**Minutes of the Regular**

**Meeting of the 2015 Council of the**

**City of Linden, held Tuesday**

**October 20, 2015**

The regular meeting of the 2015 Council of the City of Linden, was held in the Council Chambers in the City Hall on Tuesday, October 20, 2015, 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

Councilman Michael Minarchenko

Councilwoman Michele Yamakaitis

Councilman Armando Medina

Councilwoman Gretchen Hickey

Council President Jorge Alvarez

Mayor Derek Armstead

**APPROVAL OF MINUTES**

Mr. Kolibas moved for the approval of the Regular Meeting Minutes of September 15, 2015. The motion was seconded by Mrs. Hickey and was unanimously ordered approved on a roll call vote.

**PRESENTATIONS**

**LINDEN LIONS**

Council President Alvarez asked Mayor Armstead and Mr. Medina to come forward and make a presentation to the members of the Linden Lions marking the 70th Anniversary of the founding of the Linden organization. Mayor Armstead spoke about the volunteers and the work done by the Lions. Mr. Medina noted that he was also a member of the Lions, the work of the organization and then read the resolution marking this occasion. The resolution was then presented to members of the organization, and the President of the club thanked the governing body.

**BREAST CANCER AWARENESS MONTH – SHARON MARIE SWEENY, SURVIVOR**

Council President Alvarez called upon Mayor Armstead, Mrs. Cosby-Hurling, Mrs. Yamakaitis and Mrs. Hickey to make a presentation. Mayor Armstead thanked the three councilwoman for helping to keep people aware of this deadly disease, and the efforts to find a cure. He noted that Mrs. Hickey is a breast cancer survivor, and called Ms. Sweeny up. Mrs. Cosby-Hurling spoke about breast cancer, various foundations that are working toward a cure. She noted that early detection was a key to successful treatment, read the resolution for Ms. Sweeny, and presented it to Ms. Sweeny. Ms. Sweeny thanked council for the recognition, and her family and friends for their support.

**WORLD PANCREATIC CANCER DAY – NOVEMBER 13TH**

President Alvarez noted that November 13th is World Pancreatic Cancer Day, and asked if anyone was present to receive it. There was no one present.

**HISPANIC HERITAGE MONTH – HONORING PASTOR BENJAMIN VALENTIN**

**AND**

**EDUARDO B. JOSE**

President Alvarez asked Mayor Armstead, Mrs. Cosby-Hurling and Mrs. Yamakaitis to make a presentation. Mrs. Cosby-Hurling explained that she was pleased to make this presentation to who come into our city to do good works for the residents. She noted the assistance that they have given herself and Mrs. Yamakaitis and the programs they offer. Mayor Armstead spoke about the diversity of the Linden community and that the Hispanic population represents about 23% of Linden residents. He noted that while these gentleman, and most members of their organization are Hispanic, their outreach is to everyone. Mayor Armstead read the resolution honoring Mr. Jose and presented him a copy to him. Mrs. Yamakaitis, noted the great things that CDC was doing, read the resolution honoring Pastor Valentin and presented him with a copy. The two individuals thanked the Governing Body for the resolutions and for their support of the programs offered by CDC.

**EMPLOYEE OF THE YEAR - JENNIFER HONAN**

President Alvarez spoke about the toughness in making this decision, as every employee is valuable to the operation of the City. He noted that this award is going to an employee, who always does a little extra, goes the extra mile in doing their job. Mrs. Honan was called up. Mrs. Cosby-Hurling stated that there is nothing bad that she can say about Mrs. Honan, and spoke about Mrs. Honan work ethic. President Alvarez invited Mrs. Honan family up to join her. Mayor Armstead spoke about all of the hard work that Mrs. Honan does for the City, read the resolution honoring her, and presented her with flowers and a copy of the resolution. He noted that this was the first time that the City had selected an Employee of the Year. Mrs. Honan thanked the Mayor and members of Council.

**ORDINANCES ON HEARING**

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

further consideration respecting an ordinance entitled:

**#59-42 An Ordinance amending Chapter 3-33 of the City Code entitled “Graffiti and providing for remediation of same” by the City Council of the City of Linden.**

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

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

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

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

further consideration respecting an ordinance entitled:

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

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. Brooks moved that the hearing be closed and the ordinance be tabled to the November meeting. The motion was seconded by Mr. Beyer and on a roll call vote the ordinance was tabled.

**CONSENT AGENDA**

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

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

2016 Taxes $6,927.60

2015 Taxes $720,347.52

2014 Taxes $487.08

Garbage Fee Payments $45,623.42

Garbage Fee Penalty $610.00

Municipal Lien Redemption $212,189.78

Tax Search $0.00

Lien Redemption Request Fee $100.00

Year End Penalty $8,149.24

Returned Check Fee Paid $20.00

Returned Check Fee Garbage Paid $0.00

Returned Check 2015 ($0.00)

Returned Check Interest ($0.00)

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 $600.00

DPW 2014 Reso payments $0.00

Tax Sale Cost/Before Tax Sale Cost $0.00

Premium $0.00

Interest $132,583.76

Total $1,127,638.40

**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

8 21 9/18/15 14-00008 $1,500.00

182 6 9/25/15 14-00150 $5,100.00

285 13 9/25/15 14-00215 $2,000.00

292 8 9/29/15 14-00217 $1,500.00

376 24 9/4/15 14-00253 $1,800.00

388 8 9/3/15 14-00260 $1,400.00

514 10 9/17/15 14-00317 $7,200.00

558 9 9/29/15 14-00354 $2,000.00

570 31 10/2/15 14-00363 $1,300.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $23,800.00 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

10 22 9/29/15 13-00013 $1,400.00

147 19.03 9/21/15 13-00188 $1,300.00

178 18 10/5/15 13-00225 $1,400.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $4,100.00 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 2012 tax sale on the following block & lot.

Block Lot Redemption Date CTF# Amount

32 5 9/8/15 11-00018 $11,100.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $11,100.00 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.

**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

141 7 9/8/15 14-00107 $1,200.00

188 7 9/4/15 14-00154 $900.00

222 9 9/8/15 14-00182 $1,000.00

514 6 9/10/15 14-00316 $900.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $4,000.00 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

204 2 10/2/15 14-00168 $1,000.00

215 29 9/28/15 14-00179 $1,400.00

306 11 9/28/15 14-00219 $1,000.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $3,400.00 payable to: PFS Financial 1, LLC US Bank Custodian, 50 South 16th Street-Suite 2050, Philadelphia, PA 19102 charging same to account #5-01-55-276-999-956.

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

Block Lot Redemption Date CTF# Amount

332 29 9/18/15 14-00230 $4,600.00

400 21 9/28/15 13-00363 $12,100.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $16,700.00 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 2013 tax sale on the following block & lot.

Block Lot Redemption Date CTF# Amount

507 12 9/10/15 12-00257 $700.00

571 12 9/18/15 12-00287 $900.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,600.00 payable to: US Bank Cust-Pro Cap III, LLC, 50 South 16th Street-Suite 2050, Philadelphia, PA 19102 charging same to account #5-01-55-276-999-956.

**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

549 9 9/18/15 14-00338 $600.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $600.00 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.

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

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.

**Cancel Taxes** Block 65 Lot 6, Bessie R & Edward C. St. John

**Veteran** 1230 Dill Avenue

Requesting your approval to cancel the 2015 1st and part of 2015 2nd. This cancellation is due to the Tax Assessor, Michael Frangella, and granting full exemption for a disabled veteran per state statute 54:04-03.30 as of May 1, 2015. All taxes from this time forward will be exempt status. The owner has paid the taxes as well as being awarded a Homestead Benefit Credit from the Division of Taxation. The owners are entitled to a refund. The breakdown is as follows:

Amount due from Tax Payer Amount paid by Tax payer

2015 $2,183.85 2015 1st $1,989.61

2015 2nd  $1,989.60

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,795.36 payable to: Bessie R. & Edward C. St. John, 1230 Dill Avenue, Linden, NJ 07036, charging same to account #5-01-55-288-999-904.

**Credit Balance** Block-25 Lot-11

Joseph Adarkwa-Aduasah

1821 E. Elizabeth Avenue

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 2015-3rd quarter. The overpayment amount is $2,496.11.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of **$2,496.11** payable to: Joseph Adarkwa-Aduasah, 1821 W. Elizabeth Avenue, Linden, NJ 07036, refunds charging same to account # 5-01-55-288-999-904.

**Credit Balance** Block 178 Lot 18

Carol A. Spinelli

1110 Walnut Street

There now exists a credit balance on the above referenced block & lot due to an overpayment by Mortgage Company on the 2014-2nd quarter. The overpayment amount is $878.46.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $878.46 payable to Core Logic, Attention: Refunds Department, 1 Core Logic Drive, Westlake, TX 76262, charging same to account 5-01-55-288-999-904.

**Refund** Block 311 Lot 8

John Willie & Megan Puchel

602 W. Curtis Street

The above referenced property owners are entitled to a refund due to a Tax Court of New Jersey judgment reducing the assessment by 7,900 for 2014.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $486.25, payable to: Spector, Foerst, & Associates, 159 Milburn Avenue, Milburn, NJ 07041, charging same to account #5-01-55-275-999-000.

**Refund** Block 527 Lot 18 1119 Clinton Street

After reviewing a lien account, due to a posting error, a payment made by the lien holder should have not been processed as the owner’s payment was posted incorrectly. The lien holder is entitled to a refund of the incorrect payment, TTLBL, LLC

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $130.00 payable to: TTLBL, LLC, 4747 Executive Drive, Suite 510, San Diego, CA 92121 charging same to account 15-001-999-904.

**(\*\*\*) CITY CLERK’S OFFICE:**

1. Requesting permission to close East Curtis Street between Maple Avenue and Walnut Street on Saturday, October 31, 2015 between the hours of 6pm and 11pm to hold a Halloween Haunted House. (Approval will not be granted until liability insurance has been provided & approved by the City Attorney and the Police Chief has approved the application)

**(\*\*\*) LINDEN ECONOMIC DEVELOPMENT CORPORATION:**

1. Please be advised that the Mayor is appointing the following individual to the LEDC to fill the unexpired term of Mr. Tom Noble who has resigned effective immediately and expiring December 31, 2016. Felipe Cabezas, Vision Realty

716 W. St. Georges Avenue, Linden

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

1. Advising that sixty-seven Certificates of Occupancy were issued by the Board of Health during the month of September 2015.

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

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

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

Police Dept. Kathy Zack Police Officer Oct. 1, 2015

DPW Craig Beecher Supervisor of Trees Nov. 1, 2015

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

1. Requesting approval of a refund in the amount of $70.00 for a Certificate of Smoke Detector and Carbon Monoxide Alarm Compliance that was previously paid for by the previous bank owner.

Mrs. Hickey moved for approval of consent items #1 through #6. The motion was seconded by Mr. Kolibas and was ordered approved by a roll call vote, with all voting in favor, except Mr. Alvarez who abstained on item #2.

Mr. Brown noted that there was an additional consent item. He then read the following motion.

I move to give approval to St. Mary and St. Bishoy Coptic Orthodox Church to hold a picnic on October 24th, 25th, 31st and November 1st subject to the following conditions:

1. Submission of a completed application to the City Clerk’s Office;
2. Payment of the application fee;
3. Submission of a certificate of insurance pursuant to the City requirements;
4. Submission of a power of attorney;
5. Holding of a meeting with the Police, Fire and Health Departments and subject to their satisfaction;
6. The church is to provide written notification to the residents on Clark and Walnut Street that the picnic is taking place on the noted dates.

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

**COMMITTEE REPORTS OF THE MEMBERS OF THE GOVERNING BODY**

First Ward

Mr. Kolibas gave the report of the City Clerk’s office. A total of $5,660.71was collected for the month of September for various licenses, transcripts and permits. Next he reported that the City Clerk’s Licensing Division collected a total of $4660.00 for the month of September.

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

1. In the Office of Emergency Management – the approval of a stipend for Joseph Stigliano in the amount of $5,000.00 for the performance of all duties associated with the Office.

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

a. Employee #106507 Intermittent FMLA from 9/1/15 through 8/31/16.

Mr. Kolibas moved for approval of the Personnel Report. The motion was seconded by Mrs. Yamakaitis and was unanimously ordered approved by a roll call vote. Mrs. Cosby-Hurling noted that with the paying of a stipend for OEM there is now an opening in OEM for a volunteer. She urged that anyone interested should contact the Chief of Police.

Mr. Kolibas provided details on the Kiwanis Club third annual Taste of Linden fundraiser. Next he urged all to be wary of the Trick or Treater’s out on Halloween and to drive safely.

Second Ward

Mr. Beyer gave the report of the Engineering Committee. He noted that the gas company would be replacing various gas mains and provided the streets where work would take place. He added that since the City had recently repaved DeWitt Street, they would be repaving it from curb to curb, after they completed their work. He provided information relative to the repaving of streets in the Second Ward, and that the work was being done through various grants the City obtained.

Mr. Beyer informed all that a developer is interested in the old JTG Scaffolding property in the Second Ward. He provided some details on the project. Mr. Beyer announced that he is working with Mr. Zellner to obtain grants to address the old United Lacquer building. He noted the bad conditions at the site.

Mr. Beyer spoke about the presentation, at the Landfill Committee, meeting of a girl scout from Troop 40176 who will be doing her Gold Award project at the Hawk Rise Sanctuary. He described her project and the how excellent her presentation was.

Third Ward

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

1. The payment of bills totaling $1,437,206.61. The bills have been signed by the Mayor, Council President and Finance Chairman and a detailed check register and vouchers are on file in the Clerk’s Office.
2. We are in receipt of the investments made by the City Treasurer for the month of September at the rate of .10%
3. In the Department of Finance the approval was given for the CFO to submit the Best Practices worksheet to the Division of Local Government Services by the October 16, 2015 deadline.

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

Mr. Brown noted streets, in the Third Ward, that will be paved this year. He thanked Councilman Beyer for his help with getting these projects done.

Fourth Ward

Mr. Brooks gave the report the Public Property and Community Services Committee. Mr. Brooks informed all that he accepted, on behalf of the City of Linden, and the Mayor, a grant from Union County, in the amount of $75,000.00, for the complete renovation of Dr. Martin Luther King Park. He urged all to come out and enjoy the parks. He added that the purpose of a previously awarded grant has been modified so that they can be used to do a feasibility study to determine a possible location for a turf field in Linden.

Mr. Brooks thanked residents of his ward for their calls. He detailed some of the issues raised by the residents. He also spoke about his efforts to slow traffic down in the area of School 5. Mr. Brooks spoke about how distressed he was over a note that appeared on the doors of the Linden Multi-Purpose Center, regarding the changing of the center’s hours. He noted that did not come from him, or any of the council persons. The appropriate report has been given and the matter is being looked into.

Fifth Ward

Mrs. Cosby-Hurling noted that she had no report from the DPW Committee. She added that she also had no report from the Reconstruction Committee, but she has been asked by the Council President to reconvene the Committee and get the hard work done. She described what the Committee’s efforts would focus on. Mrs. Cosby-Hurling discussed the study that was being done, by an outside company, on DPW. She noted her reasons for voting no to hiring the outside company.

Mrs. Cosby-Hurling informed all that the Housing Authority, after the holiday’s, would begin doing some renovations to one of their buildings. She also announced that in the City of Linden, the County of Union has selected three traffic control boxes to be part of their “Art Outside of the Box” initiative, and one would located in the Fifth Ward. She described the art work that would be done.

Mrs. Cosby-Hurling announced that on November 19th there will be a Family Night in the Fifth Ward. The event will be conducted around a Thanksgiving theme, and food would be available. She asked those interested to contact her so that she can make the arraignments. She provided her contact information. Next she announced that the sidewalk reconstruction project would begin soon, and that the Fifth Ward would be the second ward in the City to have its sidewalks done.

Mrs. Cosby-Hurling spoke about the tutoring program, being run by CDC, and its possible expansion. She thanked the Board of Education for allowing this program to be conducted at School #2. She then reminded all to vote in the general election on November 3rd. She explained the ballot and need for all to vote in the Board of Education election. She noted 2, 3, 4 before closing.

President Alvarez recognized Mr. Brooks to speak about one more item. Mr. Brooks spoke about his participation in a training program he participated in with the Fire Department. He described his experience and what he went through. He stated that as a result of this experience he appreciates the work of the firemen even more.

Sixth Ward

Mr. Sadowski reminded all of the upcoming election and to go out and vote. He informed all about the annual Halloween Parade and provided details for those that wished to watch. He spoke about the continuing work, in the Sixth Ward, being done by the water company.

Mr. Sadowski spoke about calls that he is getting regarding the new automated garbage collection system. He noted that the Sixth Ward will be getting the new cans, but not for at least a year. He informed Sixth Ward residents that he has leaf bags available, and provided his contact information to the residents. He noted that if they call he will drop a supply to them.

Mr. Sadowski talked about the two hour parking area along Clinton St. from Pennsylvania Railroad Ave to Liberty St. The signs for the two hour parking were put up today. He noted he will be going to each resident with a form for them to complete and return to the Traffic Bureau to get a parking permit. He explained the reasons for this parking regulation. He wished all a good Halloween.

Seventh Ward

Mr. Minarchenko gave the report of the Construction Code Department. The department issued 181 permits, 53 certificates and collected $566,902.00 in fees for the month of September. He noted the paving of streets in the Seventh Ward. He also spoke about trucks using Tremely Point Road and possibly Fedor Ave. and his efforts to stop them from using those streets.

Mr. Minarchenko spoke about the issue of the railroad whistles, and the creation of a Quite Zone. He noted the resolution, on the agenda, to start the creation of the Quite Zone. He thanked Mr. Antonelli for putting the resolution together. He asked for members of Council to support it.

Eighth Ward

Mrs. Yamakaitis gave the report of the Fire Prevention Bureau. The Bureau collected a total of $10,858.70 for the month of September. She noted collections, for the month of September, for ambulance services and that a total of $502,776.22 has been collected for the year 2015 to date.

Mrs. Yamakaitis announced that the Linden Fire Department will be celebrating its 100th Anniversary in 2016. She announced details of the fundraising kickoff for this event.

Mrs. Yamakaitis announced that she, and Chief Dooley, have received several emails, from around the country, regarding the actions of several firefighters, who went above and beyond in assisting an autistic child that was a victim of bullying. She provided details on the event and the efforts of the firemen. She spoke about how proud she was.

Mrs. Yamakaitis announced that the Health Department would be giving seasonal flu shots, and provided details on how to participate in the program. She then spoke about the paving of Linden Avenue, in the Eighth Ward, and that the work was being paid for through grant funds. Next she talked about the renovations to the Bachelor Ave Park, and the uncertainty of the completion date.

Mrs. Yamakaitis spoke about bogus phone calls that Eighth Ward residents were receiving a series of IRS scam calls. She spoke about the callers where saying and asked residents to be wary. She advised them not to return the calls nor give out any information. Mrs. Yamakaitis noted that the sidewalk replacement program would begin in the Eighth Ward next week. She also informed Eighth Ward residents that she had leaf bags, and provided her contact information for those that wanted bags.

Ninth Ward

Mr. Medina reported on the live fire training that he had participated in, with the Fire Department. He noted that seeing what the firefighters go through puts things in prospective. He spoke about his observations and the technology they use.

Mr. Medina reported that the Linden Lions Club is working with the City of Linden and the Reformed Church to provide a health fair. He provided details on the event. He next reported on a fundraiser to be held by the Friends of the Linden Library and provided the information on the event. He then announced that the Linden Lions Club would also be holding its annual pasta dinner and provided details on it. He urged residents to participate in the event.

Mr. Medina spoke about the sidewalk replacement program, and hoped that it would get to the Ninth Ward before the cold weather halted the program. He spoke about the DPW trimming and removing trees in the Ninth Ward. He noted that Halloween was around the corner and urged all to be safe and cautions of the children. He invited all to attend the Halloween parade.

Tenth Ward

Mrs. Hickey noted that she was liaison to OEM and reported on a meeting she had, this past week, with t Chief Schulhafer and deputies. She informed all as to the services that they provide to the City and its residents, explaining that most OEM members are volunteers. Next she talked about the work done by Mr. Stigliano and the services he provides at OEM. Mrs. Hickey announced that OEM is looking for volunteers interested in helping out their community. She explained the requirements and how to volunteer.

Mrs. Hickey informed all that the IRS scams that Mrs. Yamakaitis spoke about were happening in the Tenth Ward this week. She all to be cautious and to watch out for their elderly neighbors. Next she thanked Phillips 66 for their assistance in providing for a brand new generator for the OEM building.

Mrs. Hickey spoke about the Winfield First Aid Squad, and the mutual aid they provide to Linden. They are looking for volunteers, and she urged any Linden resident interested to please reach out to Winfield. Next Mrs. Hickey thanked Nancy Gomes, of the Treasurers Department for hosting the annual Breast Cancer Awareness event out in front of City Hall. She provided details on the event for those interested in participating.

Mrs. Hickey detailed problems with street sweeping, in the Tenth Ward, due to the placement of the automated garbage cans in the street. She noted where they should be placed. Next she spoke about tree trimming and cutting in the Tenth Ward. Mrs. Hickey also informed residents that smaller cans for the automated garbage collection system should be available next week. She also spoke about efforts to stop speeding and concluded by wishing all a happy and safe Halloween.

**MAYOR’S REPORT**

Mayor Armstead informed residents that a Linden Street map and guide was available in City Hall. He noted the information contained in the map and that it was done at no cost to the Linden taxpayers. He also announced that his first newsletter, called Linden First, would be going out, and how they would be available. He next spoke about the Union County “Art Outside the Box” initiative, and explained the program.

Mayor Armstead spoke about the September to Remember event, thanking those who participated and stated that he thought it was a great event. He hoped to grow it each year.

Mayor Armstead then spoke about the Quite Zone, for residents of Tremely Point and thanked Council for supporting the resolution to establish the Quite Zone, noting how horrible the noise was that they endured. The Mayor then talked about the architecture standards for development projects in the City and his working with the City’s Planner, Paul Ricci, to make changes. They will be working to amend the City’s master plan so builders provide buildings that city residents want. The Mayor spoke about the resolution on the agenda to refer the former JTG Scaffolding company site to the Planning Board to investigate if it should be deemed an area in need of redevelopment. The Mayor displayed an architectural rendering of the proposed development and noted its many advantageous and benefits to Linden.

Mayor Armstead then spoke about the improvements planned for Martin Luther King Park, in the Fourth Ward and explained, in detail the renovations mentioned by Mr. Brooks. The Mayor express the idea that the City needs to develop a theme for each of its parks.

President Alvarez reminded all that the IRS will send a letter, not make phone calls. He urged all not to answer questions on the phone regarding the IRS. President Alvarez informed all that the City had also received a $11,500.00 grant from Union County for the planting of trees throughout the City. He provided details on the Halloween parade and noted that the Alvarez family would have a surprise at the end of the parade. He also announced his annual haunted house display, provided details, and invited all to attend.

**RESOLUTIONS**

**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.**

**Virginia Malik, 1633 Lenape Road request that resolutions 2015-347, 2015-351, 2015-352, 2015-355, 2015-359 and 2015-374 be removed.**

**Mr. Beyer moved that resolutions 2015-346 through 2015-375 be approved with the exception of Resolutions 2015-347, 2015-351, 2015-352, 2015-355, 2015-359 and 2015-374. The motion was seconded by Mr. Brown and was ordered approved, with all voting yes except for Mrs. Cosby-Hurling who voted no to resolutions 2015-346 and 2015-361, Mr. Sadowski who abstained on Resolution 2015-363, and Mrs. Yamakaitis who abstained on Resolution 2015-372**.

**RESOLUTION: 2015-347**

**AUTHORIZING THE ADOPTION OF A SPONSORSHIP/DONATION POLICY**

**WHEREAS,** the City Council is desirous of adopting a Sponsorship/Donation Policy with regard to providing funds to certain not for profit organizations and committees that provide a service to residents of the City of Linden;

**WHEREAS,** to ensure that the City of Linden treats all said requests fairly and responsibly, it wishes to adopt a Sponsorship/Donation Policy;

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

1. The City of Linden hereby adopts a Sponsorship/Donation Policy, as attached hereto and made a part hereof.

2. This Policy shall take effect immediately.

3. This Resolution shall take effect pursuant to law.

**Mrs. Malik, 1633 Lenape Road – asked what the policy was and who the non-profit organizations were. Mr. Antonelli explained the resolution noting that the City provides funds to various non-profit groups who provide services to the City. This policy would formalize the process. Mrs. Cosby-Hurling noted that it would also be required for those organizations we provide facilities too. In response to Mrs. Malik, Mrs. Cosby-Hurling clarified the types of organizations that would be eligible.**

**FOR ROLL CALL PLEASE REFER TO RESOLUTION #2015-374.**

**RESOLUTION: 2015-348**

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

**Binder Machinery Company, LLC FOR THE PURCHASE OF A KOMATSU D37PX-23 DOZER OR EQUAL FOR THE CITY OF LINDEN PUBLIC WORKS DEPARTRMENT**

**WHEREAS,** sealed bids were received by the Purchasing Agent on October 9, 2015 for

the purchase of a Komatsu D37PX-23 Dozer or equal for the City of Linden Public Works Department; and

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

**WHEREAS,** the Chief Financial Officer or her designee has certified as to the availability of funds for this purpose, as attached hereto, which will be charged to account/line item No. C-04-55-907-614-919; and

**WHEREAS**, Binder Machinery Company, LLC was the only responsible bidder at their bid of $134,700.00; and

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

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

1. A contract is awarded to Binder Machinery Company, LLC, 2820 Hamilton Blvd., South Plainfield, New Jersey 07080 at their bid of $134,700.00.

2. This Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents between Binder Machinery Company, LLC, and the City of Linden.

3. The Mayor and City Clerk are hereby authorized to execute all documents to effectuate the purposes herein above expressed.

**RESOLUTION: 2015-349**

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

**Binder Machinery Company, LLC FOR THE PURCHASE OF A KOMATSU D61PX-24 DOZER OR EQUAL FOR THE CITY OF LINDEN PUBLIC WORKS DEPARTRMENT**

**WHEREAS,** sealed bids were received by the Purchasing Agent on October 9, 2015 for

the purchase of a Komatsu D61-PX24 Dozer or equal for the City of Linden Public Works Department; and

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

**WHEREAS,** the Chief Financial Officer or her designee has certified as to the availability of funds for this purpose, as attached hereto, which will be charged to account/line item No. C-04-55-907-614-919; and

**WHEREAS**, Binder Machinery Company, LLC was the only responsible bidder at their bid of $272,500.00; and

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

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

1. A contract is awarded to Binder Machinery Company, LLC, 2820 Hamilton Blvd., South Plainfield, New Jersey 07080 at their bid of $272,500.00.

2. This Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents between Binder Machinery Company, LLC, and the City of Linden.

3. The Mayor and City Clerk are hereby authorized to execute all documents to effectuate the purposes herein above expressed.

**RESOLUTION: 2015-350**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDEN, COUNTY OF UNION, NEW JERSEY AUTHORIZING THE PREPARATION AND PUBLICATION OF A REQUEST FOR PROPOSALS FOR A SOLAR FARM ON THE CITY OF LINDEN’S FORMER MUNICIPAL LANDFILL**

**WHEREAS,** the Local Public Contracts Law, *N.J.S.A.* 40A:11-1 *et seq*. (the “LPCL”), as interpreted by the Department of Community Affairs’ Division of Local Governmental Services, authorizes municipalities to competitively contract for solar power purchase agreement as services contracts or concessions; and

**WHEREAS**, the City of Linden desires to have a solar farm installed on the City’s former municipal landfill in order to lower the City’s power costs and/or receive economic rent; and

**WHEREAS**, the LPCL requires the governing body to pass a resolution in order to initiate the competitive contracting process;

**NOW THEREFORE, BE IT RESOLVED** by the City Council of the City of Linden, County of Union, New Jersey that:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. Pursuant to the LPCL, the City Council hereby authorizes and directs the appropriate City officials and consultants to prepare a Request for Proposals for installation of a solar farm on the former municipal landfill in order to lower the City’s power costs and/or to earn an economic rent from the solar farm, and to solicit and review responses thereto and then to select and recommend to the City Council whichever proposal is determined to be most advantageous to the City.

3. This Resolution shall take effect immediately.

**RESOLUTION: 2015-351**

**RESOLUTION AUTHORIZING EMERGENCY APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-46 AND N.J.S.A. 40A:4-48 DUE TO TAX APPEALS**

WHEREAS, an emergency has arisen with respects to expenses related to meet expenses related to substantial unanticipated and unforeseen tax appeal settlements and no adequate provision was made in the 2015 budget for the aforesaid purpose, and N.J.S. 40A:4-46 provides for the creation of an emergency appropriation for the purpose above mentioned, and

WHEREAS, the total amount of emergency appropriations created including the appropriation to be created by this resolution is $1,000,000 and three per cent of the total operations in the budget for the year 2015 is $2,567,937.52 and

WHEREAS, the foregoing appropriation together with prior appropriations does exceed three percent of the total current appropriations in the budget for the year 2015,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN, IN THE COUNTY OF UNION, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

1. An emergency appropriation be and the same is hereby made pursuant to N.J.S.A. 40A:4-46 for funding of expenses related to meet expenses related to substantial unanticipated and unforeseen tax appeal settlements in the amount of $1,000,000.

2. That said emergency appropriation shall be provided in full in the 2015 budget, except if financing of such emergency appropriation shall have been made from other funds or by authorization of notes or bonds pursuant to N.J.S.A. 40A:2-3 or 40A:2-51.

3. That two certified copies of this resolution be filed with the Director of Local Government Services.

**Mrs. Malik, 1633 Lenape Road, asked if this is the first time we have had tax appeals rise to this level. Mrs. Zack responded that the City has settled nine long term tax appeals. She noted how previously this type of item was funded. Mr. Brown elaborated on the issue of tax appeals, and the amount of assed value that was lost from its industrial tax base. He detailed the plans and strategy for dealing with this in the future.**

**FOR ROLL CALL PLEASE REFER TO RESOLUTION #2015-374.**

**RESOLUTION: 2015-352**

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

**SANITATION TRUCK CORP. FOR THE PURCHASE OF CONTAINERS FOR THE COLLECTION OF SOLID WASTE MATERIAL FOR THE CITY OF LINDEN PUBLIC WORKS DEPARTMENT**

**WHEREAS**, sealed bids were received by the Purchasing Agent on October 9, 2015

for the purchase of containers for the collection of solid waste material for the City of Linden Public Works Department; and

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

**WHEREAS,** the Chief Financial Officer or her designee has certified as to the availability of funds for this purpose, as attached hereto, which will be charged to account/line item No. C-05-55-907-635-919; and

**WHEREAS**, Sanitation Equipment Corp. was the only responsible bidder at their bid of $98,200.00; and

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

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

1. A contract is awarded to Sanitation Equipment Corp., S-122 Route 17 North Paramus, New Jersey 07652 at their bid of $98,200.00.

2. This Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents between Sanitation Equipment Corp., 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.

**Mrs. Malik, 1633 Lenape Road, asked what wards these containers would be used for. Mr. Bodek noted that some of these containers are the smaller containers that some of the Council persons spoke about. Mrs. Cosby-Hurling added that it also is the remainder of the containers needed to switch the rest of the City to the automated collection system.**

**FOR ROLL CALL PLEASE REFER TO RESOLUTION #2015-374.**

**RESOLUTION: 2015-353**

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

**CAMBRIA AUTOMOTIVE CO. FOR THE PURCHASE OF ONE NEW 33 CUBIC YARD AUTOMATED SANITATION TRUCK WITH SNOW PLOW**

**FOR THE CITY OF LINDEN PUBLIC WORKS DEPARTMENT**

**WHEREAS,** sealed bids were received by the Purchasing Agent on October 9, 2015 for the purchase of one new 33 cubic yard automated sanitation truck with snow plow; and

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

**WHEREAS,** the Chief Financial Officer or her designee has certified as to the availability of funds for this purpose, as attached hereto, which will be charged to Account/Line Item No. C-04-55-907-634-919; and

**WHEREAS**, Cambria Automotive Co. was the only bidder to meet the specifications at their total bid of $324,500.00; and

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

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

1. A contract is awarded to Cambria Automotive co., 116 Talmadge Road, Edison, NJ 08817 at their total bid of $324,500.00.

2. This Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents between Cambria and the City Council, Mayor and City Clerk are hereby authorized to execute all documents to effectuate the purposes herein above expressed.

**RESOLUTION: 2015-354**

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

**MARK PAVING CO, INC. FOR THE RESURFACING OF W. BLANCKE STREET, CANTOR AVENUE AND E. LINDEN AVENUE IN THE CITY OF LINDEN**

**WHEREAS,** sealed bids were received by the Purchasing Agent on October 7, 2015

for the resurfacing of W. Blancke Street, Cantor Avenue and E. Linden Avenue in the City of Linden; and

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

**WHEREAS,** the Chief Financial Officer or her designee has certified as to the availability of funds for this purpose, as attached hereto, which will be charged to account/line item No. C-04-55-901-613-919; and

**WHEREAS**, Mark Paving Co, Inc. was the lowest bidder at their bid of $484,253.00; and

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

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

1. The Council of the City of Linden hereby recommends to the New Jersey Department of Transportation that the contract for the resurfacing of W. Blancke Street, Cantor Avenue and E. Linden Avenue in the City of Linden, County of Union be awarded to Mark Paving Co, Inc. whose bid amounted to $484,253.00, subject to the approval of the Department.

2. This Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents between Mark Paving Co, Inc. and the City of Linden.

3. The Mayor and City Clerk are hereby authorized to execute all documents to effectuate the purposes herein above expressed.

**RESOLUTION**: **2015-355**

**RESOLUTION AMENDING A CONTRACT WITH BOSWELL ENGINEERING FOR THE LANDSCAPE DESIGN FOR THE WOOD AVENUE STREETSCAPE PROJECT**

**WHEREAS,** the City Council of the City of Linden passed a resolution on April 15, 2014, No. 2014-175, retaining the services of a consultant for design services for the Wood Avenue Streetscape Project; and

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

**WHEREAS,** Boswell Engineering, 330 Phillips Avenue, P.O. Box 3152, South Hackensack, New Jersey 07606 submitted a qualification to the City and has qualified for the aforesaid service for 2015; and

**WHEREAS,** due to the ongoing nature of various work, for redesign services, it is necessary to provide for additional funds not to exceed $75,000.00; and

**WHEREAS,** inclusive of these additional funds the total expenditures paid to date to Boswell Engineering for services rendered under the original or substantially related contract is $145,350.00; and

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

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that the agreement for Professional Services awarded to Boswell Engineering, 330 Phillips Avenue, P.O. Box 3152, South Hackensack, New Jersey 07606, is hereby amended to increase the contract an additional sum of $75,000.00, for a total contract of $145,350.00; and

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

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk be and hereby are empowered and directed to execute an amendatory agreement with Boswell Engineering to effectuate the foregoing; and

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

**Mrs. Malik, 1633 Lenape Road, asked if it is design and implementation and what work has been done so far. Mr. Vircik responded that it was for design work. He explained the scope of the project, and that changes, at the request of the State of New Jersey, had to be done. He explained the additional design work that had to be done.**

**FOR ROLL CALL PLEASE REFER TO RESOLUTOON #2015-374**

**RESOLUTION: 2015-356**

**RESOLUTION APPROVING THE AWARD OF CONTRACT TO CARFAX FOR ONLINE MOTOR VEHICLE/INCIDENT REPORT SERVICES FOR THE LINDEN POLICE DEPARTMENT**

**WHEREAS, Car Fax has submitted a proposal to provide online motor vehicle/incident report services for the Linden Police Department; and**

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

WHEREAS**, the services to be provided will be provided at no charge to the City of Linden and a user fee of up to $5.00 will be charged to the public per report; and**

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN**, that the Mayor, Council President, City Clerk and/or such City Officials as is necessary and proper be authorized to execute such documents including, but not limited to the online motor vehicle/incident report services agreement; and**

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

**law.**

**RESOLUTION: 2015-357**

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

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

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

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

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

Block 252 Lot 30 201 West Blancke Street

Block 78 Lot 11 1123 Hussa Street

Block 390 Lot 25 513 Rosewood Terrace

Block 178 Lot 19 1112 Walnut Street

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

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

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

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

Block 252 Lot 30 201 West Blancke Street $300.00

Block 78 Lot 11 1123 Hussa Street $550.00

Block 390 Lot 25 513 Rosewood Terrace $252.40

Block 178 Lot 19 1112 Walnut Street 270.00

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

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

**RESOLUTION: 2015-358**

**RESOLUTION TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE WOOD AVENUE PEDESTRIAN SAFETY IMPROVEMENT PROJECT**

WHEREAS, the City of Linden is requesting funding from the New Jersey Department of Transportation Safe Streets to Transit Program.

NOW, THEREFORE, BE IT RESOLVED that Council of the City of Linden formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as SST-2016-Wood Avenue Pedestrian Safety Improvements-00014 to the New Jersey Department of Transportation on behalf of the City of Linden.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the City of Linden and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

**RESOLUTION: 2015-359**

**RESOLUTION AMENDING A PRIOR RESOLUTION FOR A GRANT FOR THE UPGRADE OF MEMORIAL PARK LIGHTING AND AUTHORIZING THE A REALLOCATION OF FUNDS TO BE USED TO HIRE PROFESSIONALS TO CONDUCT A CITYWIDE FEASIBILITY STUDY FOR THE PLACEMENT OF SYNTHETIC TURF FIELDS**

**WHEREAS,** the City of Linden pursuant to a prior resolution sought $200,000.00 for the purposes of upgrading Memorial Park lighting and now hereby seeks to amend that prior resolution; and

**WHEREAS**, the City of Linden approved entering into a certain grant agreement with the County of Union for additional grants, a portion of which will be determined by the County, was designated for synthetic turf fields; and

**WHEREAS**, the City Council has determined to no longer utilize said grants for purposes of the upgrade of Memorial Park lighting, and that the City wishes to relocate those awards, as approved by the County, the hiring of professionals to conduct a citywide feasibility study for the placement of synthetic turf fields; and

**WHEREAS**, the City Council has determined it is in the best interests of the City to request that the Board of Chosen Freeholders to allow the City to apply the relocated grant funds to said feasibility study.

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

1. City Council has hereby determined that the City will no longer be undertaking the upgrade of Memorial Park Lighting, and shall instead be undertaking the hiring of professionals to conduct a feasibility study for the placement of synthetic fields.
2. The City Council of the City of Linden hereby requests that the Board of Chosen Freeholders authorize all or a portion of the aforesaid grants be allocated to said feasibility study.
3. A copy of this resolution be forwarded to the Board of Chosen Freeholders, and Ms. Victoria Drake, Trust Fund Administrator Office of Kids Recreational Trust Fund for the County of Union.
4. This Resolution shall take effect immediately.

**Mrs. Malik, 1633 Lenape Road, asked about the rescinding of the prior grant. Mrs. Zack stated that the language should read amending the prior grant, as there was a second resolution that was send down after the original one. She provided a full explanation of the changes that were occurring, and noted that it was a matching grant.**

**FOR ROLL CALL PLEASE REFER TO RESOLUTION #2015-374**

**RESOLUTION: 2015-360**

**RESOLUTION TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE PENNSYLVANIA RAILROAD AVENUE PROJECT**

WHEREAS, the City of Linden is requesting funding from the New Jersey Department of Transportation Transit Village Program.

NOW, THEREFORE, BE IT RESOLVED that Council of the City of Linden formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as TV-2016-Pennsylvania Railroad Avenue-00005 to the New Jersey Department of Transportation on behalf of the City of Linden.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the City of Linden and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

**RESOLUTION: 2015-361**

**RESOLUTION OF THE MUNICIPAL COUNCIL OF THE CITY OF LINDEN, COUNTY OF UNION, NEW JERSEY AUTHORIZING THE PLANNING BOARD TO INVESTIGATE WHETHER THE PROPERTY COMMONLY KNOWN AS BLOCK 288, LOTS 1, 2, 13, 14 AND 15 AND BLOCK 254, LOTS 12 AND 13 ON THE CITY TAX MAPS AND THE VACATED PORTION OF LUMBER STREET SHOULD BE DESIGNATED AS AN ‘AREA IN NEED OF REDEVELOPMENT’ PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A*. 40A:12A-1 *et seq.***

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

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

**WHEREAS,** the Municipal Council believes it is in the best interest of the City that an investigation occur with respect to a certain parcel within the City, and therefore seeks to authorize and direct the Planning Board to conduct an investigation of the property commonly known as Block 288, Lots 1, 2, 13, 14 and 15 and Block 254, Lots 12 and 13 on the tax map of the City, included the vacated portion of Lumber Street (hereinafter the “**Study Area**”), to determine whether the Study Area meets the criteria set forth in the Redevelopment Law, specifically  *N.J.S.A.* 40A:12A-5, and should be designated as an area in need of redevelopment; and

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

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

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

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

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

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

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

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

Section 7. This Resolution shall take effect immediately.

**RESOLUTION: 2015-362**

**RESOLUTION AUTHORIZING SALE OF NOTES FOR EMERGENCY APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-51 DUE TO TAX APPEAL REFUNDS**

WHEREAS, a resolution has been adopted creating an emergency appropriation of $1,000,000 to meet expenses related to substantial unanticipated and unforeseen tax appeal settlements, and N.J.S. 40A:4-46 provides for the creation of an emergency appropriation for the purpose above mentioned, and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN, IN THE COUNTY OF UNION, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

1. An emergency exists and the emergency appropriation provided for herein is necessary in order to meet expenses related to substantial unanticipated and unforeseen tax appeal settlements.
2. In order to finance the emergency appropriation described in this resolution, the City is hereby authorized to borrow the sum of $1,000,000 and to issue its emergency notes pursuant to N.J.S.A. 40A:4-51. The emergency notes authorized by this resolution may be issued in amounts and denominations not exceeding in the aggregate the amount of notes authorized herein, as determined by the chief financial officer of the City pursuant to this resolution.
3. The following matters in connection with the notes are hereby determined:
4. All notes issued hereunder and any renewals thereof shall mature at such time as may be determined by the chief financial officer, provided, however, that the notes shall have a final maturity and be paid not later than the last day of the next succeeding fiscal year following the date of this resolution;
5. All notes issued hereunder shall bear interest at such rate or rates as may be determined by the chief financial officer;

(c) The notes shall be in the form determined by the chief financial officer and the chief financial officer's signature upon the notes shall be conclusive as to such determination.

1. The chief financial officer is hereby authorized and directed to determine all matters in connection with the notes not determined by this or a subsequent resolution and the chief financial officer's signature upon the notes shall be conclusive as to such determination.
2. The chief financial officer is hereby authorized to sell the notes and any renewals thereof from time to time at public or private sale in such amounts as such officer may determine at not less than par and to deliver the same from time to time to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof and payment therefor.
3. All notes issued pursuant to this resolution shall be executed by the chief financial officer and the Mayor and shall be under the seal of the City and attested by the Clerk of the City. Such officers are hereby authorized to execute and deliver all documents necessary or convenient in connection with the issuance, sale and delivery of the notes.
4. Any note issued pursuant to this resolution shall be a general obligation of the City. The full faith and credit of the City are hereby pledged to the punctual payment of the principal of and the interest on the notes authorized herein and, unless otherwise paid or payment is provided for, an amount sufficient for such payment shall be inserted in the budget and a tax sufficient to provide for the payment thereof shall be levied and collected.
5. The chief financial officer is authorized and directed to report in writing to this governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this resolution is made, such report to include the amount, description, interest rate and maturity of the notes sold, the price obtained and the name of the purchaser.

**RESOLUTION:** **2015-363**

**A RESOLUTION APPOINTING ROBERT SADOWSKI A MEMBER OF THE LINDEN-ROSELLE SEWERAGE AUTHORITY**

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

Section 1.  That pursuant to the Ordinance entitled an ORDINANCE CREATING THE LINDEN ROSELLE SEWERAGE AUTHORITY, approved December 3, 1947, a certified copy whereof was duly filed by the City Clerk in the Office of the Secretary of the State of New Jersey, Robert Sadowski, residing At 146 Cedar Avenue, Linden, New Jersey, be and he hereby is appointed as a Linden Commissioner to the Linden Roselle Sewerage Authority to serve the unexpired term of John Ziemian which commenced February 1, 2011 and expires February 1, 2016, and until his successor has been appointed and qualifies, to exercise and perform all the rights, powers and duties provided in the Ordinance hereinbefore mentioned, and in N.J.S.A. 40:14A-1 et seq., and the amendments and supplements thereto.

Section 2.  That the City Clerk of the City of Linden shall certify a copy of this Resolution and cause it to be filed in the Office of the Secretary of the State of New Jersey.

**RESOLUTION: 2015-364**

**RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN THE CITY OF LINDEN AND FRIENDS OF LINDEN ANIMAL SHELTER, INC. (“FOLAS”)**

**WHEREAS,** the Friends of Linden Animal Shelter, Inc. (“FOLAS”), 131 Edgewood Road, Linden, New Jersey 07036, is a non-profit corporation or association organized primarily for the benefit of adopting stray and unwanted animals; and

**WHEREAS,** it shall serve the interests of the public of the City of Linden for FOLAS to operate and maintain a facility to house and maintain the stray pets and/or animals removed from the streets, public areas of the City of Linden, and from premises situated in Linden which are deemed to or found to require supervision by the Health Officer of the City of Linden and process same for adoption if said animals qualify for same; and

**WHEREAS,** it benefits the people and citizens of the City of Linden for FOLAS to undertake this responsibility to maintain and to in fact maintain and process for adoption these animals on behalf of the citizens and people of the City of Linden; and

**WHEREAS,** the City of Linden is desirous of maintaining and processing for adoption these animals within the borders of its own municipality; and

**WHEREAS,** this activity shall benefit and actively promote the health, safety morals and general welfare of the City of Linden and therefore these activities of FOLAS shall promote the welfare of the City of Linden, serve a public purpose of the City of Linden and constitute an Extraordinary unspecifiable service pursuant to N.J.S.A. 40A:11-5(a); and

**WHEREAS,** FOLAS has agreed and shall in fact submit an Annual Report to the City of Linden Animal Shelter Committee, and to the Health Office of the City of Linden, and to the Mayor of the City of Linden, which reports shall set forth the activities of FOLAS which were undertaken in furtherance of the public purpose of processing qualified animals for adoption, the approximate value or cost, if any, of such activities in furtherance of said purpose and an affirmation of the continued tax exempt status of the non-profit corporation pursuant to both state and federal law; and

**WHEREAS,** it is in the best interest of the City of Linden and FOLAS to enter into an agreement concerning same.

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

1. Pursuant to N.J.S.A. N.J.S.A. 40A:11-5(a), the City of Linden hereby awards a contract to the Friends of Linden Animal Shelter, Inc. to operate and maintain a facility to house and maintain the stray pets and/or animals removed from the streets, public areas of the City of Linden, and from premises situated in Linden which are deemed to or found to require supervision by the Health Officer of the City of Linden and process same for adoption if said animals qualify for same

2. The aforesaid agreement shall commence as of January 1, 2015 through December 31, 2015, for the annual consideration of One Dollar ($1.00).

3. FOLAS shall submit an annual report to the Governing Body of the City of Linden setting out the use to which the leasehold was put during each year, its activities as undertaken in furtherance of the public purpose for which the leasehold is granted; the approximate value or cost, if any, of such activities in furtherance of such purpose; and an affirmation of the continued tax exempt status of the non-profit corporation pursuant to both State and Federal law.

6. The Mayor and City Clerk be and hereby are authorized and directed to execute an agreement with FOLAS as well as any other documents as necessary to effectuate the above purposes.

**RESOLUTION: 2015-365**

**RESOLUTION HONORING SHARON MARIE SWEENY**  
 **AS A BREAST CANCER SURVIVOR**

**WHEREAS,** every 69 seconds, somewhere in the world, a woman dies of breast cancer; every three minutes, a woman in the United States is diagnosed with breast cancer; and every 13 minutes, a woman loses her battle with the disease; and

**WHEREAS,** worldwide, breast cancer is the most frequently diagnosed life-threatening cancer in women and the leading cause of cancer death among women; and

**WHEREAS,** increased public awareness and improved screening have led to earlier diagnosis and the survival rates for breast cancer have improved significantly; and

**WHEREAS, Sharon Sweeny** was diagnosis with Breast Cancer in April, 2009; and

**WHEREAS,** for the next several months Sharon endured surgical procedures and the rigors of radiation; and is still under doctor's care, required to take medication and

**WHEREAS, Sharon** is celebrating her victory over Stage 1 breast cancer and is in remission being cancer free, on this day 20th day of October, 2015 and

**WHEREAS, Sharon,** attributes her victory over breast cancer to the excellent care and treatment that she received at St. Michaels Medical Center and the Rahway Regional Cancer Center; and

**WHEREAS, Sharon** is also the proud mother Curtis Degree and

**WHEREAS,** the month of October has been declared Breast Cancer Awareness Month, nationwide.

**NOW THEREFORE BE IT RESOLVED,** by the Mayor and Council of the City of Linden recognize **Sharon Sweeny** for her courage in fighting this disease and wish to thank her for her willingness to help other newly diagnosed women as they begin their journey to recovery.

**BE IT FURTHER RESOLVED,** that a copy of this resolution be placed in the minutes of the City Council of the City of Linden and be appropriately presented to Sharon Marie Sweeny.

**RESOLUTION: 2015-366**

**RESOLUTION DECLARING NOVEMBER 13TH**

**“WORLD PANCREATIC CANCER DAY” IN THE CITY OF LINDEN**

**WHEREAS,** in 2015, an estimated 48,960 people will be diagnosed with pancreatic cancer in the United States and 40,560 will die from the disease; and

**WHEREAS,**  pancreatic cancer is one of the deadliest cancers, is the currently the fourth leading cause of cancer death in the United States and is projected to become the second by 2020; and

**WHEREAS,** pancreatic cancer is the only major cancer with a five-year relative survival rate in the single digits at just seven percent; and

**WHEREAS,** when symptoms of pancreatic cancer present themselves, it is generally late stage, and seventy-three percent of pancreatic cancer patients die within the first year of their diagnosis while ninety-three percent of pancreatic cancer patients die within the first five years; and

**WHEREAS,** approximately 1560 deaths will occur in New Jersey in 2015; and

**WHEREAS,** pancreatic cancer is the 7th most common cause of cancer-related death in men and women across the world; and

**WHEREAS,** there will be an estimated 367,000 new pancreatic cancer cases diagnosed globally in 2015; and

**WHEREAS,** the good health and well-being of the residents of Linden, N.J. are enhanced as a direct result of increased awareness about pancreatic cancer and research into early detection, causes, and effective treatments.

**NOW THEREFORE BE IT RESOLVED** that the Mayor and Council of the City of Linden do hereby designate November 13th as “World Pancreatic Cancer Day” in the City of Linden, New Jersey.

**RESOLUTION: 2015-367**

**RESOLUTION RECOGINIZING JENNIFER HONAN FOR HER DEDICATED**

**SERVICE TO THE CITY OF LINDEN AND DESIGNATE HER**

**AS EMPLOYEEE OF THE YEAR**

**WHEREAS,** it is a priority of the Mayor and Council of the City of Linden to recruit and retain qualified, conscientious and motivated public employees to serve the community; and

**WHEREAS,** one element of pursuing this priority is communicating to employees that their service to the community is valued and appreciated; and

**WHEREAS,** such communications contributes to increased employee morale, job performance and retention; and

**WHEREAS,** the Mayor and Council of the City of Linden want to recognize its employees for their commitment to the City and its citizens; and

**WHEREAS,** Jennifer Honan, Deputy City Clerk, has always been mindful of the interest of the City of Linden and its citizens, working tirelessly to advance those interest; and

**WHEREAS,** Jennifer Honan has served the City faithfully, with integrity and distinction, and has also provided outstanding leadership in her role as Deputy City Clerk; and

**WHEREAS,** the Mayor and City Council wishes to express their gratitude and thanks to Jennifer Honan for her dedication and commitment to Linden and its citizens by naming her the first Employee of the Year; and

**NOW THEREFORE BE IT RESOLVED** the Mayor and City Council formally acknowledges and extends its profound appreciation to Jennifer Honan for her dedicated service to the City of Linden and its residents by naming her Employee of the Year; and

**BE IT FUTHER RESOLVED that** a copy of this resolution be placed in the minutes of the City Council of the City of Linden and a copy hereof be presented to Jennifer Honan in permanent recognition of the foregoing.

**RESOLUTION**: **2015-368**

**RESOLUTION RECOGNIZING THE COMPLETION OF ST. ELIZABETH OF HUNGARY**

**ROMAN CATHOLIC CHURCH’S FIVE YEAR CAPITAL CAMPAIGN**

**WHEREAS,** Saint Elizabeth of Hungry devotion was to the poor and the hungry of her community, where she spent her time visiting and nursing the sick and taking food and clothing to the poor; and

**WHEREAS,** St. Elizabeth of Hungry Roman Catholic Church in Linden, was founded in 1909, with a mission of love and service to the community which was the mark of her patron saint; and

**WHEREAS,** St. Elizabeth of Hungry Church has served the community of Linden for 106 years and continues to share Saint Elizabeth’s mission of feeding the poor not only here in New Jersey but also in New York City; and

**WHEREAS,** in conjunction with their 100th Anniversary St. Elizabeth’s Church launched a five year capital campaign to enhance their property to better be able to continue to serve their prisoners and Linden’s immigrant population with the love of Christ and the value of the Eucharist; and

**WHEREAS,** St. Elizabeth of Hungry Church spiritual and temporal leadership is currently under the direction of her Pastor, the Reverend Edward Jocson; Associate Pastor, the Reverend Alex Cruz; Deacon John Bajgrowicz and Trustees Edward Esposito and Ann J. Ferguson; and

**WHEREAS,** St. Elizabeth of Hungry Church will be closing its five year capital campaign on November 14, 2015; and

**WHEREAS,** the Mayor and Council of the City of Linden wish to recognize the efforts of Saint Elizabeth of Hungry Roman Catholic Church, it’s leadership, the Reverend Edward Jocson; the Reverend Alex Cruz; Deacon John Bajgrowicz and Trustees Edward Esposito and Ann J. Ferguson, and of all of her parishioners, for their efforts in planning for the future spiritual and secular needs of the congregation.

**NOW THEREFORE BE IT RESOLVED,** by the Mayor and Council of the City of Linden that they hereby applaud St. Elizabeth of Hungary Church, and all those involved in their Five Year Capital Campaign which enhanced their property to be better able to carry out their mission of love and service to the Community of Linden and all those in need; and

**BE IT FURTHER RESOLVED** that a copy of this resolution be place in the minutes of the City Council of the City of Linden in perpetual recognition of this accomplishment and a copy be appropriately presented to the representatives of St. Elizabeth of Hungary Church.

**RESOLUTION**: **2015-369**

**RESOLUTION RECOGNIZING PASTOR BENJAMIN VALENTIN A FOUNDER OF**

**THE FAMILY COMMUNITY DEVELOPMENT CORPORATION**

**WHEREAS,** September 15 to October 15 is designated as National Hispanic Heritage Month to celebrate the histories, cultures and contributions of American citizens whose ancestors came from Spain, Mexico, the Caribbean and Central and South America; and

**WHEREAS,** it also recognizes the contributions, made by Hispanics, that have had a profound and positive influence on our country through their strong commitment to family, faith, hard work and service; and

**WHEREAS,** Pastor Benjamin Valentin was born and raised in Brooklyn, New York before coming to New Jersey in 1996, where he and his family developed a commitment to serving the local community as well as the international community; and

**WHEREAS,** Pastor Ben, and his family, presently lead a healthy bilingual congregation in the City of Linden called The Family Center; and

**WHEREAS,** Pastor Ben, who was formerly a teacher for eleven (11) years has a passion for seeing people educated and changing lives forever; and

**WHEREAS,** Pastor Ben understands the struggles that stop children from becoming better students, the effects of illness on a family, and the unfortunate results that lack of financial resources bring to a person, home, and community; and

**WHEREAS,** the Pastor’s dedication to help meet those needs brought about the establishing of The Family Community Development Corporation; and

**WHEREAS,** The Family Community Development Corporation and has provided valuable services for free to the residents of Linden, and have also partnered with the Linden Board of Education and Council members to provide youth tutoring and an annual school supply give away; and

**WHEREAS,** the Mayor and Council of the City of Linden Pastor Benjamin Valentin as an outstanding Hispanic Leader in the Linden Community, and thank him for his efforts to provide for the needs of the Linden Community, particularly its children, through the establishment of The Family Community Development Corporation.

**NOW THEREFORE BE IT RESOLVED,** by the Mayor and Council of the City of Linden that they hereby recognize Pastor Benjamin Valentin for his efforts to enhance and shape our community character through his leadership by example; and

**BE IT FURTHER RESOLVED** that a copy of this resolution be place in the minutes of the City Council of the City of Linden in perpetual recognition of the accomplishment of Pastor Benjamin Valentin and a copy be appropriately presented to him.

**RESOLUTION: 2015-370**

**RESOLUTION RECOGNIZING EUARDO B. JOSE, A VICE-PRESIDENT AND**

**EXECUTIVE DIRECTOR OF THE FAMILY COMMUNITY DEVELOPMENT CORPORATION**

**WHEREAS,** September 15 to October 15 is designated as National Hispanic Heritage Month to celebrate the histories, cultures and contributions of American citizens whose ancestors came from Spain, Mexico, the Caribbean and Central and South America; and

**WHEREAS,** it also recognizes the contributions, made by Hispanics, that have had a profound and positive influence on our country through their strong commitment to family, faith, hard work and service; and

**WHEREAS,** Eduardo B. Jose realizing the value of an education started his by pursuing an Associate Degree in Business Administration, later graduated with a B.B.A. from CUNY Baruch and is now pursuing his MBA, with a concentration in Business Intelligence; and

**WHEREAS,** Eduardo has over twenty years of Project Management experience in various fields; and

**WHEREAS,** Eduardo has been a community leader and forefront fighter in foreclosure intervention, default counselling and housing preservation; and

**WHEREAS,** in February 2014 Eduardo spearheaded the development of Family Community Development Corp. (Family CDC) to service Linden and the surrounding communities; and

**WHEREAS,** since the founding of Family CDC Eduardo has started various programs, including, the book bag supply giveaway, First Time Homebuyers Workshops, Financial Literacy Workshop, How to for College workshop, Visitations and Care for seniors and veterans program, Tutoring and homework help school Program, Summer Youth Recreation, Youth Readiness Program and the Go Green Program; and

**WHEREAS,** the hard work and dedication of Eduardo B. Jose has had a profound and positive influence on our Linden Community and proves that one person can change the world we live in, one person at a time; and

**WHEREAS,** the Mayor and Council of the City of Linden wish to recognize the efforts of Eduardo B. Jose in growing the Linden Community and his role as one of its leaders.

**NOW THEREFORE BE IT RESOLVED,** by the Mayor and Council of the City of Linden that they hereby recognize Eduardo B. Jose for his efforts to enhance and shape our community character through his leadership by example; and

**BE IT FURTHER RESOLVED** that a copy of this resolution be place in the minutes of the City Council of the City of Linden in perpetual recognition of the accomplishment of Eduardo B. Jose and a copy be appropriately presented to him.

**RESOLUTION: 2015-371**

**RESOLUTION AMENDING RESOLUTION 2015-327 APPROVING A GRANT AGREEMENT WITH THE**

**N.J. DEPARTMENT OF TRANSPORTATION FOR IMPROVEMENT TO W. HENRY STREET, W. BALTIMORE AVENUE AND ACADEMY TERRACE**

**WHEREAS,** the N.J. Department of Transportation Trust Fund Authority Act provides for the improvement of municipal roads; and

**WHEREAS,** the City Council of the City of Linden approved Resolution 2015-327 authorizing the submission of a grant application for improvements to W. Henry Street, W. Baltimore Avenue, and Academy Terrace, the cost of said improvements has been estimated at $600,000.00; and

**WHEREAS,** said Resolution 2015-327 authorized the submission of electronic grant application identified as MA-2016 by the City of Linden to the N.J. Department of Transportation, but did not reference SAGE application 00424.

**NOW, THEREFORE BE IT REOLVED,** by the City Council of the City of Linden that it does hereby amend Resolution 2015-327 to reference SAGE application 00424 and submit said electronic grant application to the NJ Department of Transportation on behalf of the City of Linden; and

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk are hereby authorized to sign the grant agreement on behalf of the City of Linden and that their signatures constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement.

**Resolution: 2015-372**

**RESOLUTION AUTHORIZING THE EXCUTION A MEMORANDUM OF**

**AGREEMENT WITH TEAMSTERS LOCAL 469 FOR A**

**COLLECTIVE BARGAINING AGRREMENT**

**Whereas** the Council of the City of Linden has a collective negotiations agreement with the Teamsters Local 469; and

**Whereas**, the prior agreement expired on December 31, 2013; and

**Whereas** the Council and the Union have negotiated a successor agreement for blue collar employees.

**Now** **Therefore be it Resolved** that this Council approves the Teamsters Local 469 collective negotiations agreement – blue collar effective January 1, 2014 through December 31, 2017.

**Be it Further Resolved** that Local 469 has executed the collective negotiations memorandum of agreement.

**Be it Further Resolved**  that the Council hereby authorizes the Mayor of the City of Linden to execute the attached collective negotiations memorandum of agreement.

**Be it Further Resolved** that this resolution is effective subject to the aforementioned provisions.

**RESOLUTION**:**2015-373**

**RESOLUTION REQUESTING CONCURRENCE FROM**

**THE COUNTY OF UNION FOR AN ELEVATED CROSSWALK ON SOUTH WOOD AVENUE**

**WHEREAS**, the City of Linden, through its Wood Avenue Streetscape Project, will be constructing an elevated crosswalk at the train station on South Wood Avenue, Linden, New Jersey; and

**WHEREAS**, the crosswalk will meet all ADA requirements; and

**WHEREAS,** South Wood Avenue is a County Road; and

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

1. The City hereby requests concurrence from the Union County Freeholders for the work on South Wood Avenue.

2. This Resolution shall take effect pursuant to law.

**RESOLUTION: 2015-374**

**RESOLUTION APPROVING A CONTRACT WITH RICCIPLANNING FOR ON-CALL PLANNING SERVICES**

**WHEREAS,** there exists a need for on-call Planning Services relative to redevelopment studies, amendments to City Ordinances, studies to create Special Improvement Districts as well as consultation on upcoming projects and associated meetings; and

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

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

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

**WHEREAS,** funds are available for this purpose in various accounts and certification of availability of funds shall be made by the Chief Financial Officer or his designee at such time as services are ordered or otherwise called for;

**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 a contract for Professional Services be and hereby is awarded to RicciPlanning, 10 Georgian Drive, at a fee not to exceed $17,500.00, in accordance with their proposal dated November 10, 2014, ; and

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

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

**Mrs. Malik, 1633 Lenape Road, asked who would be supervising the work that was being done. Mr. Bodek responded stating that the Mayor had spoken about making amendments to the Master Plan. Mr. Ricci would be assisting with that project and explained other types of projects that Mr. Ricci would be assisting with, which would be outside of the scope of his current contract with the Planning Board as Planner.**

**Mr. Beyer moved for approval of resolutions 2015-347, 2015-351, 2015-352, 2015-355, 2015-359 and 2015-374. The motion was seconded by Mr. Brown and was approved by a roll call vote with all voting in favor except Mrs. Cosby-Hurling who voted no to resolution 2015-374, and Mr. Medina who voted no to 2015-359.**

**RESOLUTION: 2015-375**

**A RESOLUTION SUPPORTING THE SUBMISSION OF A DETAIL PLAN TO THE FEDERAL RAILROAD ADMINISTRATION FOR THE ESTABLISHMENT OF A 24-HOUR QUIET ZONE AT TREMLY POINT**

**WHEREAS**, the Federal Railroad Administration (FRA) requires municipalities who wish to establish a 24-hour Quiet Zone to submit a Detail Plan for same:

**WHEREAS**, said Detail Plan must set forth how the municipality intends to comply with the FRA regulations and formulas for the establishment of a Quiet Zone; and

**WHEREAS**, the City intends to develop a Detail Plan consistent with the FRA regulations and formulas by using consultants to be hired by the City to develop a recommended Detail Plan for submission to the FRA;. and

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

supports the creation of a 24-hour Quiet Zone, and will use its best efforts to develop a Detail Plan consistent with the FRA regulations and formulas by using consultants to be hired by the City;

**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:**

**#59-44 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 Alvarez asked if there were comments from the public. There was none.

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

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

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

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

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

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

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

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

**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 Alvarez asked if there were comments from the public.

Mrs. Malik asked where she could obtain a copy of the ordinance and the schedule. President Alvarez directed her to the Clerk’s office.

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

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

**PUBLIC COMMENT**

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

Natalie Roldan, 1019 W. Blancke St. Ms. Roldan stated that she had requested a street light for in front of her house as it is extremely dark and dangerous, and it was denied. She noted various incidents that were the reason for her request and asked Mr. Beyer to rethink the request. She asked that he go by the address, this evening and see how dark it was.

Ralph Strano, 2703 Grasselli Avenue, Mr. Strano addressed the Mayor and members of the governing body expressed his gratitude for cooperating with the request of the residents of Tremely Point for a quite zone. He noted that he was speaking on his behalf and that of his neighbors. He mention the names of some of the neighbors, and also the role of Mr. Minarchenko in getting this accomplished. He spoke about the neighborhood meeting that was held and the turnout to the meeting.

Louise Macaroy – Thanked council and Mr. Strano for their efforts concerning the Quite Zone.

Henry Mack – Mr. Mack addressed the Governing Body and various City officials regarding information that was sent down from the City of Plainfield and for meeting with them . He thanked the Mayor for appearing on Eighteenth Street, last Friday night, before the peoples. He added that the peoples wanted to tell the Mayor that they appreciate the inspiration that he gave them. He congratulated the Deputy City Clerk for the recognition given this evening. Mr. Mack spoke about this being one Linden, one Mayor, one City Council. He asked all to do what the peoples said.

Mrs Cosby- Hurling moved to close the public portion of the meeting. The motion was seconded by Mr. Brown and was ordered approved by a roll call vote with all voting yes with the exception of Mr. Brooks who was excused from the room.

**COMMENTS BY MEMBERS OF THE GOVERNING BODY**

Mr. Beyer commented on the request for a street light, and stated that he did not feel it was warranted. However it was not his opinion alone that mattered. He felt there were other areas of the City that were more in need of lighting. He stated that he would go out and look at it, and asked other members of Council to go look at it and make up their own mind.

Mr. Sadowski noted that he had gone out and looked at the area, concerning the street light. He stated that he had counted from one light to the other and it was 57 steps, which he thought was a long distance. He thought it dark and expressed his concerns for the residents.

President Alvarez stated that today was a sad day, as he had to say goodbye to a friend. He noted the similarities between his and Mr. Minarchenko political careers, and that Mr. Minarchenko would be giving his resignation from Council. He explained that Mr. Minarchenko had to move due to Sandy related issues with his home.

Mr. Minarchenko stated that this is one of the toughest decisions he had to make, however he had to put his family in front of politics. He explained the destruction, to his home, from Super Storm Sandy and his efforts to find a home in the Seventh Ward, which he could not. He explained the process for picking a replacement and that whoever fills the seat puts progress before power. He thanked the Democratic Party for its support. The residents of the Seventh Ward for selecting him to fill the seat, and all the Department heads and employees for working with him. Mr. Minarchenko also thanked his wife and son for allowing him to serve.

President Alvarez made the following announcement:

Council Meetings will be as follows:

\*Council Conference meeting Monday, November 9, 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, November 10, 2015 at 6:00 pm in the Council Conference Room, City Hall, 301 N. Wood Ave.

\*Council Meeting: Tuesday, November 10, 2015 at 7:00 p.m. in the Council Chambers, City Hall, 301 N. Wood Ave.

There being no further business to come before Council, Mrs. Cosby-Hurling to adjourn the meeting. The motion was seconded by Mr. Kolibas and was unanimously ordered approved by a roll call vote. The meeting was adjourned at 9:34 pm.

Respectfully submitted,

Joseph C. Bodek

City Clerk