**Minutes of the Regular**

**Meeting of the 2015 Council of the**

**City of Linden, held Tuesday**

**September 15, 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, September 15, 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 Dereck Armstead

**APPROVAL OF MINUTES**

Mr. Beyer moved for the approval of the Regular Meeting Minutes of August 18, 2015. The motion was seconded by Mr. Kolibas and was unanimously ordered approved on a roll call vote.

**PRESENTATIONS**

President Alvarez called up the Mayor and Mrs. Yamakaitis to make a presentation to Natyely M. Frias, Miss Junior Teen New Jersey. The Mayor announced that he had a proclamation and asked Mrs. Yamakaitis to read, as Ms. Frias was an Eighth Ward resident. Mrs. Yamakaitis read the proclamation and presented it to Ms. Frias. Mayor Armstead noted that his wife teaches Ms. Frias, and that she has nothing but great things to say about her.

President Alvarez announced that the Mayor, Mrs. Yamakaitis and Mr. Sadowski would make presentations to the 2015 Linden Pulaski Parade Marshal Richard J. Gerbounka, 2015 Miss Polonia Aleksandra Scieszka, and 2015 Junior Miss Polonia Madison Krowicki. He asked each to come forward and the Linden Pulaski Parade Committee President Sue Lukenda. Mayor Armstead welcomed each of the individuals and congratulated them on being chosen. He then read the resolution honoring Marshal Richard J. Gerbounka, and presented it to him. Mrs. Yamakaitis read the resolution honoring Miss Polonia Aleksandra Scieszka and present it to her. Mrs. Yamakaitis also read the resolution honoring Junior Miss Polonia Madison Krowicki and she and Mr. Sadowski presented it to her.

Next the Mayor and Mr. Medina were called upon to make a presentation to the Friends of the Linden Library to make a presentation declaring October 18-24, 2015 as Friends of Libraries Week. Mr. Medina spoke about the Friends of Linden Library and all of the great things that they do for the Linden Library. He then read the resolution for the Friends, and declared October 18-24, 2015 as Friends of Libraries Week in Linden. Mayor Armstead spoke about tirelessly the Friends work on behalf of the Linden Library. Representing the Friends of the Linden Library was Dawn Beviano.

President Alvarez called upon Mayor Armstead and Mr. Brooks for a presentation to John Moon, recognizing his accomplishments. Mayor Armstead spoke about Mr. Moon, the friend that he has been to the Armstead family, how well he has represented Linden and his accomplishments. The Mayor asked Mr. Moon’s family to stand and be recognized, as well as the Mr. Moon’s track team from Seaton Hall University. He then read the resolution honoring Mr. Moon. Mr. Brooks spoke about Linden residents that Mr. Moon, helped, and their accomplishments. He spoke about Mr. Moon’s accomplishments as a coach for the Olympic team, and the PanAM games. The Mayor called Mrs. Moon up to the dais, and then, with Mr. Brooks, presented the resolution to Mr. Moon. Mr. Moon thanked the Mayor, and City Council for recognizing him, and for the presentation. He noted that he has received awards from all over the Country, but when a person is recognized from their roots, it means a lot. He spoke about growing up in Linden. He thanked several individuals who had an impact on his career and noted that it is a pleasure to represent Linden.

President Alvarez asked Chief Schulhafer, Mayor Armstead and Linden Police Officer of the Year, Brian Fech. Mayor Armstead read a detailed narrative on Sergeant Fech’s role in capturing, on May 6, 2014, an individual wanted by the FBI with regards to several bank robberies in the area. Chief Schulhafer noted that the Police Department had recently held their annual awards ceremony, and at that ceremony dozens of police officers, and dispatchers, were recognized for going above and beyond the call of duty. He noted the types of incidents that they were recognized for. The Chief informed all that the selection of Police Officer of the Year, is not made by him, or the command staff, but by a peer group of police officers. He congratulated Sergeant Fech for a job well done.

At the conclusion of the presentation President Alvarez declared a two minute break, and advised that anyone who wanted to leave could do so at this time.

**ORDINANCE – HEARING**

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

further consideration respecting an ordinance entitled:

**#59-39 BOND ORDINANCE PROVIDING AN APPROPRIATION OF $450,000.00 FOR THE**

**2015 SAFE ROUTES TO SCHOOLS PROJECT AND AUTHORIZING THE ISSUANCE OF $237,500.00 IN BONDS OR NOTES OF THE CITY FOR FINANCING PART OF THE APPROPRIATION.**

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

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

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

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

further consideration respecting an ordinance entitled:

**#59-40 BOND ORDINANCE AMENDING B0ND ORDINANCE NUMBER 58-27 FINALLY**

**ADOPTED BY THE CITY COUNCIL ON MAY 20, 2014 PROVIDING FOR AN APPROPRIATION OF $880,000.00 FOR THE ACQUISITION OF A GAS GENERATOR FOR CITY HALL.**

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

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

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

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

further consideration respecting an ordinance entitled:

**#59-41 ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER VII, TRAFFIC, SECTION 7-12 PARKING TIME LIMITED, SHALL BE AMENDED AS FOLLOWS: Delete from 7-12.1 Two Hour Parking: St. Georges Avenue, North, between the hours of 9am-5pm Monday to Friday from Summit Terrace to Columbia Place.**

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

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

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

**CONSENT AGENDA**

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

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

2015 Taxes $26,224,421.18

2014 Taxes $2,882.36

2013 Taxes $0.00

Garbage Fee Payments $32,859.76

Garbage Fee Penalty $1,535.00

Municipal Lien Redemption $0.00

Tax Search $0.00

Lien Redemption Request Fee $0.00

Year End Penalty $0.00

Returned Check Fee Paid $60.00

Returned Check Fee Garbage Paid $0.00

Returned Check 2015 ($21,292.64)

Returned Check Interest ($89.48)

Returned Online Payment 2015 Taxes ($0.00)

Returned Online Interest ($0.00)

Returned Check Garbage Fee ($0.00)

Returned Check Garbage Fee Penalty ($0.00)

Counterfeit Funds ($0.00)

Arrears $0.00

Sewer Clean out charge $1,000.00

DPW 2014 Reso payments $0.00

State Audit Payment/Disallowed Deductions $0.00

Tax Sale Cost/Before Tax Sale Cost $0.00

Premium $0.00

Interest $29,560.76

Total $26,270,936.94

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

**Sale** lot.

**Block Lot Redemption Date CTF# Amount**

9 14.01 8/31/15 14-00009 $29,800.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $29,800.00 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** Requesting the refund of the premium paid at the 2015 tax sale on the following block & lot.

**Sale Block Lot Redemption Date CTF# Amount**

16 26 8/26/15 14-00015 $200.00

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

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

**Sale**  **Block Lot Redemption Date CTF# Amount**

29 17 8/27/15 13-00035 $1,400.00

211 23 8/13/15 13-00255 $900.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $2,300.00 payable to: MTAG Cust Fig Cap Invest NJ, 13, P.O. Box 54472, New Orleans, LA 70154, charging same to account #5-01-55-276-999-956.

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

**Block Lot Redemption Date CTF# Amount**

62 5 8/15/15 13-00076 $3,300.00

88 1 8/24/15 14-00068 $2,400.00

187 7 8/31/15 14-00153 $2,100.00

314 14 8/28/15 14-00225 $1,600.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $9,400.00 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** Requesting the refund of the premium paid at the 2015 tax sale on the following block & lot.

**Sale Block Lot Redemption Date CTF# Amount**

72 14.01 8/31/15 14-00057 $1,000.00

106 17 8/17/15 14-00081 $1,200.00

244 21 8/17/15 14-00199 $900.00

282 1 8/24/15 14-00212 $1,100.00

392 24 8/31/15 14-00270 $900.00

457 29.01 8/17/15 14-00286 $900.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $6,000.00 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** Requesting the refund of the premium paid at the 2015 tax sale on the following block & lot.

**Sale**  **Block Lot Redemption Date CTF# Amount**

77 5 8/17/15 13-00097 $1,000.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,000.00 payable to: FWDSL & Associates, LP, Attention: Jared Cucci, 5 Cold Hill Road, S. #11, Mendham, NJ 07945 charging same to account ##5-01-55-276-999-956.

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

**Sale Block Lot Redemption Date CTF# Amount**

251 6 8/19/15 14-00203 $100.00

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

**Cancel** Cancellation of Taxes, Block 65 Lot 6

**Taxes** 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 1st $1,507.65 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 $2,471.56 payable to: Bessie R. & Edward C. St. John, 1230 Dill Avenue, Linden, NJ 07036, charging same to account #5-01-55-288-999-904.

**Refund** Refund of Property Taxes, Block 99 Lot 12

312 Carnegie Street

This property owner has been deemed a 100% Disabled Veteran by the V.A. as of January 6, 2014. Mr. Witherspoon purchased his home on January 9, 2014 and is entitled to the 100% Disabled Veteran Status per Michael Frangella. The following is the amount billed that needs to be cancelled for 2014. This will be tax exempt going further. However, the Mortgage Company Wells Fargo has paid the property taxes in error and are entitled to a refund in the amount of $ 1,740.33.

February $1,528.93

May $1,678.12

August Not known

November Not Known

**Refund** Block 147 Lot 1, 1418 Roselle Street

Private Garbage

There now exists a credit balance on the above referenced block & lot due the property has a private garbage company. The property owner has paid the entire amount due for 2013 & 2014 and is entitled to a refund of $360.00.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $360.00 payable to: Pietro Cucaro, 177 E. Edgar Road, Linden, NJ 07036, charging same to account *#*5-01-08-607-011.

**(\*\*\*) CITY CLERK’S OFFICE:**

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

**Raffle Application Organization Event Fees**

**RA-1467 FOLAS 50/50 $20.00**

**RA-1468 FOLAS Tricky Tray $20.00**

**RA-1469 FOLAS Prize Raffle $20.00**

**RA-1470 Kiwanis Club 50/50 $20.00**

**RA-1471 School #10 50/50 $20.00**

**RA-1472 Linden Boxing Assoc. 50/50 $20.00**

**RA-1473 Linden Boxing Assoc. Tricky Tray $20.00**

**RA-1474 Loyal Order of Moose 50/50 $20.00**

**RA-1475 Loyal Order of Moose Tricky Tray $20.00**

**RA-1476 LHS NJROTC Prize Raffle $20.00**

**RA-1477 Lions Club of Linden 50/50 $20.00**

**RA-1478 Lions Club of Linden Tricky Tray $20.00**

**(\*\*\*) COUNCIL PRESIDENT ALVAREZ, LEDC APPOINTMENT:**

1. **Advising that he has re-appointed Elizabeth Garcia as a representative to the Linden Economic Development Corporation for a two (2) year term, commencing January 1, 2015 and terminating December 31, 2016.**

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

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

* Service date of 3/23/15 - BCBS of Michigan is entitled to a refund of $ 77.20 for ambulance service that was provided on 3/23/2015.

Therefore, it would be in order for the council to authorize the treasurer to issue a check to: BC BS of Michigan, 600 Lafayette East, Detroit, MI 48226 charging account 5-01-08-629-011.

* Service date of 4/22/15 - BCBS of Michigan is entitled to a refund of $ 85.49 for ambulance service that was provided on 4/22/2015.

Therefore, it would be in order for the council to authorize the treasurer to issue a check to: BC BS of Michigan, 600 Lafayette East, Detroit, MI 48226 charging account 5-01-08-629-011.

* Service date of 1/15/2015 - Horizon BCBS NJ is entitled to a refund of $ 428.34 for ambulance service that was provided on 1/15/2015.

Therefore, it would be in order for the council to authorize the treasurer to issue a check to: Horizon BC BS NJ, PO Box 420, Newark, NJ 07101-0420 charging account 5-01-08-629-011.

* Service date of 6/27/2014 - Aetna Inc. is entitled to a refund of $ 324.81 for ambulance service that was provided on 6/27/2014.

Therefore, it would be in order for the council to authorize the treasurer to issue a check to: Aetna Inc., PO Box 14079, Lexington, KY 40512-4079 charging account 5-01-08-629-011.

* John McSharry is entitled to a refund of $225.00 for a quarterly parking permit.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $225.00 payable to: John McSharry, 27 Algonquin Drive, Cranford, NJ 07016 charging same to 5-01-08-609-013.

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

1. Please be advised that the following City of Linden employee has filed for retirement:

**Department              Employee                             Title                                          Date**

   Fire Dept.                  Stephen Kolesa                  Fire Lieutenant                       Sept. 1, 2015

   D.P.W.                      Allen Lubas                         Sr. Laborer Tier 1                  Oct. 1, 2015

   Police Dept.              Michael Petrusky                Police Officer                        Oct. 1, 2015

**(\*\*\*) CITY CLERK’S OFFICE:**

1. **Requesting permission to close Rosewood Terrace between Myrtle Terrace and DeWitt Terrace on Saturday, September 26, 2015 between the hours of 11am and 5pm to hold a Block Party. (Insurance has been provided & approved by the City Attorney and the Police Chief has approved the application)**

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

1. **Advising that thirty-seven (37) certificates of occupancy were issued during the**

**month of August.**

**(\*\*\*) Linden Halloween Parade**

1. **Requesting permission to close North Wood Avenue from Routes 1&9 to East Gibbons Street to hold the annual Halloween Parade on Sunday, October 25, 2015 between the hours of Noon and 6:00 pm.**

**Mrs. Hickey moved for approval of Consent Items #1 through #8. The motion was seconded by Mr. Medina and was ordered approved on roll call vote with all voting yes with the exception Mr. Kolibas who abstained on Consent Item #2.**

**COMMITTEE REPORTS**

**FIRST WARD**

Mr. Kolibas gave the report of the City Clerk’s office. For the month of August, 2015 the City Clerk’s office collected a total of $6,248.02 in various fees. Next he gave the report of the City Clerk’s office, Licensing Division. For the month of August, 2015 a total of $4,178.00 was collected for various licenses.

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

1. In the Municipal Court – the change in the work schedule for Jasmine Steele, Clerk 1 from part-time clerk to full-time at a salary of $34,548.00 pro-rated effective September 16, 2015.
2. In the Fire Department-
   * + The permanent appointment of Joseph Dooley to Fire Chief at the annual salary of $164,761.00 effective September 10, 2015 per Civil Service Law and Regulations.
     + The promotion of Joseph Stanley to Fire Lieutenant at the salary of $104,382.00 pro-rated effective September 16, 2015, as a replacement for a retiree.

3**.** In the Department of Construction– the increase of work hours for Tracey Birch, Clerk 1, from 19.5 hours to not to exceed 29.5 hours.

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

* + 1. Employee # 6521 FMLA from 8/16/15 through 9/16/15.
    2. Employee # 945 Intermittent FMLA from 5/23/15 through 5/23/2016
    3. Employee # 106914 Intermittent FMLA from 5/8/15 through 11/8/15
    4. Employee # 908847 FMLA from 9/1/15 through 9/30/15

5. In the Board of Health – the revision of the date of hire for Stephanie Chrobak, Public Health Graduate Nurse, from September 1, 2015 to September 8, 2015.

6. In the Department of Public Property – the appointment as seasonal employees the following individuals:

i. Asya Clark at the rate of $8.38 per hour.

ii. George Meretta at the rate of $15.00 per hour.

7. In the Police Department – the appointment of Andrew Ortiz as a Parking Enforcement Officer effective October 1, 2015 at the salary of $34,548.00

Mr. Kolibas moved for approval of the Personnel Report. The motion was seconded by Mrs. Yamakaitis and was ordered approved on a roll call vote with the exception of Mr. Beyer who voted no on item #6 section 2, Mrs. Cosby-Hurling who voted no on item #3, and Mr. Minarchenko who abstained on item #4 section 3. When Mrs. Cosby-Hurling voted, she noted that the appointments, this evening, of Parking Enforcement Officer were provisional, they were Civil Service positions, which meant that when the test was called for, anyone in the City of Linden can take it. She added that those with poor driving records should not waste their time.

Mr. Kolibas recognized Chief Dooley. He then thanked Public Property and Public Works for all that they do to keep the City looking good. He provided his contact information for First Ward residents.

Mr. Minarchenko congratulated Lt. Stanley. He noted that the Lieutenant Stanley grew up in the Seventh Ward.

**SECOND WARD**

Mr. Beyer gave the report of the Engineering Committee. He began by providing an update on the City’s street resurfacing program for 2015. He then reviewed the list of streets selected for the 2016 street resurfacing program.

**THIRD WARD**

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

1. The payment of bills totaling $1,029,408.24. 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 August at the rate of .10%

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

Mr. Brown spoke about the effort to provide laptops to the Council, to help eliminate paperwork and go green. He then spoke about the hiring of the fourth parking enforcement officer, this evening. He reminded residents about parking rules so that they can avoid receiving tickets. Next Mr. Brown spoke about his experience, at the Fire Academy with participating in a live burn. He noted that the experience was an eye opener.

**FOURTH WARD**

Mr. Brooks gave the report of the Division of Parking and Transportation for parking for the month of August, 2015. A total of $49,047.02 was collected from all sources.

Mr. Brooks then spoke about an event that he had held at Dr. Martin Luther King Park on August 29th. The event was a meet and greet and gave away school supplies. Any of the school supplies, left over, were donated to Joseph E. Soehl Middle School for the use of the students. Mr. Brooks asked residents, who live in the area of Hattie Johnson Park, to curb their dogs. He noted the use of the park by small children.

Mr. Brook thanked the residents who live along W. Baltimore Ave, near the railroad tracks. He noted that a lot of illegal dumping was taken place in the area. He reported that one of the residents provided information on one the individuals doing the dumping. He asked that other residents keep an eye open and report what they see. Mr. Brooks reported on the police response to parking issues along Lincoln Street and St. Georges Ave. The parking was creating a hazard for those turning from Lincoln St. onto St. Georges Ave.

Mr. Brooks reported on the special Council meeting held to discuss traffic issues throughout the City. Council is making strides to take care of those issues. He concluded by providing his contact information for residents.

**FIFTH WARD**

Mrs. Cosby-Hurling thanked all those who came and supported the Fifth and Eighth Ward Community event. She spoke about the efforts to put on the event and thanked Mrs. Yamakaitis for all of her hard work in helping to put this event together. She noted the help from all of the Fifth and Eighth Ward Committee people, and thanked a number of individuals and firms that donated to the event.

Mrs. Cosby-Hurling noted various community events that would be going on in the next several weeks. She spoke about the posting of jobs and the various positions that are currently open. She then informed residents of the installation of speed humps to slow the speed of traffic. She provided her contact information and noted that she has a Facebook page. She urged other elected officials to contact her direct, face to face, and not be put on Facebook.

**SIXTH WARD**

Mr. Sadowski thanked DPW for their work in cleaning and restoring Pulaski Park in the Sixth Ward. He spoke about the opening of School #6, and that it went off without a hitch. He noted the new rules for drop-offs and pickups, at 6 School and asked that all follow them. He thanked Lt. Babulski for finding the money for the purchase of new electronic school signs and the Division of Transportation and Parking for installing them.

Mr. Sadowski spoke about traffic issues, the special meeting of Council to discuss them, and that they would be working with the Police to resolve them. He also noted that he has turned in a list for tree trimmings and the repair of potholes. If someone still has work to be done, he asked that they give him a call so he can add them to the list.

Mr. Sadowski informed all that the senior clubs have resumed their meeting schedule, provided information on the various meetings, and urged residents to come out and join.

**SEVENTH WARD**

Mr. Minarchenko gave the report of the Construction Code Department. The department processed 165 permits and issued 169 certificates. They have collected a total of $61,363.00 for the month of August. He then spoke about the special council meeting, and noted areas of particular concern to him in the Seventh Ward. He noted that Tremely Point Road is scheduled to be repaved this year and spoke about efforts to keep tractor trailers off of Tremely Point Road, a light traffic street.

Mr. Minarchenko then reported on the efforts to create a quite zone in conjunction with the railroad crossing in the Seventh Ward. He noted the meeting that Senator Scutari had hosted with the NJDOT regarding the Turnpike access road. He added that the Mayor would give a further report on the meeting.

**EIGHTH WARD**

Mrs. Yamakaitis reported that the Fire Prevention Bureau had collected a total of $3,762.36 for the month of August 2015. She then reported on collections for the ambulance reimbursement system. A total of $441,749.98 has been collected to date. She announced details of Fire Prevention night. Mrs. Yamakaitis congratulated Chief Dooley on becoming permanent in his title and Lt. Stanley on his promotion.

Mrs. Yamakaitis urged those who have not taken advantage of the free concerts to come out and attend them. She provided details on the concerts. She acknowledged the efforts of various staff members in planning the concerts.

Mrs. Yamakaitis announced the details of the Eight Ward Community meeting. She also provided further information on the planned Neighborhood Watch Program meeting. She also explained a new program, held in conjunction with the Trinitas School of Nursing that was being offered to area restaurants. Next Mrs. Yamakaitis provided details on the annual flu vaccination program. She then commented on the special council meeting, regarding traffic, and streets in the Eighth Ward that were of concern to her.

Mrs. Yamakaitis announced details of a fundraiser that was going to be held by the Friends of the Linden Animal Shelter. She noted a number of events that would be occurring and urged those interested to visit her Facebook site to obtain further information. She provided her contact information.

**NINTH WARD**

Mr. Medina congratulation Chief Dooley on his appointment and Mr. Stanley on his promotion. He then thanked the Fire Department for their response to the large fire on Orchard Terrace, and gave a report on the fire. He then spoke about streets that were going to be paved in the Ninth Ward.

Mr. Medina reported on the recent opening of schools and traffic enforcement, especially regarding speed and the new stop signs. He noted the special council meeting and that the biggest issue, around town, is speeding.

Mr. Medina announced the Ninth and Tenth Ward meeting, tomorrow. He provided details on the topics for the evening.

**TENTH WARD**

Mrs. Hickey began her report by congratulating Sgt. Brian Fetch as Police Officer of the Year. She spoke about the great work being done by all of the police officers. She congratulated Chief Dooley and Lt. Stanley on their promotions. She then talked about some of the individuals honored earlier in the meeting.

Mrs. Hickey reminded all about the City wide garage sale and provided details on the event. She then announced the combined Ninth and Tenth Ward Community meeting and details. She then provided details on the September to Remember, and urged residents to come out and participate.

Mrs. Hickey stated that she took a day off, from work, to be in town for the opening of School 9 in the Tenth Ward. She spoke about traffic issues related to the drop off and pick up of students going to School 9. She asked that parents not block home owner’s driveways. She then thanked Mrs. Yamakaitis for hosting her annual 9-11 ceremony honoring Wanda Green.

Mrs. Hickey provided a report on the annual Police-Fire football game, which raises monies for charities. She then spoke about the removal of trees in the 10th Ward. She addresses several issues of concern to the residents of the Tenth Ward.

Mrs. Hickey noted the presence of Ann Ferguson tonight and gave information on the up-coming casino night that the housing authority hosts. Mrs. Hickey provided her contact information.

Mrs. Cosby-Hurling announced the regular Fifth Ward Community meeting and the topic of discussion.

**MAYOR’S REPORT**

Mayor Armstead acknowledge the presence of former Second Ward Council person Rich Koziol and thanked him for coming out this evening. The Mayor then spoke about his tenure, as Mayor, and his efforts to shift some of the tax burden from homeowners to commercial property owners. He then spoke about a meeting, last week, on the proposed hazardous waste tax that he proposed. He then reported on the study for the creation of new SID districts and that that it is moving along.

Mayor Armstead reported that the City is looking very hard on the creation of a Parking Authority and the reasons why. He also reported on interest in developing the St. Georges Ave redevelopment site. He noted the amount of money the City has spent, on the site, over the past years.

Mayor Armstead reported on a meeting that Senator Scutari hosted regarding the building of the Turnpike Access road. The Mayor then spoke about his Facebook page and that if it is on his Facebook site, then it is factual.

President Alvarez spoke about the September to Remember and urged all to come out. He provided details on the event.

**RESOLUTIONS**

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

**Mr. Kolibas moved for removal of Resolution #2015-317 from consideration. The motion was seconded by Mr. Beyer and was unanimously ordered approved by a roll call vote.**

**Resolution #2015-325 was removed at the request of Mr. Ladzinski.**

**Mr. Kolibas moved for approval of Resolutions #2015-304 through #2015-344 with the exception of Resolutions #2015-304 and #2015-325. The motion was seconded by Mr. Beyer and was unanimously ordered approved on a roll call vote.**

**RESOLUTION: 2015-308**

**RESOLUTION FOR PURCHASE OF ONE CASE MODEL FARMALL 55C CVT SERIES TRACTOR FROM STORR TRACTOR COMPANY THROUGH THE MIDDLESEX REGIONAL EDUCATIONAL SERVICES COMMISSION CO-OP FOR THE PUBLIC PROPERTY DEPARTMENT**

**WHEREAS**, the City of Linden wishes to obtain services from an authorized vendor under the Middlesex Regional Educational Services Co-op (MRESC) Contract 14/15-04. Awarded to Storr Tractor, 3191 Route 22, Branchburg, NJ 08876, an authorized vendor and,

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

**WHEREAS**, Storr Tractor, has been awarded Contract #14/15-04, for the provision of grounds equipment; and,

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

**WHEREAS**, the amount of the service is not to exceed $42,178.40 and,

**WHEREAS**, the Chief Finance Officer has certified the availability of funds for this contract, which will be charged to account number C-04-55-904-629-919 and,

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

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

**RESOLUTION: 2015-309**

**RESOLUTION FOR PURCHASE OF ONE CASE MODEL FARMALL 50C SERIES ROPS TRACTOR FROM STORR TRACTOR COMPANY THROUGH THE MIDDLESEX REGIONAL EDUCATIONAL SERVICES COMMISSION CO-OP FOR THE PUBLIC WORKS DEPARTMENT**

**WHEREAS**, the City of Linden wishes to obtain services from an authorized vendor under the Middlesex Regional Educational Services Co-op (MRESC) Contract 14/15-04. Awarded to Storr Tractor, 3191 Route 22, Branchburg, NJ 08876, an authorized vendor and,

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

**WHEREAS**, Storr Tractor, has been awarded Contract #14/15-04, for the provision of grounds equipment; and,

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

**WHEREAS**, the amount of the service is not to exceed $27,653.48 and,

**WHEREAS**, the Chief Finance Officer has certified the availability of funds for this contract, which will be charged to account number C-04-55-907-632-919 and,

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

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

**RESOLUTION: 2015-310**

**RESOLUTION FOR STATE CONTRACT PURCHASE OF 2016 FORD F-250 4WD REG CAB 137” W OPTIONS FOR PUBLIC WORKS- FROM BEYER FORD**

**WHEREAS**, the City of Linden wishes to purchase one 2016 Ford F-250 4WD REG CAB 137” WB with options from an authorized vendor under the State of New Jersey contract A88727. Awarded to Beyer Ford, 170 Ridgedale Avenue, Morristown, NJ 07936, an authorized vendor and,

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

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

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

**WHEREAS**, the amount of the service is not to exceed $25,441.00 and,

**WHEREAS**, the Chief Finance Officer has certified the availability of funds for this contract, which will be charged to account number C-04-55-907-631-919 and,

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

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

**RESOLUTION: 2015-311**

**RESOLUTION FOR STATE CONTRACT PURCHASE OF MOBILE COLUMN LIFTS FOR PUBLIC WORKS**

**WHEREAS**, the City of Linden wishes to purchase of Stertil-Koni ST 110-2RWF Mobile Column Lifts (furnish, deliver, set up and train) from an authorized vendor under the State of New Jersey contract A80126. Awarded to Stertil-Koni, c/o Hoffman Services Inc., 55-57 East Bigelow Street, Newark, NJ 07114, an authorized vendor and,

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

**WHEREAS**, Stertil-Koni has been awarded Contract A 80126 for the provision of vehicle lifts and equipment; and,

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

**WHEREAS**, the amount of the service is not to exceed $87,899.50 and,

**WHEREAS**, the Chief Finance Officer has certified the availability of funds for this contract, which will be charged to account number C-04-55-907-633-919 and;

**NOW THEREFORE BE IT RESOLVED** by the City of Linden that Stertil-Koni c/o Hoffman Services be awarded a contract for a term of one year or until new awards are made; and,

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

**RESOLUTION: 2015-312**

**RESOLUTION APPROVING A CONTRACT WITH THE LINDEN**

**POP WARNER FOOTBALL AND THE CITY OF LINDEN**

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

Pop Warner Football Program, a non profit organization whose purpose is to encourage youngsters in the City as the City does not offer such a program;

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for "Extraordinary, Unspecifiable Services" without competitive bids and the contract itself must be available for public inspection; and

**WHEREAS**, the Director of Public Property and Community Services has certified that this meets the statute and regulations governing the award of said contracts;

**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 Chief Financial Officer or her designee has certified as to the availability of funds for this purpose, as attached hereto, which will be charged to account/line item No. 5-01-28-370-198-209; and

**WHEREAS,** the amount of said contract shall be a fee not to $15,000.00;

**WHEREAS,** said contract will be for a period of one (1) year commencing January 1, 2015 and terminating December 31, 2015;

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

1. The City will enter into a contract with the Linden Pop Warner Football Program, commencing January 1, 2015 and terminating December 31, 2015, as approved by the Law Department.

2. The Linden Pop Warner Football Program shall provide an audit/financial statement and or similar document for 2014 to the City, before monies can be released, and an audit financial statement for the end of 2014.

3. This Resolution shall take effect immediately.

**RESOLUTION: 2015-313**

Resolution Authorizing Assignment

Of Tax Sale Certificate # 08-00223

WHEREAS, N.J.S.A. 54:5-113 authorizes assignment by a municipality of tax sale certificates for the full amount of the certificate, including all subsequent municipal taxes and other municipal charges; and,

WHEREAS, Meridia, Lifestyles II, Linden, LLC has presented an offer to purchase, by assignment Certificate of sale #-08-00223 which was issued to the City of Linden at the tax sale held June 3, 2009, on Block 458 Lot 5.02, known as 114 S. Wood Avenue and assessed to Frank S. & Anna Villani, in the amount of $4,431.00 being the full amount of the certificate, including all subsequent municipal taxes and other municipal charges.

NOW, THEREFORE, BE IT RESOLVED, that the City of Linden herby authorizes the Mayor or other officials as appropriate to execute the necessary assignment document to effect assignment of the above-referenced Certificate of Sale.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Tax Collector.

**RESOLUTION: 2015-314**

Resolution Authorizing Assignment

Of Tax Sale Certificate # 08-00224

WHEREAS, N.J.S.A. 54:5-113 authorizes assignment by a municipality of tax sale certificates for the full amount of the certificate, including all subsequent municipal taxes and other municipal charges; and,

WHEREAS, Meridia, Lifestyles II, Linden, LLC, has presented an offer to purchase, by assignment Certificate of sale #-08-00224 which was issued to the City of Linden at the tax sale held June 3, 2009, on Block 458 Lot 6, known as 116 S. Wood Avenue and assessed to Frank S. & Anna Villani, in the amount of $40,987.48 being the full amount of the certificate, including all subsequent municipal taxes and other municipal charges.

NOW, THEREFORE, BE IT RESOLVED, that the City of Linden herby authorizes the Mayor or other officials as appropriate to execute the necessary assignment document to effect assignment of the above-referenced Certificate of Sale.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Tax Collector.

**RESOLUTION: 2015-**­**315**

Resolution Authorizing Tax Collector

to forward monies to lien holders

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

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

WHEREAS, the monies should have been sent directly to the lien holders, for Block 200 Lot 16 C2036 in the amount of $373.26.

NOW, THEREFORE, BE IT RESOLVED, that the Tax Collector is hereby authorized to issue a check from the Tax Collector Tax Sale Redemption Account in the amount of $373.26 to Amaco, 125 Rocky Boulevard # 623, Bear, DE, 19701.

**RESOLUTION: 2015-316**

**A RESOLUTION APPOINTING LAURENCE PRICE**

**A CONSTABLE IN THE CITY OF LINDEN**

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

Section 1. That **LAURENCE PRICE,** residing at 1030 Charles St., Linden, Union County, New Jersey, be and he hereby is appointed a constable, and that his qualifications, bond, duties and powers shall be as provided and required by law and usage of this state and as hereafter may be provided by law.

Section 2. Said constable shall hold office for the three‑year term commencing October 22, 2015 and terminating October 21, 2018.

Section 3. Said constable shall furnish a bond to the City of Linden in the sum of $1,000.00 with good freehold or other security, to be approved by the Council, which bond shall remain in full force during the term of office for which the said constable is appointed, and shall take, subscribe and file with the City Clerk of the City of Linden the required oath and shall meet the qualifications required by law, prior to commencing his duties and exercising his powers, and shall in all respects comply with the law in such case made and provided.

Section 4. This Resolution shall take effect immediately.

**RESOLUTION 2015-317 WAS REMOVED**

**RESOLUTION: 2015-318**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDEN, COUNTY OF UNION, NEW JERSEY REFERRING TO THE PLANNING BOARD FOR REVIEW AND COMMENT CERTAIN AMENDMENTS TO THE REDEVELOPMENT PLAN FOR THE DUPONT REDEVELOPMENT AREA, 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 a municipality to determine whether certain parcels of land in the municipality constitute “areas in need of rehabilitation” and/or “areas in need of redevelopment”; and

**WHEREAS**, in accordance with the criteria set forth in the Redevelopment Law, by Resolution dated April 18, 2000, the City Council (“City Council”) of the City of Linden (the “City”) designated as “an area in need of redevelopment” the properties identified as on the City tax maps as Block 586, Lots 8 and 9 (the “DuPont Redevelopment Area”); and

**WHEREAS**, in accordance with the Redevelopment Law, the City Council on May 16, 2000, by Ordinance 42-01, adopted a redevelopment plan for the DuPont Redevelopment Area (the “DuPont Redevelopment Plan”); and

**WHEREAS**, by Resolution dated January 15, 2002, the City Council designated as “an area in need of redevelopment” the properties identified on the City tax maps as Block 587, Lots 1 and 2.01 (the “ISP Redevelopment Area”); and

**WHEREAS**, on February 20, 2002, the City Council by Ordinance 45-4, adopted a redevelopment plan for the ISP Redevelopment Area (the “ISP Redevelopment Plan”); and

**WHEREAS**, the City Council amended the ISP Redevelopment Plan by Ordinance 47-58 on August 19, 2003; and

**WHEREAS**, on October 19, 2004, following the recommendation of the City Planning Board (“Planning Board”), the City Council, by Ordinance 48-98, adopted a single, combined redevelopment plan for the redevelopment of the DuPont Redevelopment Area and the ISP Redevelopment Area (the “Original Redevelopment Plan”), superseding all previous adopted redevelopment plans for the DuPont Redevelopment Area and the ISP Redevelopment Area; and

**WHEREAS**, on July 19, 2005, the City Council, by Ordinance 49-67, designated the Union County Improvement Authority to act as the redevelopment entity for the redevelopment of the DuPont Redevelopment Area and the ISP Redevelopment Area; and

**WHEREAS**, as a result of litigation commenced in the New Jersey Superior Court, Ordinances 48-98 and 49-67 were invalidated; and

**WHEREAS**, the City Council, in furtherance of the redevelopment of the DuPont Redevelopment Area, studied whether Block 586, Lot 11 was also an area in need of redevelopment, and on April 21, 2010 adopted a resolution so designating that parcel and including it in the Original DuPont Redevelopment Area creating the “Expanded DuPont Redevelopment Area”; and

**WHEREAS**, on September 21, 2010, the City Council by Ordinance 54-59, adopted certain amendments to the Original Redevelopment Plan addressing only the Expanded DuPont Redevelopment Area (the Original Redevelopment Plan, as amended, hereinafter the “DuPont Redevelopment Plan”); and

**WHEREAS**, the City Council desires to refer to the Planning Board certain amendments to the DuPont Redevelopment Plan, as described on *Exhibit A* attached hereto, for its review and comment, pursuant to *N.J.S.A.* 40A:12A-7 of the Redevelopment Law.

**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 *N.J.S.A*. 40A:12A-7(e), the City Council hereby refers the amendments to the Dupont Redevelopment Plan, as described on *Exhibit A* attached hereto, to the Planning Board for review and recommendation. The Planning Board shall prepare a report regarding its recommendations as to the aforementioned amendments to the DuPont Redevelopment Plan and submit same to the City Council within 45 days after referral, as required by the Redevelopment Law.

3. The City Clerk shall forward a copy of this Resolution, and the proposed amendments to the DuPont Redevelopment Plan attached hereto as *Exhibit A*, to the Planning Board for review.

This Resolution shall take effect immediately.

**RESOLUTION: 2015-319**

**RESOLUTION IN SUPPORT OF NATIONAL FRIENDS OF**

**LIBRARIES WEEK AND DECLARING OCTOBER 18-24, 2015 AS**

**FRIENDS OF LIBRARIES WEEK IN LINDEN**

**Whereas,** Friends of Linden Library raise money that enables our library to move from good to great -- providing the resources for additional programming, much needed equipment, support for children’s summer reading, and special events throughout the year;

**Whereas,** the work of the Friends highlights on an on-going basis the fact that our library is the cornerstone of the community providing opportunities for all to engage in the joy of life-long learning and connect with the thoughts and ideas of others from ages past to the present;

**Whereas,** the Friends understand the critical importance of well funded libraries and advocate to ensure that our library gets the resources it needs to provide a wide variety of services to all ages including access to print and electronic materials, along with expert assistance in research, readers’ advisory, and children’s services;

**Whereas,** the Friends’ gift of their time and commitment to the library sets an example for all in how volunteerism leads to positive civic engagement and the betterment of our community;

**Now, therefore, be it resolved that** the Mayor and Council of the City of Linden hereby proclaims October 18-24, 2015, as Friends of Libraries week in Linden, Union County, New Jersey and urges everyone to join the Friends of the Library and thank them for all they do to make our library and community so much better.

**RESOLUTION: 2015-320**

**CITY OF LINDEN RESOLUTION**

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

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

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

**CURRENT**

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

8/4/15 Vision Service Plan claims 4,191.50

8/5/15 Worker’s Comp. claims 88,932.76

8/5/15 Medco claims 82,199.43

8/6/15 Payroll FICA 6,601.18

8/6/15 Payroll payroll 82,048.67

8/13/15 Worker’s Comp. claims 3,066.54

8/13/15 Payroll FICA 57,043.64

8/13/15 Payroll payroll 1,503,089.13

8/14/15 County of Union County taxes 6,023,493.08

8/14/15 County of Union Open space 169,198.41

8/20/15 Horizon BCBS refund – R. Czusrou 173.85

8/20/15 BCBS of Michigan refund – J. Warenhoffer 76.28

8/20/15 United Health refund – K. Leary 434.06

8/20/15 Alex Davorson refund 35.00

8/20/15 Jennifer Altman refund 150.00

8/20/15 Payroll FICA 7,792.14

8/20/15 Payroll payroll 82,863.28

8/27/15 Payroll FICA 59,557.99

8/27/15 Payroll payroll 1,530,749.78

**TRUST**

8/6/15 Payroll payroll 29,052.13

8/13/15 Payroll payroll 4,923.90

8/20/15 Payroll payroll 113,404.25

8/27/15 Payroll payroll 5,659.29

**GRANT**

8/6/15 Payroll payroll 239.56

8/13/15 Payroll payroll 29,953.50

8/27/15 Payroll payroll 30,160.26

**SANITARY LANDFILL**

8/6/15 Payroll payroll 1,199.20

8/13/15 Payroll payroll 4,277.28

8/20/15 Payroll payroll 1,199.20

8/27/15 Payroll payroll 4,277.28

**CAPITAL**

8/6/15 Payroll payroll 89.94

8/13/15 Payroll payroll 1,384.32

8/20/15 Muller Bohlin Granter writer 8,950.00

8/20/15 Payroll payroll 22.49

8/27/15 Payroll payroll 1,166.02

**RESOLUTION: 2015-321**

**RESOLUTION APPROVING THE AWARD OF A CONTRACT TO MARK PAVING CO., INC. FOR RESURFACING OF E. BLANCKE STREET, E. PRICE STREET AND TREMLEY POINT ROAD IN THE CITY OF LINDEN**

**WHEREAS,** sealed bids were received by the Purchasing Agent on September 3, 2015 for the resurfacing of E. Blancke Street, E. Price Street and Tremley Point Road in the City of Linden; and

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

**WHEREAS**, the Chief Financial Officer or her designee has certified as to the availability of funds for this purpose, as attached hereto, which will be charged to account/line item C-04-55-901-613-919; and

**WHEREAS**, Mark Paving Co., Inc. was the lowest bidder at their bid of $409,020.50; and

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

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

1. A contract is awarded to Mark Paving Co., Inc. at their bid of $409,020.50.
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: 2015-322**

**RESOLUTION AMENDING THE CONTRACT WITH**

**GUIDO G. KARCHER, P.E. AS EXPERT WITNESS FOR DEFENSE OF THE GULF OIL AND CITGO TAX APPEALS FOR 2015**

**WHEREAS**, the City of Linden passed a Resolution, No. 2015-37 dated January 21, 2015 retaining the services of an expert witness to provide testimony and assist in the State Tax Court Appeals for Citgo and Buckeye; 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**, Guido G. Karcher, P.E. submitted a qualification to the City and has qualified for the aforesaid services for 2015; and

**WHEREAS**, due to the ongoing nature of said tax appeals, it is necessary to provide for additional funds for said purpose in an amount not to exceed $10,000.00; and

**WHEREAS,** inclusive of these additional funds the total expenditures paid to date to Guido G. Karcher, P.E. for services rendered under the said contract is $20,00.00; and

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

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that the agreement for Professional Services awarded to Guido G. Karcher, P.E., 38 North Boom Way, Little Egg Harbor, New Jersey 08087 is hereby amended to increase the contract by the additional sum of $10,000.00; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary amendatory contract documents between Guido G. Karcher, P.E. 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 said amendatory agreement with Guido G. Karcher to effectuate the foregoing; and

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

**RESOLUTION: 2015-323**

**RESOLUTION** **AMENDING A CONTRACT WITH ROBERT RENAUD, ESQ. OF THE FIRM PALUMBO & RENAUD, AS SPECIAL TAX COUNSEL TO INCLUDE OTHER VARIOUS TAX APPEALS FOR 2015**

**WHEREAS**, the City Council of the City of Linden passed a Resolution, No. 2015-32, on January 21, 2015 retaining the services of Special Tax Counsel for tax appeals where Skoloff & Wolfe, P.C. have a conflict for 2015; and

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

**WHEREAS**, Robert Renaud, Esq., Palumbo & Renaud, 190 North Avenue East, Cranford, New Jersey submitted a qualification to the City and has qualified for the aforesaid services for 2012; and

**WHEREAS,** it is necessary to provide for additional funds for said purpose in an amount not to exceed $10,000.00; and

**WHEREAS,** inclusive of these additional funds the total expenditures paid to date to Robert Renaud, Esq. for services rendered under the original or substantially related contract is $20,000.00; and

**WHEREAS**, the Chief Financial Officer or his designee has certified to the availability of funds for this purpose, to be charged to Account No. 5-01-20-156-117-271; **NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that the agreement for Professional Services awarded to Robert Renaud, Esq., Palumbo & Renaud, 190 North Avenue East, Cranford, New Jersey, is hereby amended to increase the contract by the additional sum of $10,000.00, for a total contract of $20,000.000; and

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

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk be and hereby are empowered and directed to execute said amendatory agreement consistent with Robert Renaud, Esq. to effectuate the foregoing; and

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

**RESOLUTION: 2015-324**

**RESOLUTION APPROVING A CONTRACT WITH REMINGTON & VERNICK ENGINEERS FOR MAINTAINING TAX MAPS FOR THE YEAR 2015**

**WHEREAS**, the City Council of the City of Linden has determined that it would be in the best interests of the City of Linden to retain the services of a licensed land surveyor to maintain and update the Tax Maps for 2015 in accordance with N.J.A.C. 18:23A-1.27; and

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

**WHEREAS**, Remington & Vernick Engineers submitted a qualification to the City and has qualified for the aforesaid services for 2015; and

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

**WHEREAS**, the Chief Financial Officer or his designee has certified to the availability of funds for this purpose, to be charged to Account No. 5-01-20-165-124-255;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that a contract for Professional Services be and hereby is awarded to Remington & Vernick Engineers, 232 Kings Highway East, Haddonfield, New Jersey 08033, in an amount not to exceed $2,000.00; and

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

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

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

**RESOLUTION: 2015-325**

**RESOLUTION AUTHORIZING THE STATE OF NEW JERSEY TO ENFORCE ELEVATOR SUBCODE**

**WHEREAS**, the CITY OF LINDEN no longer finds it feasible to enforce the Elevator Sub Code; and

**WHEREAS**, the CITY OF LINDEN shall and hereby gives the State of New Jersey Elevator Safety Unit jurisdiction up to 120 days from the date the position was eliminated by the CITY OF LINDEN to enforce the Elevator Sub Code; and

**WHEREAS**, the elevator inspection cycles are twice annually; and

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that up to 120 days from the date the ordinance was passed eliminating the position of Elevator Sub Code, the City of Linden will no longer enforce the Elevator Sub Code.

Paul Ladzinski. Mr. Ladzinski stated that he knows a little about this stuff, and that there is no one in Construction Code that does this, it is a third party. He asked what happened. Mr. Antonelli responded that we had an employee that did these inspections. Mr. Ladzinski responded that the City had collected a fee for this inspection. How that fee would be going to the State. He asked what other fee the City was going to raise to make up for the lost revenue. Mr. Antonelli stated that he was not aware of any new fees. Mr. Ladzinski added that he deals with the City all the time and every time you turn around there is another fee for something. Mr. Ritacco came forward and explained the reasons for the resolution and how the fees were established.

Mr. Kolibas moved for approval of Resolution #2015-325. The motion was seconded by Mr. Beyer and was unanimously ordered approved on a roll call vote.

**RESOLUTION: 2015-326**

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

**ON VARIOUS PREMISES FOR WORK COMPLETED AT THE DIRECTION OF THE BOARD OF HEALTH**

**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 385 Lot 23 2844 North Stiles Street

Block 51 Lot 34 1201 Union Street

Block 208 Lot 22 120 East Gibbons Street

Block 207 Lot 24 830 North Wood Avenue

**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 385 Lot 23 2844 North Stiles Street $1,040.00

Block 51 Lot 34 1201 Union Street $1,000.00

Block 208 Lot 22 120 East Gibbons Street $250.00

Block 207 Lot 24 830 North Wood Avenue $850.00

**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: 2015-327**

**RESOLUTION FOR APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE N.J. DEPARTMENT OF TRANSPORTATION FOR IMPROVEMENTS 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,** W. Henry Street, W. Baltimore Avenue, and Academy Terrace have deteriorated to a point of being unsafe to the traveling public; and

**WHEREAS**, a cost for said improvements has been estimated at $600,000.00;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** formally approves the grant application for the above stated project; and

**BE IT FURTHER RESOLVED** that the Mayor and City clerk are hereby authorized to submit an electronic grant application identified as MA-2016, Linden City to the New Jersey 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: 2015-328**

**RESOLUTION APPROVING AN AGREEMENT BETWEEN THE COUNTY OF**

**UNION AND THE CITY OF LINDEN FOR THE UNION COUNTY’S PROSECUTORS OFFICE TO SUBSIDIZE ALL FIRST YEAR COST OF IMPLIMENTING A BODY-WORN CAMERA SYSTEM IN THE LINDEN POLICE DEPARTMENT**

WHEREAS, the Union County Prosecutor will have encumbered funding for the purpose of subsidizing all first year costs of a body-worn camera (BWC) system, which provides law enforcement personnel the capability to record events during the course of duty for evidence purposes, and to provide objective witness to settle complaints otherwise not sustained; and

WHEREAS, the Union County wishes to purchase said first year costs of the BWC system and distribute to municipalities which have volunteered for the county-wide project; and

WHEREAS, the City of Linden has agreed to accept said BWC system under the terms and conditions contained herein, and set forth in municipal contract with TASER International, Inc.;

NOW, THEREFORE BE IT RESOLVED, in consideration of the mutual promises and covenants contained herein, the County of Union and City of Linden do mutually agree as follows:

1. The County of Union shall purchase the first year costs associated with each City of Linden BWC program.

2. The Union County Prosecutor, in her sole discretion, shall determine the quantity of cameras and system specifications, to be used for the sole purpose of participating in a multi-year pilot project to record and analyze the effect of BWC on complaints and use-of-force incidents throughout the county.

3. The County of Union shall, at its sole cost and expense be responsible for the following:

a. Set up, installation and configuration of BWC system;

b. Maintenance of the system for the first year only;

c. Providing user licensing, as specified in City of Linden BWC program quote, for a duration of one year as long as the agency is covered by an active maintenance program; and

d. Providing the necessary storage for BWC videos over the duration of only the first year.

4. The City of Linden shall, at its sole cost and expense, be responsible for the following:

a. Continuing service for the remaining four years of the City of Linden contract with TASER International, Inc.

b. Repair and maintenance of the BWC system and related hardware;

1. Sustaining the use and deployment of BWC on its officers, with continued data collection and analysis as determined by the Union County.

5. The City of Linden shall save, protect, indemnify and hold harmless the Union County Prosecutor, the County of Union and/or its elected officials, officers and employees from any and all damages or claims for damages to persons or property which may result from the use of the BWC system provided pursuant to this Agreement.

6. The Agreement represents the entire understanding of the parties. It shall not be amended, except through written amendment approved by the respective governing bodies.

Be it Further Resolved that this resolution shall take effect immediately.

**RESOLUTION: 2015-329**

**A RESOLUTION DESIGNATING SEPTEMBER 18, 2015 AS POW/MIA REMEMBERANCE DAY**

**AND URGING LINDEN RESIDENTS TO ATTEND THE CEREMONY IN FRONT OF THE UNION COUNTY COURTHOUSE IN ELIZABETH**

**WHEREAS,** all Americans, everywhere, owe a special debt of gratitude too, and a responsibility for remembering and honoring those who have given so much to make all of us free and secure in this, our homeland, and a recognition day is a fitting testament and remembrance for all of us, for the sacrifices of our POW/MIA Veterans; and

**WHEREAS,** the Board of Chosen Freeholders of the County of Union has declared September 18, 2015 “POW/MIA Remembrance Day” to remember and honor the men and women who have given so much to make and keep us free and secure in this country; and

**WHEREAS,** in honor of this special day, a ceremony will be held in front of the Union County Courthouse, 2 Broad Street, Elizabeth, New Jersey, beginning at 11:15 a.m. for all residents of Union County to give thanks and remembrance for the sacrifices made; and

**WHEREAS,** the Mayor and Council of the City of Linden, wishes to assist in the honoring of our POW’s and MIA’s.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the City of Linden that they do hereby declare September 18, 2015 as POW/MIA Remembrance Day in the City of Linden and urge the residents of Linden to join in the Union County ceremony giving thanks and remembrance to the sacrifices made by our POW/MIA’s; and

**BE IT FURTHER RESOLVED** that a copy of this Resolution be forwarded to the Union County Board of Chosen Freeholders and to all Veterans Posts in the City of Linden.

**RESOLUTION: 2015-330**

**RESOLUTION APPROVING AND RATIFYING A SUBORDINATION OF MORTGAGE FOR 432 ELMWOOD TERRACE IN THE CITY OF LINDEN**

**WHEREAS,** the City of Linden through the Neighborhood Preservation Program holds a mortgage with a perpetual lien on the property known as 432 Elmwood Terrace, Linden, New Jersey; and

**WHEREAS,** the owners of the property have sought to refinance their first mortgage lien on the property; and

**WHEREAS,** the City of Linden has been requested to subordinate its mortgage on 432 Elmwood Terrace to the new first mortgage; and

**WHEREAS,** it is in the best interests of the City to subordinate its mortgage on 432 Elmwood Terrace to the new first mortgage to be issued by Quicken Loans Inc., 1050 Woodward Avenue, Detroit, MI, 48226-1906;

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

1. The Mayor, and/or his designee, and the City Clerk, and/or his designee are hereby authorized to execute and attest to the subordination of the mortgage for 432 Elmwood Terrace, to Quicken Loans, Inc.

2. This Resolution shall take effect immediately.

**RESOLUTION: 2015-331**

**A RESOLUTION HONORING RICHARD GERBOUNKA AS THE**

**2015 LINDEN CONTINGENT MARSHAL TO THE**

**PULASKI PARADE**

**WHEREAS,** Richard Gerbounka has been selected, to serve, as the 2015 Marshal to the 78th Annual Pulaski Day Parade, in New York City on Sunday, October 4, 2015 by the General Pulaski Memorial Parade Committee of St. Theresa’s Linden, Inc., to represent thousands of Linden residents of Polish decent; and

**WHEREAS,** Richard Gerbounka has resided in the City of Linden since the age of eight, attended School #1, Soehl Junior High School, and graduated from Linden High School in 1963; and

**WHEREAS,** Richard Gerbounka, upon graduation from high school, joined the United States Marine Corps, proudly serving with the 12th Marine Regiment 3rd Marine Division in Vietnam, and was honorably discharged with the rank of Corporal; and

**WHEREAS,** Richard joined the Linden Police Department in March 1968, achieving the rank of Patrol Captain in 1985, was promoted to the rank of Captain of Detectives in 1988 and retired after 26 years of dedicated service on December 31, 1994; and

**WHEREAS,** upon his retirement, from the Police Department, Richard was elected Tenth Ward Councilman, serving in that position for twelve years until his election as Mayor, and served in that position for eight years; and

**WHEREAS,** Richard Gerbounka is married to the former Dorothy Book for 46 years, and is the father to Michelle Russell (Chris) and Michael (Michele Osorio) and has four grandchildren; and

**WHEREAS,** Richard Gerbounka is the past president of the Linden PBA #42, Linden Superior Officer’s Association and Linden Citizen’s Association. He is also a member of the Loyal Order of Moose Lodge 913, Linden American Legion Post 102, Martin Danowski Marine Corps League Veterans of Foreign Wars Post 1397, and is an avid runner, competing in the New York City Marathon twice; and

**WHEREAS,** Richard Gerbounka has been an strong advocate for Linden’s Polish Community and has honorably and consistently served the Pulaski Memorial Parade Committee leading to his selection as 2015 Marshal; and

**WHEREAS** it is proper and fitting that Richard Gerbounka be recognized for the honor bestowed upon him to represent the City of Linden and its Pulaski Day Parade contingent at the 78th Annual Parade in New York City.

**NOW THEREFORE BE IT RESOLVED,** by the Mayor and Council of the City of Linden that they do hereby congratulate **Richard Gerbounka** on being selected as the 2015 Linden Pulaski Parade Marshal; and

**BE IT FURTHER RESOLVED that** this Resolution be entered in the minutes of the Council of the City of Linden, and a copy hereof be presented to **Richard Gerbounka** in recognition of the foregoing.

**RESOLUTION: 2015-332**

**A RESOLUTION HONORING ALEKSANDRA SCIESZKA AS THE**

**2015 LINDEN CONTINGENT MISS POLONIA TO THE**

**PULAKSI PARADE**

**WHEREAS,** the General Pulaski Memorial Parade Committee of St. Theresa’s Linden, Inc. recently crowned **Aleksandra Scieszka** 2015 Miss Polonia to represent Linden at the Annual Pulaski Day Parade in New York City on Sunday, October 4, 2015; and

**WHEREAS,** Aleksandra the daughter of Sylweriusz and Elzbieta Scieszka, was born in Poland and moved to the United States in 2005; and

**WHEREAS,** upon arrival Aleksandra, unable to speak English, she took English as a Second Language classes at School #6, where after two years she became fluent in English, transferred to School #9, and went on to attend McManus Middle School where she excelled in accelerated classes; and

**WHEREAS,** Aleksandra’s academic excellence gained her admission to the Union County Academy of Information Technology, a Blue Ribbon competitive-entry school where she is part of the of the class of 2017; and

**WHEREAS,** Aleksandra is proud of her Polish Heritage, participating in the Polish Community in many ways; and

**WHEREAS,** she is a member of the Polish Girl Scouts, with after four years of involvement she now mentors young scouts and teaches them about Polish culture and history; and

**WHEREAS,** Aleksandra also attends Polish School, is involved in her local parish by being a member of the Soli Deo Theater Group, and the Parish Youth Group with which she will be traveling to Poland for the World Youth Day 2016 to meet the Pope; and

**WHEREAS,** the Mayor and Council of the City of Linden are proud to have Aleksandra Scieszkarepresenting the City of Linden as the 2015 Miss Polonia at the Annual Pulaski Day Parade in New York City.

**NOW THEREFORE BE IT RESOLVED,** by the Mayor and Council of the City of Linden that they do hereby congratulate **Aleksandra Scieszka** for being selected the 2015 Miss Polonia to represent the City of Linden at the Pulaski Parade in New York City; and

**BE IT FUTHER RESOLVED,** that a copy of this resolution be entered into the minutes of the Council of the City of Linden and that a copy hereof be presented to **Aleksandra Scieszka** in recognition of this prestigious honor.

**RESOLUTION: 2015-333**

**A RESOLUTION HONORING MADISON KROWICKI AS THE**

**2015 LINDEN CONTINGENT JUNIOR MISS POLONIA TO THE**

**PULAKSI PARADE**

**WHEREAS,** the General Pulaski Memorial Parade Committee of St. Theresa’s Linden, Inc. recently crowned **Madison Krowicki** 2015 Junior Miss Polonia to represent Linden at the Annual Pulaski Day Parade in New York City on Sunday, October 4, 2015; and

**WHEREAS,** Madison is the daughter of Jeffrey and Jenna Krowicki, and is the sister of Alexandra, Victoria, Jacob and Thomas; and

**WHEREAS,** Madison is a fourth grade student in ALT School, Warren, and participates in many school activities there; and

**WHEREAS,** Madison has many interest, which include a passion for cooking and baking, she loves to read, and enjoys gardening and swimming; and

**WHEREAS,** Madison is very proud of her Polish heritage and her family’s long history with the Pulaski Day Parade, where her great-grandfather, Jacob W. Krowicki, Sr. was parade Grand Marshall in 1953, her grandfather, Jacob W. Krowicki, Jr., was Elizabeth Contingent Marshall in 1970, Linden Contingent Marshall in 1984, Grand Marshall in 1985 and her father, Jeffrey B. Krowicki, was Elizabeth Contingent Marshal in 2011; and

**WHEREAS,** the Mayor and Council of Linden are proud to have **Madison Krowicki** representing the City Linden as the 2015 Junior Miss Polonia representing the City of Linden at the Pulaski Parade in New York City; and

**BE IT FUTHER RESOLVED,** that a copy of this resolution be entered into the minutes of the Council of the City of Linden and that a copy hereof be presented to **Madison Krowicki** in recognition of this prestigious honor.

**RESOLUTION: 2015-334**

**RESOLUTION PERMITTING THE CITY ATTORNEY OR HIS DESIGNEE TO AUTHORIZE REQUESTS FOR SUBORDINATION OF MORTGAGE IN CONNECTION WITH THE LINDEN HOME IMPROVEMENT PROGRAM AND/OR NEIGHBORHOOD PRESERVATION PROGRAM IN THE CITY OF LINDEN**

**WHEREAS,** the City of Linden through the Linden Home Improvement Program and/or Neighborhood Preservation Program holds a mortgage with a perpetual lien property in Linden, New Jersey; and

**WHEREAS,** from time to time owners of the property have sought to refinance their first mortgage lien on the property at which time the City of Linden is requested to subordinate its mortgage to the new first mortgage; and

**WHEREAS,** prior to permitting the subordination, the City Attorney or his designee determines whether or not it is in the best interests of the City to subordinate its mortgage to the new first mortgage; and

**WHEREAS**, the City Council has determined approval of a request to subordinate is not necessary each time; rather the City Attorney or his designee is permitted to authorize requests for subordination without the need for City Council approval;

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

1. Upon approval by the City Attorney or his designee, the Mayor, and/or his designee, and the City Clerk, and/or his designee are hereby authorized to execute and attest to a request to subordinate the City of Linden’s mortgage in connection with the Linden Home Improvement Program and/or Neighborhood Preservation.

2. This Resolution shall take effect immediately.

**RESOLUTION: 2015-335**

**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.

1. This Resolution shall take effect immediately.

**RESOLUTION: 2015-336**

**RESOLUTION AUTHORIZING A SHARED SERVICES**

**AGREEMENT WITH THE LINDEN BOARD OF EDUCATION FOR**

**NURSING SERVICES FOR THE YEAR 2015-2016**

**WHEREAS**, in accordance with Chapter 226, Laws of 1991, approved July 26, 1991, money is appropriated to local Boards of Education to provide nursing services to non-public schools; and

**WHEREAS**, the Linden Board of Education has chosen to have the Board of Health of the City of Linden provide these nursing services to Sinai Christian Academy, and will forward the appropriated money to the City of Linden;

**WHEREAS,** at the Board of Education meeting held on August 31, 2015 the Board approved the acceptance of funds in the amount of $9,485.00 for the 2015-2016 school year for non-public nursing;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that the Mayor and City Clerk be and hereby are directed and authorized to enter into an Shared Services Agreement with the Linden Board of Education for the aforementioned nursing services to non-public schools for the 2015-2016 school year and will forward to the City of Linden Municipal Treasurer the appropriated amount of $9,485.00; and

**BE IT FURTHER RESOLVED** that a duly executed copy of this Resolution be forwarded to Kathleen A. Gaylord, Business Administrator/Board Secretary of the Linden Board of Education; and

**BE IT FURTHER RESOLVED** that this Resolution be published and take effect pursuant to law.

**RESOLUTION: 2015-337**

**RESOLUTION AMENDING A CONTRACT WITH BIER ASSOCIATES AS**

**PARKING MANAGEMENT & CONSULTANT**

**WHEREAS,** the City Council of the City of Linden passed Resolution No. 2015-290 on August 18, 2015 retaining the services of Bier Associates as a Parking Management & Consultant firm; and

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

**WHEREAS,** Bier Associates, 144 Livingston Ave, New Brunswick, NJ, 08901 had submitted a response to the RFQ for Parking Consultant Services requested by the RFQ and was qualified for the aforesaid services for 2015; and

**WHEREAS,** it is necessary to provide for additional funds for said purpose in an amount not to exceed $2,500.00; and

**WHEREAS,** inclusive of these additional funds the total expenditures paid to date to Bier Associates for services rendered under the original or substantially related contract is $26,500.00; and

**WHEREAS,** the Chief Financial Officer or his designee has certified to the availability of funds for this purpose, to be charged to Account No. 5-01-20-156-117-271.

**NOW THEREFORE BE IT RESOLVED, BY THE COUNCIL OF THE CITY OF LINDEN** that the agreement for Professional Services awarder to Bier Associates, 144 Livingston Ave, New Brunswick, NJ, 08901 is hereby amended to increase the contract by the additional sum of $2,500.00 for a total contract of $26,500.00; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary amended contract documents between Bier Associates 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 said amendatory agreement consistent with Bier Associates to effectuate the foregoing; and

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

**Resolution: 2015-338**

RESOLUTION OF THE CITY OF LINDEN

AUTHORIZING THE IMPLEMENTATION OF ACA REPORTING SERVICES

**WHEREAS**, The Affordable Care Act (ACA) added Section 6056 to the Internal Revenue Code, which requires applicable large employers to file information returns with the IRS and provide statements to their full-time employees about their health insurance coverage offered; and

**WHEREAS**, the City meets the IRS definition of an applicable large employer and must adhere to the IRS reporting requirements under Section 6056; and

**WHEREAS**, there is a need to contract a vendor to perform such reporting; and

**WHEREAS**, the City’s current payroll vendor, ADP, has the capabilities necessary to fulfill the ACA reporting requirements; and

**WHEREAS**, ADP has offered the City a discount on the payroll services if the City selects ADP as their ACA reporting vendor.

**BE IT RESOLVED**, the City of Linden wishes to enter into a contract with ADP for ACA reporting services at a cost not to exceed $20,000.00.

**RESOLUTION: 2015-339**

**CITY OF LINDEN**

**RESOLUTION CHAPTER 159**

**2015 PORT SECURITY GRANT**

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

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

**NOW, THEREFORE, BE IT RESOLVED,** that the Council of the City of Linden in the County of Union, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2015 in the sum of $157,030.00 which is now available as a revenue from:

Miscellaneous Revenues

Special items of General Revenue Anticipated with

Prior Written Consent of the Director of Local

Government Services:

Public and Private Revenues off-set with Appropriations:

Port Security Grant 2015

**BE IT FURTHER RESOLVED,** that the like sum of $157,030.00 is hereby appropriated under the caption of:

General Appropriations

(A) Operations excluded from "CAPS"

Public and Private Programs off-set by revenues:

Port Security Grant 2015

**RESOLUTION: 2015-340**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDEN, COUNTY OF UNION, NEW JERSEY REJECTING 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 City of Linden previously passed a resolution authorizing a Request for Proposals; and

**WHEREAS**, the City of Linden wishes to reject all proposals and commence the process again initiating 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. The City Council hereby rejects all previously submitted Request for Proposals for installation of a solar farm on the former municipal.

1. This Resolution shall take effect immediately.

**RESOLUTION: 2015-341**

RESOLUTION AUTHORIZING A VOLUNTARY FURLOUGH PROGRAM

TO THE CITY OF LINDEN EMPLOYEES

WHEREAS, the City is under budgetary restraints for the period January 1, 2015 through December 31, 2015; and

WHEREAS, NJAC 4A:8-1.2 permits employees to voluntarily request temporary furloughs; and

WHEREAS, it is in the interests of the City to continue to offer the voluntary furlough program to its employees and to approve said furlough requests on a case by case basis at the discretion of the City Council; and

WHEREAS, the City will continue to make regular pension payments to employees whose requests for voluntary furloughs are approved.

NOW THEREFORE BE IT RESOLVED, that the City Council authorizes the City’s Division of Personnel to draft and submit a voluntary furlough plan to the Civil Service Commission in the interest of economy for the period January 1, 2015 through December 31, 2015. Said plan is to be drafted for each City department, with the exception of non-emergency services personnel.

**RESOLUTION: 2015-342**

**RESOLUTION APPROVING THE CITY OF LINDEN PERSONNEL MANUAL**

BE IT RESOLVED that the City hereby approves the City of Linden Personnel Manual (attached) and approves its distribution to all staff.

This resolution is effective immediately.

**RESOLUTION: 2015-343**

**RESOLUTION**

**TO RESTATE, REITERATE AND PUBLICLY PRONOUNCE THE TIME OFF POLICY IN THE CITY OF LINDEN**

**WHEREAS,** Article 11, Section 3A of the Personnel Manual sets forth official holidays with pay for city employees, and

**WHEREAS**, Article 11, Section 3A of the Personnel Manual further provides that “Any off-holiday as may be proclaimed by the Mayor and City Council”, and

**WHEREAS,** Article 11, Section 3A of the Personnel Manual clearly states that time off other than the holidays enumerate in Section 3A is a decision of both the Mayor and Council, and

**WHEREAS** the City Attorney has provided a legal opinion that time off other than set forth in the Personnel Manuel must be done with City Council approval, and

**WHEREAS** the Labor Relations Specialist has also concluded that time off other than set forth in the Personnel Manual must be done with City Council approval, and

**THEREFORE** **BE IT RESOLVED THAT CITY COUNCIL** publicly pronounces that time off other than set forth in Article 11, Section 3A of the Personnel Manual requires City Council approval.

**RESOLUTION: 2015-344**

**RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY OF UNION AND THE CITY OF LINDEN FOR THE FIRST ALERT SYSTEM**

**WHEREAS,** the City of Linden wishes to participate in the County of Union’s First Alert System, which has been paid for by a Homeland Security Grant for Domestic Preparedness;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** formally approves the Memorandum of Understanding for the First Alert System; 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.

**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:**

**#59-42 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. (Amending the time frame for removal of graffiti from ninety (90) days to thirty (30) days.**

President Alvarez asked if there were comments from the public. There was none. Mrs. Cosby-Hurling explained the reasons for the ordinance and the change in the time frame for issuing summons for graffiti that has not been removed. She asked for Council’s support of the Ordinance.

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

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

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

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

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

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

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

**PUBLIC COMMENT**

**Gail Lynch, 811 Hussa Street. Ms. Lynch noted that she was a Linden resident and a homeowner. Ms. Lynch noted that almost all here have a Facebook page and that when she heard of the word censorship being placed on tonight’s agenda she took to social media urging residents to come out and protest the censorship of the Mayor. She thought the Mayor was doing a great job. She spoke about her reasons for how she felt and how she thinks. She urged all to work together nicely.**

**Paul Ladzinski, 1150 W. St. Georges Avenue. Mr. Ladzinski spoke about the statements made at an earlier Council meeting regarding employees not being required to live here, and his agreement with that. He stated that if employees are required to live here then police and firemen should also be required to live in town. He next congratulated Mr. Medina for putting up the four-way stop signs, to slow traffic down, however the problem is that no one stops for them. Mr. Medina stated that is being worked on. Mr. Ladzinski stated his disagreement with the installation of the speed bumps and why. He stated that bumps and signs are not going to solve the problem, but a better police presence would.**

**Mildred Purdie, 1023 Sheridan Avenue, Roselle. Ms. Purdie spoke about the difference between hearing and listening, and urged the Council President to listen. She noted that Mayor Armstead was ordinated, by God, to be Linden, NJ first African-American Mayor. To attempt to block is not going to happen as it was God’s will. She urged all to do good.**

**John Roman, Summit Terrace. Mr. Roman congratulated all of the newly elected officials and appointees. He spoke about ways that residents can stay involved, besides by attending the meetings. He spoke in support of Mayor Armstead.**

**There being no further public speakers, Mrs. Cosby-Hurling moved to close the public comment session. The motion was seconded by Mr. Sadowski and was unanimously ordered approved by a roll call vote.**

**COMMENTS BY MEMBERS OF THE GOVERNING BODY**

Mr. Brown commented regarding the statements on residency made earlier. He noted that while we do have firefighters and police officers who do not live in town, both Chief Schulhafer and Chief Dooley do live in town. He thought it should be noted that both have invested their careers and lives in Linden.

Mrs. Cosby-Hurling thanked all that came out because of social media, but pointed out that sometimes the things that you read on social media are not always factual. She explained the difference between censure and censorship. She then provided details on the early dismissal of City employees, for a holiday, and why a resolution for censure was considered. Mrs. Cosby-Hurling noted that she was not afraid of social or city employees.

Mayor Armstead noted other Mayors have sent City employees home early and it was never questioned by Council. He next spoke about the graffiti ordinance, his ownership of a piece of property on St. Georges Ave and how it was marked with graffiti during an election campaign. He added that he was installing camera’s to catch the individuals, in the future, and prosecute them.

President Alvarez provided an explanation of the difference between censure and censorship, and provided example of each. He noted that the statements, on Facebook, regarding censorship were wrong.

**ANNOUNCEMENT**

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

\*Council Conference meeting Monday, October 19, 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, October 20, 2015 at 6:00 pm in the Council Conference Room, City Hall, 301 N. Wood Ave.

\*Council Meeting: Tuesday, October 20, 2015 at 7:00 p.m. in the Council Chambers, City Hall, 301 N. Wood Ave.

**ADJOURNMENT**

There being no further business to come before the Governing Body, Mr. Sadowski moved to adjourn the meeting. The motion was seconded by Mr. Minarchenko and was unanimously ordered approved by a roll call vote. The meeting was adjourned at 9:06 p.m.

Respectfully submitted,

Joseph C. Bodek

City Clerk