strano who abstained.**

**RESOLUTION: 2015-387**

**RESOLUTION AUTHORIZING THE TAX COLLECTOR**

**TO FORWARD MONEY TO LEIN 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 $373.26.

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 $373.26 to Amaco, 125 Rocky Boulevard # 623, Bear, DE, 19701.

**Council President Alvarez noted that he had made a mistake earlier and had excluded Resolution #2015-387 from those passed en-mass and asked for a motion and vote on this resolution.**

**Mr. Brooks moved for approval of Resolution #2015-387. The motion was seconded by Mrs. Cosby-Hurling and was ordered approved on a roll call vote with all in favor with the exception of Mr. Brooks who vote no and Mr. Strano who abstained.**

**RESOLUTION: 2015-388**

**RESOLUTION HONORING GEORGE JOHN SPILICH ON VETERANS DAY**

**WHEREAS,** George john Spilich, was born in Hell’s Kitchen, New York, on November 14, 1917, a member of what would become known as “The Greatest Generation;” and

**WHEREAS,** as the world around the United States became engulfed in war, George Spilich joined the Army Air Corp, in 1940 and after the Japanese sneak attack on Pearl Harbor on December 7, 1941 went to war; and

**WHEREAS,** during World War II George was assigned to a B29 Super fortress in the B330th Bomb Group and flew twenty-four bombing missions over Tokyo; and

**WHEREAS,** as a result of his outstanding service George Spilich received numerous awards and medals including the Distinguished Flying Cross; and

**WHEREAS,** George’s selfless sacrifice, and those of countless others, paved the way for the continued freedom that we so richly enjoy in this country; and

**WHEREAS,** George was also a committed family man, dedicated to his late wife, Virginia Spilich, his daughter Karol Pardo, his son George Spilich Jr., his six grandchildren, and his 16 great grandchildren; and

**WHEREAS,** the Mayor and City Council of the City of Linden wish to acknowledge the selfless service of George John Spilich.

**NOW, THEREFORE, BE IT RESOLVED,** that the Mayor and Council of the City of Linden thank you to George John Spilich for the freedom to live in safety, the pursuit of happiness, and also wish to wish him a happy ninety-eight birthday; and

**BE IT FURTHER RESOLVED** that a copy of this resolution be recorded in the minutes of the City Council of the City of Linden and a copy be appropriately presented to him in recognition of his sacrifices for our Freedom.

**RESOLUTION: 2015-389**

**RESOLUTION OF THE MUNICIPAL COUNCIL OF THE CITY OF LINDEN, COUNTY OF UNION, NEW JERSEY AUTHORIZING THE PLANNING BOARD TO INVESTIGATE WHETHER THE FORMER LINDEN SANITARY LANDFILL ON THE PROPERTY COMMONLY KNOWN AS BLOCK 581, LOTS 11.03 AND 17 ON THE CITY TAX MAPS SHOULD BE DESIGNATED AS AN ‘AREA IN NEED OF REDEVELOPMENT’ PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A*. 40A:12A-1 *et seq.***

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

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

**WHEREAS,** the Municipal Council believes it is in the best interest of the City that an investigation occur with respect to the former Linden Sanitary Landfill, and therefore seeks to authorize and direct the Planning Board to conduct an investigation of the property commonly known as Block 581, Lots 11.03 and 17 on the tax map of the City (hereinafter the “**Study Area**”), to determine whether the Study Area meets the criteria set forth in the Redevelopment Law, specifically *N.J.S.A.* 40A:12A-5, and should be designated as an area in need of redevelopment; and

**WHEREAS,** the redevelopment area determination initiated hereunder intends to authorize the City and Municipal Council to use all those powers provided by the Redevelopment Law for use in a redevelopment area, not including the power of eminent domain (hereinafter referred to as a “**Non-Condemnation Redevelopment Area**”).

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

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

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

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

Section 4. The Planning Board shall conduct a public hearing in accordance with the Redevelopment Law, specifically *N.J.S.A.* 40A:12A-6, after giving due notice of the proposed boundaries of the Study Area and the date of the hearing to any persons who are interested in or would be affected by a determination that the Study Area is an area in need of redevelopment. The notice of the hearing shall specifically state that the redevelopment area determination shall not authorize the City to exercise the power of eminent domain to acquire any property in the delineated area, for the Study Area is being investigated as a possible Non-Condemnation Redevelopment Area.

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

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

Section 7. This Resolution shall take effect immediately.

**Pat Hero, 1009 Wheatsheaf Road. Ms. Hero spoke about the concept of an area in redevelopment and the reasons that Council should not be supporting this resolution. She stated her opposition to public taking of property for private use. President Alvarez noted his opposition to the use of eminent domain. He further stated that in this case, the site is the former Linden Landfill, which is owned by the City. The purpose of the declaration was to expedite development being done by the City.**

**Mr. Brooks moved for approval of Resolution #2015-389. The motion was seconded by Mrs. Cosby-Hurling and was ordered approved on a roll vote with all in favor with the exception of Mr. Brown who voted no and Mr. Strano who abstained.**

**RESOLUTION: 2015-390**

RESOLUTION FIXING THE REGULAR MEETING

DATES OF THE COUNCIL AND PRESCRIBING THE

RULES GOVERNING THE PROCEDURE AT ALL

MEETINGS OF THE COUNCIL FOR 2016.

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

THAT the Conference Meetings of the Linden City Council will be held in the Council Office, City Hall, Linden, New Jersey and the Regular Meetings of the Linden City Council will be held in the Council Chambers, City Hall, Linden, New Jersey. All meetings shall be held on the dates and convened at the prevailing times listed below, or as soon thereafter as the Council assembles:

CONFERENCE MEETINGS

CONFERENCE MEETINGS PRIOR TO COUNCIL MEETINGS COUNCILMEETINGS

(Organization Meeting) (Organization Meeting)

Jan. 05, 6:00 p.m. to 7:00 p.m. Jan. 05, at 7:00 p.m.

Jan. 18, at 6:00 p.m.\* Jan. 19, 6:00 p.m. to 7:00 p.m. Jan. 19, at 7:00 p.m.

Feb. 15, at 6:00 p.m.\*\* Feb. 16, 6:00 p.m. to 7:00 p.m. Feb. 16, at 7:00 p.m.

Mar. 14, at 6:00 p.m. Mar. 15, 6:00 p.m. to 7:00 p.m. Mar. 15, at 7:00 p.m.

Apr. 18, at 6:00 p.m. Apr. 19, 6:00 p.m. to 7:00 p.m. Apr. 19, at 7:00 p.m.

Apr. 26, 6:30 p.m. to 7:00 p.m. Apr. 26, at 7:00 p.m.

May 16, at 6:00 p.m. May 17, 6:00 p.m. to 7:00 p.m. May 17, at 7:00 p.m.

June 20, at 6:00 p.m. June 21, 6:00 p.m. to 7:00 p.m. June 21, at 7:00 p.m.

July 18, at 6:00 p.m. July 19, 6:00 p.m. to 7:00 p.m. July 19, at 7:00 p.m.

Aug. 15, at 6:00 p.m. Aug. 16, 6:00 p.m. to 7:00 p.m. Aug. 16, at 7:00 p.m.

Sept. 19, at 6:00 p.m. Sept. 20, 6:00 p.m. to 7:00 p.m. Sept. 20, at 7:00 p.m.

Oct. 17, at 6:00 p.m. Oct. 18, 6:00 p.m. to 7:00 p.m. Oct. 18, at 7:00 p.m.

Nov. 7, at 6:00 p.m. Nov. 8, 6:00 p.m. to 7:00 p.m. Nov. 8, at 7:00 p.m.

Dec. 19, at 6:00 p.m. Dec. 20, 6:00 p.m. to 7:00 p.m. Dec. 20, at 7:00 p.m.

- - - - - - - - - - - - Dec. 27, 6:00 p.m. to 7:00 p.m. Dec. 27, at 7:00 p.m.

BE IT FURTHER RESOLVED, that the procedure of all meetings for the year 2016 shall be in compliance with the Open Public Meetings Act, Chapter 231, P.L. 1975.

**RESOLUTION: 2015-391**

**RESOLUTION AUTHORIZING THE CITY OF LINDEN TO PROCESS AN INVOLUNTARY DISABILITY RETIREMENT APPLICATION**

**WHEREAS**, the City of Linden has employed Jeffrey Moreno as a Firefighter in the Fire Department; and

**WHEREAS**, Jeffrey Moreno is an active member of the Police and Fire Retirement System (PFRS); and

**WHEREAS**, as of November 1, 2015, Mr. Moreno met the minimum service credit requirement of at least 10 years for PFRS members; and

**WHEREAS**, effective November 1, 2015, Mr. Moreno filed retirement papers with PFRS for an Ordinary Disability Retirement; and

**WHEREAS**, the City of Linden staff is of the opinion that Mr. Moreno is totally and permanently disabled and no longer can perform the required duties of the position of a Firefighter based on the documentation supplied by professionals retained by the City; and

**WHEREAS**, the City is unable to provide an alternative to the PFRS covered position with duties capable of being performed by Mr. Moreno; and

**WHEREAS**, the City Council, as the Appropriate Authority, has consented to the processing of the Involuntary Disability Retirement Application on behalf of Mr.Moreno.

**NOW, THEREFORE BE IT RESOLVED**, by the governing body of the City of Linden that the appropriate staff members are directed to process an Involuntary Disability Retirement Application for Jeffrey Moreno, effective November 1, 2015 and request of the PFRS to convert Mr. Moreno’s Disability Retirement to an Involuntary Disability Retirement; and

**BE IT FURTHER RESOLVED** that certified copies of this Resolution shall be forwarded to all parties involved in the administration of this action.

**BE IT FURTHER RESOLVED**, that this Resolution becomes effective immediately.

**RESOLUTION: 2015-392**

**RESOLUTION APPROVING A CONTRACT WITH REMINGTON &**

**VERNICK ENGINEERS FOR THE ESTABLISHMENT OF A QUIET**

**ZONE AT THE LOWER ROAD AT GRADE RAILROAD CROSSING**

**WHEREAS,** the City Council of the City of Linden has determined that it would be in the best interests of the “City of Linden to retain the services of a licensed engineer for the establishment of a quiet zone at the Lower Road at Grade Railroad Crossing; 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,** Remington & Vernick Engineers 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. 501-20-130-115-255.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL, OF THE CITY OF LINDEN** that a contract for Professional Services be and hereby is awarded to Remington & Vernick Engineers, 232 Kings Highway East, Haddonfield, New Jersey 08033, in an amount not to exceed $10,000.00, in accordance with their proposal dated November 6, 2015; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents between Remington & Vernick Engineers and the City of Linden; and

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk be and hereby aree empowered and directed to execute an agreement with Remington & Vernick Engineers to effectuate the foregoing; and

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

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.

At the conclusion of action on resolutions, President Alvarez noted that he had forgotten a few items of business. He noted the presence of Councilwoman elect Lisa Ormon, congratulated her on her election and asked her to stand and be recognized.

President Alvarez congratulated Mr. Strano on his appointment, and offered congratulations to Mr. Medina on his re-election.

President Alvarez noted that Mrs. Ormon was the sister of Mayor Armstead, and recognized the Mayor. Mayor Armstead offered congratulations to Mrs. Ormon and spoke about their relationship.

President Alvarez recognized Mr. Brown. Mr. Brown explained that Mrs. Zack was watching the meeting, from home, and sent him a clarification on the park lighting project and the use of grant funds. He provided the information to all..

**ORDINANCE – FIRST READING**

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

**An Ordinance entitled:**

**59-48 ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER VII, TRAFFIC 7-12, TIME LIMITED METERED PARKING SHALL BE AMENDED AS FOLLOWS: Delete 7-12.2b1(a) Time Limited Metered Parking, Pennsylvania RR Avenue, North Side, 12 hours Monday through Saturday (except holidays) from Wood Avenue to Carteret Street**

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

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

On motion of Mr. Medina seconded by Mr. Kolibas, the foregoing Ordinance was on a roll call vote ordered approved with all in favor with the exception of Mr. Brown, Mrs. Cosby-Hurling, Mrs. Hickey who voted no and Mr. Strano who abstained.

**An Ordinance entitled:**

* 1. **ORDINANCE TO AMEND AND SUUPLEMENT CHAPTER VII, TRAFFIC 7-33 HANDICAPPED PARKING REGULATIONS SHALL BE AMENDED AS FOLLOWS: 7-33.1A Handicapped Parking On-Street**

**Add: 535 Grant Street**

**1400 Eddy Avenue**

**201 W. 16th Street**

**3 Berlant Avenue**

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

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

On motion of Ms. Yamakaitis seconded by Mr. Medina, the foregoing Ordinance was on a roll call vote ordered approved with all in favor with the exception Mr. Strano who abstained.

**An Ordinance entitled:**

* 1. **ORDINANCE CREATING A NEW CHAPTER IN THE CODE OF THE CITY OF LINDEN ENTITLED ROUTE 1 SPECIAL IMPROVEMENT DISTRICT.**

President Alvarez asked if there were comments from the public.

Pat Hero, 1009 Wheatshief Road-

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

On motion of Mr. Brown seconded by Mr. Brooks, the foregoing Ordinance was on a roll call vote ordered approved with all in favor with the exception Mrs. Cosby-Hurling who voted no and Mr. Strano who abstained.

An Ordinance entitled:

**59-51 ORDINANCE CREATIGN A NEW CHAPTER IN THE CODE OF THE CITY OF LINDEN ENTITLED ST. GEORGES AVENUE SPECIAL IMPROVEMENT DISTRICT.**

President Alvarez asked if there were comments from the public.

Pat Hero, 1009 Wheatsheaf Road. Ms. Hero noted that her comments pertained to Ordinance 59-50 as well as 59-51. She spoke about Mayor Armstead’s comment that Linden was a business friendly town and disagreed with it. She noted the sky high taxes being charged business, and now a special fee was being added to that to fund the special improvement district. She spoke about the reasons for her opposition to these additional fees.

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

On motion of Mr. Brown seconded by Mr. Brooks, the foregoing Ordinance was on a roll call vote ordered approved with all in favor with the exception Mrs. Cosby-Hurling who voted no and Mr. Strano who abstained.

**PUBBLIC COMMENT**

President Alvarez made the following statement regarding public comment.

**Comments from members of the public in attendance on City business only. No personal, political or derogatory comments. The time is not to exceed five minutes. He asked if anyone did not get a chance to sign the public comment sheet, to speak, to please come up and sign in.**

**Pat Hero, 1009 Wheatsheaf Road. Ms. Hero spoke about family members who are veterans, wished all veterans a happy Veterans Day, and thanked them for their service to this country. She expressed her condolences to the family of John Ziemian. Ms. Hero gave her traditional Thanksgiving speech, thanked a number of individuals and noted the reasons why.**

**Mark Armstead, 1215 E. Blancke Street. Mr. Armstead presented President Alvarez with a flower for every member of Council. He reminded all that the Linden’s Mayors Youth Commission was giving a Seventy’s party, with the proceeds going to the Commission and handicapped Linden children. He asked all to show their support by posting the event on their Facebook page. The event is about supporting the children. President Alvarez provided details on the event.**

**George Withers, 205 Cacciola Place. Mr. Withers invited all to the car show, at Linden Airport, that would be raising money to establish a scholarship in the names of Officer Viggano and Mr. Rodriguez. He provided details on the event.**

**Judith Miller, Fernwood Terrace. Ms. Miller asked Mrs. Hickey asked if landscapers cleaning up properties can place leaves at the curb. Mrs. Hickey stated they cannot, and agreed with Ms. Miller that they are supposed to be issued a summons. A discussion followed on who can issue the summons, and how to best to deal with it. Ms. Miller spoke about leaves and other debris being placed in the curb, by landscapers that Public Works need to clean up**

**Mrs. Cosby-Hurling made a motion to close the public comment section of the meeting. The motion was seconded by Mrs. Yamakaitis and approved unanimously by a roll call vote.**

**President Alvarez asked if any member of the governing body wanted to speak. He reminded them that there was a time limit of one minute.**

**Mr. Brown spoke about the issues raised by Ms. Hero regarding the SID district. He quoted from State of New Jersey documents regarding the reasons for the creation of the SID district, and that the businesses, in them, need to pay for the resources that are using.**

**Mrs. Cosby-Hurling addressed the issue raised by Ms. Miller, informing her that if she observes the incident, and takes photos of it, she can go into court and swear out a complaint against the offender. She explained the process.**

**Mr. Medina stated that he did not give the library report during his council report. He spoke about the chocolate fundraiser that the Friends of the Library held and provided details on various other events that the Library is holding.**

**Mrs. Hickey thanked a Ninth Ward resident, Michelle Barry, who assisted Mrs. Hickey’s sister during an emergency.**

**Council President Alvarez made the following announcements:**

**President ANNOUNCE’S: The following Council Meetings will be as follows:**

**\*Council Conference meeting Monday, December 14, 2015 at 6:00 pm in the Council Conference Room, City Hall, 301 N. Wood Ave.**

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

**Tuesday, December 15, 2015 at 6:00 pm in the Council Conference Room, City Hall, 301 N. Wood Ave.**

**\*Council Meeting: Tuesday, December 15, 2015 at 7:00 p.m. in the Council Chambers, City Hall, 301 N. Wood Ave.**

**Council President Alvarez wished all a happy Thanksgiving.**

**There being no further business to come before Council, Mrs. Cosby-Hurling moved to adjourn the meeting. The motion was seconded by Mrs. Hickey and was unanimously ordered approved by a roll call vote.**

**Respectfully submitted,**

**Joseph C. Bodek**

**City Clerk**