**Minutes of the Regular**

**Meeting of the 2016 Council of the**

**City of Linden, held Tuesday**

**August 16, 2016**

The regular meeting of the 2016 Council of the City of Linden, was held in the Council Chambers in the City Hall on Tuesday, August 16, 2016 at 7:19 pm., prevailing time.

The meeting was called to order by Council President 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 Jorge 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:

**ROLL CALL**

Councilwoman Lisa Ormon

Councilman Donald Beyer

“ Peter Brown

“ Monty Brooks

Councilwoman Rhashonna Cosby-Hurling

Councilman Robert Sadowski

Councilman Ralph Strano

Councilwoman Michele Yamakaitis

Councilman Armando Medina

Councilwoman Gretchen Hickey

Council President Jorge Alvarez

Mayor Derek Armstead

**APPROVAL OF MINUTES**

Mr. Brown moved for approval of the minutes of the July 19, 2016 Council Meeting. The motion was seconded by Mr. Beyer and was unanimously ordered approved.

**ORDINANCE CONTINUED FROM THE MEETING OF JULY 19, 2016**

* 1. Ordinance amending Chapter II, Department of Police, establishing the position of Police Director and providing for the Directors duties and responsibilities.

Council President Alvarez announced that Ordinance #60-53 would be continued to the September meeting.

**ORDINANCES ON HEARING**

Council President Alvarez announced that this is the date designated for the hearing and further consideration respecting an ordinance entitled:

**60-56** An ordinance to amend an ordinance entitled, “An Ordinance establishing a schedule of Title, Salary Ranges and Regulations for maintaining the Classification and Salary Standardization plan of all employees of the City of Linden,” Passed August 15, 1995 and approved August 16, 1995 by amending and modifying Schedule 4-KK-5.

Council President 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 Council President Alvarez inquired if there were any written objections.

None were presented and the Clerk stated that therefore none had been received. Council President 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 Mrs. Cosby-Hurling and on a roll call vote the foregoing ordinance was unanimously ordered approved.

Council President Alvarez announced that this is the date designated for the hearing and further consideration respecting an ordinance entitled:

**60-57** An ordinance to amend and supplement Chapter VII, Traffic, 7-33.1A Handicapped Parking Regulations on-street as follows:

Add:

Name of Street Spaces

628 E. Blancke St. 1

1119 Dill Avenue 1

504 Washington Ave 1

1. West 18th St. 1

Council President 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 Council President Alvarez inquired if there were any written objections.

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

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

Council President Alvarez announced that this is the date designated for the hearing and further consideration respecting an ordinance entitled:

**60-58** An ordinance providing an appropriation of $110,000.00 for the installation of Traffic Signals and related traffic improvements for the Police Department and authorizing the issuance of $104,500.00 bonds or notes of the City for financing part of the appropriation.

Council President 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 Council President Alvarez inquired if there were any written objections.

None were presented and the Clerk stated that therefore none had been received. Council President 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 Mrs. Hickey and on a roll call vote the foregoing ordinance was unanimously ordered approved.

Council President Alvarez announced that this is the date designated for the hearing and further consideration respecting an ordinance entitled:

**60-59** **BOND ORDINANCE** **AMENDING BOND ORDINANCE NUMBER 58-27 FINALLY ADOPTED BY THE CITY COUNCIL OF THE CITY OF LINDEN, NEW JERSEY ON MAY 20, 2014, AS AMENDED (generator project, additional funds in the amount of $450,000.00)**

Council President 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 Council President Alvarez inquired if there were any written objections.

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

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

**CONSENT AGENDA**

**(\*\*\*)** The amount of money collected during the month of July 2016 and turned over to the

1. treasurer’s office is as follows:

2016 Taxes $16,355.342.94

2015 Taxes $5,418.13

2014 Taxes $0.00

Garbage Fee Payments $35,226.22

Garbage Fee Penalty $1,820.00

Municipal Lien Redemption $0.00

Duplicate Tax Sale Certificate $0.00

Tax Search $0.00

Lien Redemption Request Fee $50.00

Year End Penalty $0.00

Returned Check Fee Paid $40.00

Returned Check Fee Garbage Paid $00.00

Returned Check 2016 ($5,765.78)

Returned Check Interest ($0.00)

Returned Online Payment 2016 Taxes ($0.00)

Returned Online Interest ($0.00)

Returned Check Garbage Fee ($0.00)

Returned Check Garbage Fee Penalty ($0.00)

Adv. Before Tax Sale $0.00

Premium $0.00

Sewer Clean out charge $1,800.00

DPW Reso payments $0.00

Interest $13,383.15

Total $16,407,314.66

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

lot.

Block Lot Redemption Date CTF# Amount

3 10 7/20/16 14-00002 $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 #-6-1-55-276-999-956.

**Tax Sale** Requesting the refund of the premium paid at the 2014 & 2016 tax sale on the following block & lot.

Block Lot Redemption Date Cert# Premium

4 3 8/1/16 15-00002 $1,700.00

14 16 8/2/16 15-00009 $1,300.00

17 17 7/15/16 15-00011 $1,800.00

81 3.01 7/29/16 15-00050 $1,400.00

85 2 7/14/16 15-00051 $1,800.00

88 1 8/1/16 15-00054 $1,500.00

96 6 8/2/16 15-00057 $1,300.00

99 11.01 8/1/16 15-00058 $3,100.00

118 20 7/20/16 15-00080 $2,400.00

122 4 7/14/16 15-00085 $1,400.00

145 13 7/20/16 15-00096 $1,700.00

151 17 8/1/16 15-00102 $1,800.00

152 11 7/14/16 15-00103 $1,900.00

167 2 8/1/16 15-00112 $1,400.00

172 8 7/27/16 15-00114 $4,000.00

198 37 8/1/16 15-00134 $3,200.00

223 15.01 8/2/16 15-00157 $1,900.00

276 8 8/1//16 15-00176 $1,500.00

306 18 8/1/16 15-00188 $1,500.00

309 21 8/2/16 15-00192 $1,300.00

316 22 7/11/16 15-00196 $2,700.00

319 2 7/20/16 15-00197 $1,300.00

328 16 8/2/16 15-00198 $1,400.00

356 32 7/11/16 13-00332 $1,400.00

367 19 8/1/16 15-00213 $2,200.00

377 24 8/1/16 15-00217 $2,700.00

385 17 8/1/16 15-00224 $3,100.00

387 15 7/15/16 15-00228 $3,400.00

420 4 7/14/16 15-00242 $2,300.00

478 19 7/14/16 15-00278 $1,300.00

553 5 7/11/16 15-00328 $1,500.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $61,200.00 payable to: MTAG Cust Fig Cap Invest NJ, 13, P.O. Box 54472, New Orleans, LA 70154, charging same to account #6-01-55-276-999-956.

**Tax Sale** Requesting the refund of the premium paid at the 2015 & 2016 tax sale on the following block

& lot.

Block Lot Redemption Date CTF# Amount

10 27 7/19/16 15-00007 $1,400.00

76 13 8/1/16 15-00046 $1,300.00

116 21 7/11/16 15-00077 $1,100.00

159 1 7/11/16 15-00108 $13,700.00

201 12 C0317 7/11/16 15-00140 $5,800.00

228 25 7/12/16 15-00161 $1,000.00

234 25 8/1/16 15-00163 $1,300.00

253 33 7/11/16 15-00169 $1,100.00

281 7 7/20/16 14-00211 $200.00

359 27 7/19/16 15-00210 $1,000.00

383 5 7/25/16 14-00222 $800.00

386 14 8/1/16 15-00226 $1,100.00

415 15 8/1/16 15-00240 $1,100.00

508 5 8/2/16 15-00297 $1,000.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $31,900.00 payable to: FWDSL & Associates, LP, Attention: Jared Cucci, 17 W. Cliff Street, Somerville, NJ 08876 charging same to account #-6-01-55-276-999-956.

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

Block Lot Redemption Date CTF# Amount

21 3.01 7/21/16 14-00018 $2,500.00

22 16 7/20/16 14-00019 $2,500.00

100 18 8/1/16 14-00072 $2,200.00

178 4 7/27/16 14-00145 $1,400.00

211 20 7/11/16 14-00176 $2,400.00

225 5 7/25/16 14-00185 $1,500.00

313 1 7/25/16 14-00223 $2,700.00

540 8 7/11/16 14-00332 $2,200.00

545 14 7/20/16 14-00334 $2,000.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $19,400.00 payable to: TTLBL, LLC, Attention: John Lemkey, 4747 Executive Drive, Suite 1, San Diego, CA 92121 charging same to account #-6-01-55-276-999-956.

**Tax Sale** Requesting the refund of the premium paid at the 2016 tax sale on the following block & lot.

Block Lot Redemption Date CTF# Amount

34 17 7/11/16 15-00019 $25,100.00

363 19 7/11/16 15-00211 $18,100.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $43,200.00 payable to: KCC Promised Lands, LLC, 2560 Route 22 East, # 175, Scotch Plains, NJ 07076 charging same to account #-6-01-55-276-999-956.

**Tax Sale** Requesting the refund of the premium paid at the 2016 tax sale on the following block & lot.

Block Lot Redemption Date CTF# Amount

53 1 7/14/16 15-00030 $1,100.00

214 10 7/14/16 15-00149 $900.00

400 27 7/14/16 15-00235 $1,200.00

433 1.01 7/11/16 15-00246 $1,200.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $4,400.00 payable to: US Bank Cust for PC6, LLC Sterling National, 50 South 16th Street, Suite #2050, Philadelphia, PA 19102, charging same to account #-6-01-55-276-999-956.

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

Block Lot Redemption Date CTF# Amount

55 9.01 7/27/16 14-00046 $1,100.00

103 12 7/20/16 14-00074 $900.00

149 11 7/20/16 14-00117 $1,000.00

153 2 7/27/16 14-00129 $1,100.00

354 7 7/20/16 14-00243 $900.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $5,000.00 payable to: US Bank Cust for PC5 Sterling National, 50 South 16th Street, Suite #2050, Philadelphia, PA 19102, charging same to account #-6-01-55-276-999-956.

**Tax Sale** Requesting the refund of the premium paid at the 2016 tax sale on the following blocks & lots.

Block Lot Redemption Date CTF# Amount

79 7 7/15/16 15-00049 $100.00

260 4 8/2/16 15-00172 $1,900.00

300 1 7/15/16 15-00185 $1,300.00

386 15 7/15/16 15-00227 $1,700.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $5,000.00 payable to: Actlien Holding, US Bank Cust Actlien Holding, Tower DBW VI 50 South 16th Street, Suite 2050, Philadelphia, PA 19102, charging same to account #-6-01-55-276-999-956.

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

Block Lot Redemption Date CTF# Amount

140 10 7/12/16 13-00182 $2,100.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $2,100.00 payable to US Bank Cust BV Trst 2015-1, 50 South 16th Street, Suite #19, Philadelphia, PA 19102, charging same to account #-6-01-55-276-999-956.

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

Block Lot Redemption Date CTF# Amount

230 19 7/19/16 14-00190 $25,000.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $25,000.00 payable to: US Bank Cust. for Phoenix, 2 Liberty Place-TLSG 50 South 16th Street-Ste 1950, Philadelphia, PA 19102 charging same to account #-6-01-55-276-999-956.

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

Block Lot Redemption Date CTF# Amount

303 5 7/15/16 13-00301 $900.00

546 16 7/21/16 13-00465 $20,800.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $21,700.00 payable to: US Bank Cust for Pro Cap 4 & Crdtrs, 50 South 16th Street, Suite #2050, Philadelphia, PA 19102, charging same to account #-6-01-55-276-999-956.

Cancellation & Refund of Property Taxes

Block 154 Lot 5, Nathaniel Johnson Jr.

801 Bower Street

This property owner has been deemed a 100% Disabled Veteran by the V.A. as of March 7, 2016. Mr. Johnson is entitled to the 100% Disabled Veteran Status from this date on per Michael Frangella. The following is the amount billed that needs to be cancelled for part of 2016. This will be tax exempt going further. The property owner is entitled to a refund in the amount of 4,465.95.

2016 Payments

**Refund $4,465.95**

Cancel Balance of 2016

$2,056.33

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $4,465.95, payable to: Nathaniel Johnson Jr., 801 Bower Street, Linden, NJ 07036, charging same to account #-6-01-55-288-999-904.

Cancellation & Refund of Property Taxes

Block 155 Lot 21, William M. Smith

632 E. Elm Street, 2 Family home

This property owner has been deemed a 100% Disabled Veteran by the V.A. as of April 20, 2016. Mr. Smith is entitled to the 100% Disabled Veteran Status per Michael Frangella. The following is the amount billed that needs to be cancelled for part of 2016 as this is a 2 family home. This will be tax exempt going further. The property owner is entitled to a refund of $2,683.93.

2016 Payments

**Refund $2,683.93**

Cancel ½ of 4th quarter

$1,524.01

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $2,683.93, payable to: William M. Smith, 632 E. Elm Street, Linden, NJ 07036, charging same to account #-6-01-55-288-999-904.

50 % Cancellation & Refund of Property Taxes

Block 163 Lot 13, Joseph Grzybowski

518 Briant Place

This property owner has been deemed a 100% Disabled Veteran by the V.A. as of June 23, 2015. Mr. Grzybowski is entitled to the 100% Disabled Veteran Status from that date in 2015 per Michael Frangella for the 50% of this 2 family home. The following is the amount billed that needs to be cancelled for 2015 & 2016. Unfortunately, Mr. Grzybowski has passed away on March 2, 2016 and his estate is entitled to the refund. The property owner is entitled to a refund in the amount of $ 1,828.71.

2015 Refund

**Refund $1,476.64**

2016 Refund

**Refund $352.07**

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,828.71, payable to: Estate of Mr. Joseph Grzsybowski, 22 Brook Street, Springfield, NJ 07081, charging same to account #-6-01-55-288-999-904.

Cancellation & Refund of Property Taxes

Block 366 Lot 26, Rouland Christel

1920 Verona Avenue

This property owner has been deemed a 100% Disabled Veteran by the V.A. as of December 30, 2013. Mr. Christel and is entitled to the 100% Disabled Veteran Status for 2015 & 2016 per Michael Frangella. The following is the amount billed that needs to be cancelled for 2015 & 2016. This will be tax exempt going further. The property owner is entitled to a refund in the amount of $ 13,164.50

2015 Entire Year 2016 February & May

**Refund $8,776.33** **Refund $4,388.17**

Cancel Balance of 2016

$4,746.22

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $13,164.50, payable to: Rouland Christel, 1920 Verona Avenue Linden, NJ 07036, charging same to account #-6-01-55-288-999-904.

Cancellation & Refund of Property Taxes

Block 370 Lot 31, Richard J. Gerbounka

617 Princeton Road

This property owner has been deemed a 100% Disabled Veteran by the V.A. as of February 18, 2016. Mr. Gerbounka is entitled to the 100% Disabled Veteran Status for from that date in 2016 per Michael Frangella. The following is the amount billed that needs to be cancelled for 2016. This will be tax exempt going further. The property owner is entitled to a refund in the amount of $ 3,278.99.

2016 February & May

**Refund $3,278.99**

Cancel Balance of 2016

$4,597.17

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $3,278.99, payable to: Richard J. Gerbounka, 617 Princeton Road, Linden, NJ 07036, charging same to account #-6-01-55-288-999-904.

Block 16 Lot 26

Former Owner: Jose L. Figueroa

Current Owner: Mariusz Grzyb

1903 Mildred Avenue

The above referenced owners Mortgage Company and the Attorney have paid the 2016 2nd quarter property taxes creating this overpayment and the old owner’s mortgage company entitled a refund in the amount of $2,027.47

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $ 2,027.47 payable to Core Logic Tax Services, Attention: Kathy Bishop, 92-16 220th Street, Queens Village, NY 11428 charging same to account #6-01-55-288-999-904.

Block 24 Lot 15

Former Owner: Robert Hurtado

Current Owner: Jenny A. Ramirez

208 Garfield Street

The above referenced owners Mortgage Company and the new owner’s mortgage company have paid the 2015 2nd quarter property taxes creating this overpayment and the old owner’s mortgage company entitled a refund in the amount of $2,720.51

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $ 2,720.51, payable to Core Logic Tax Services, Attention: Kathy Bishop, 92-16 220th Street, Queens Village, NY 11428 charging same to account #6-01-55-288-999-904.

James Farmer & Ingrid Ramirez

Block 28 Lot 18

516 Bernard Avenue

There now exists a credit balance on the above referenced block & lots due to the Owner’s Mortgage Company and the owner’s Title agency paying the 2016 1st quarter twice in the amount of $1,851.72.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,851.75 payable to: James Farmer & Ingrid Ramirez, 516 Bernard Avenue, Linden, NJ 07036, charging same to account #-6-01-55-288-999-904.

Block 40 Lot 5.01 C0202

Daniel E. Mouro

555 Grant Street, Unit#-202

There now exists a credit balance on the above referenced block & lot due to an overpayment by owner’s mortgage company and the Title agency. The overpayment amount is $967.33.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $967.33, payable to Daniel E. Mouro, 555 Grant Street, Unit #202, Linden, NJ 07036 charging same to account #6-01-55-288-999-904..

Block-41 Lot-18

Marco & Mariluz Cespedes

303 Grant Street

There now exists a credit balance on the above referenced block & lot due to an overpayment paid by the owner’s mortgage company and the owner for the 2013-4th quarter. The overpayment amount is $192.51.

Therefore, it would be in order for the council to authorize the treasurer to issue a check

in the amount of **$192.51** payable to: Marco & Mariluz Cespedes, 303 Grant Street, Linden, NJ 07036 refunds charging same to account # 6-01-55-288-999-904.

Pierre C. & Marie Thenor

Block 76 Lot 8, 611 Chandler Avenue

There now exists a credit balance on the above referenced block & lots due to the Owner’s Mortgage Company and the owner’s Title agency paying the 2016 1st quarter twice in the amount of $2,041.92.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $2,041.92 payable to: Pierre C. & Marie Thenor, 611 Chandler Avenue, Linden, NJ 07036, charging same to account #-6-01-55-288-999-904.

Re: Block 77 Lot 16

Former Owner: Jean M. Meus, Jr

Current Owner: Dilenny Roca

1109 E. Blancke Street

The above referenced owners Mortgage Company and the Title Company have paid the 2015 3rd quarter property taxes creating this overpayment and the old owner’s mortgage company entitled a refund in the amount of $1,880.99.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $ 1,880.99, payable to Core Logic Tax Services, Attention: Kathy Bishop, 92-16 220th Street, Queens Village, NY 11428 charging same to account #6-01-55-288-999-904.

Block 77 Lot 16

Former Owner: Dilenny Roca

Current Owner: Ronald & Tamaira Julien

1109 E. Blancke Street - 2nd refund

The above referenced owners Mortgage Company and the Title Company have paid the 2016 3rd quarter property taxes creating this overpayment and the old owner’s mortgage company entitled a refund in the amount of $1,918.17.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $ 1,918.17, payable to Core Logic Tax Services, Attention: Kathy Bishop, 92-16 220th Street, Queens Village, NY 11428 charging same to account #6-01-55-288-999-904.

Block 97 Lot 2

Sharon Davis, 2014 County Board Judgment refund

There now exists a credit balance on the above referenced block & lot due to a 2014 county tax board judgment on the 2014-4th quarter taxes in the amount of $823.78.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $ 823.78 payable to: Sharon Davis, 1029 E. Blancke Street, Linden, NJ 07036, charging same to account #6-01-55-288-999-904.

Block 119 Lot 2

Former Owner: Katia R. Walters

Current Owner: Manuel G. Lourenco

1117 Lincoln Street

The above referenced owners Mortgage Company and the title agency have paid the 2016 2nd quarter property taxes creating this overpayment and the old owner’s mortgage company entitled a refund in the amount of $1,347.98

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $ 1,347.98 payable to Core Logic Tax Services, Attention: Kathy Bishop, 92-16 220th Street, Queens Village, NY 11428 charging same to account #6-01-55-288-999-904.

Murgette J. Pierre & Marie Daux

Block 148 Lot 13

1312 Roselle Street

There now exists a credit balance on the above referenced block & lots due to the Owner’s Mortgage Company and the owner’s Title agency paying the 2016 1st quarter twice in the amount of $2,286.40.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $2,286.40 payable to: Murgette J. Pierre & Marie Daux, 1312 Roselle Street, Linden, NJ 07036, charging same to account #-6-01-55-288-999-904.

Block 163 Lot 37

Old Owner: George Mabine/ Wells Fargo

New Owner: AYM Homes, LLC

537 Jackson Avenue

There now exists a credit balance on the above referenced block & lot due to an overpayment by Mortgage Company for the 2016-3rd quarter. The overpayment amount is $1,939.63.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,939.63 payable to: Wells Fargo Home Mortgage, Attention: Financial Support, 1 Home Campus, MAC X 2302-04D, Des Moines IA, 50328, charging same to account #-6-01-55-288-999-904.

SUBSEQUENT PAYMENTS

Requesting the refund of the subsequent taxes paid for the 2016 tax sale on the following block & lot as the subsequent payment was made before the end of the grace period. The lien holder is entitled to the refund.

Block Lot CTF# Amount

182 5 15-00122 $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: US Bank Cust. for Phoenix, 2 Liberty Place-TLSG 50 South 16th Street-Ste 1950, Philadelphia, PA 19102 charging same to account # 6-01-55-288-999-904.

Paulette Francois

Block 199 Lot 7

408 E. Price Street

Owner Overpaid

There now exists a credit balance on the above referenced block & lots due to the Owner’s Mortgage Company and the owner paying the 2015 4th quarter twice in the amount of $95.14.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $95.14, payable to: Paulette Francois, 408 E. Price Street,, Linden, NJ 07036, charging same to account #-6-01-55-288-999-904.

Block 379 Lot 1

Macie & Magdalena Zaorski

757 Lindegar Street

There now exists a credit balance on the above referenced block & lot due to an overpayment by owner’s mortgage company and the Title agency on the 2016 2nd quarter property taxes. The overpayment amount is $1,952.15.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,952.15, payable to PTCS Title Agency, Attn: Patrick, 130 Pompton Avenue, Verona, NJ 07044 charging same to account #6-01-55-288-999-904..

Block 579 Lot 10

Joseph & Dorothy Tomaszewski

321 Madison Street, NJ Dep Purchase

There now exists a credit balance on the above referenced block & lot due to an overpayment by owner paid towards the property taxes at the time of the State of New Jersey purchasing this property. The overpayment amount is $250.00.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $250.00, payable to Gregory Juba, 923 N. Wood Avenue, Linden, NJ 07036 charging same to account #6-01-55-288-999-904..

Block 582 Lot 46

Edilberto Garcia & Mary Montana

220 Irene Street, NJ Dep Purchase

There now exists a credit balance on the above referenced block & lot due to an overpayment by owner paid towards the property taxes at the time of the State of New Jersey purchasing this property. The overpayment amount is $1,542.58.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,542.58, payable to Edilberto Garcia & Mary Montana, 3117 Edgewood Road, Linden, NJ 07036 charging same to account #6-01-55-288-999-904..

**(\*\*\*) CITY CLERK’S OFFICE:**

1. Requesting approval of the follow bingo/raffle applications which were submitted to the

Clerk’s Office:

Application Number Applicant Game Fees Collected

RA-1518 NJROTC 50/50 $20.00

RA-1519 Kiwanis Club 50/50 $20.00

RA-1520 Kiwanis Club Tricky Tray $20.00

RA-1521 School #10 50/50 $20.00

RA-1522 School #10 Tricky Tray $20.00

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

**(3)** Advising that they issued sixty-one (61) Certificates of Occupancy during the

month of June 2016 and fifty-eight (58) Certificates of Occupancy during the month of July 2016.

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

**(4)** Advising that the following City employees have filed for retirement:

**Department              Employee                             Title        Date**

**Police Department James Schulhafer Chief Sept. 1, 2016**

**Police Department Laura Daniels Sr. Clerk Sept. 1, 2016**

**DPW Steven Gawlowski Sanitation Truck Driver Sept. 1, 2016**

**(5) CULTURAL & HERITAGE COMMITTEE:**

Requesting permission to close Wood Avenue between E. Elizabeth Avenue and Curtis Street on Saturday, September 24, 2016 (rain date Sunday, September 25, 2026) to hold the Annual Street Festival from 11am to 9pm. Additionally, permission is being requested to hang banners across Wood Avenue and at various locations throughout Union County to advertise the event.

**(6) GREATER MOUNT MORIAH BAPTIST CHURCH:**

Advising that approval was given to Greater Mount Moriah Baptist Church to hang a banner

a long the South Wood Avenue Bridge on Saturday, August 6, 2016 to advertise their (GMMBC Child Care Reunion Community & Church Affair between the hours of 12pm and 6pm. A Hold Harmless Agreement was obtained by the City Clerk’s Office.

(\*\*\*) **SHADE TREE COMMISSION:**

**(7)** Advising that Mayor Armstead has appointed Kevin Stisovsky to serve the unexpired term of Mr. John Langan who has resigned effective June 30, 2016. Mr. Stisovsky’s term shall expire December 31, 2016.

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

1. Advising that the City of Linden will be co-sponsoring the event along with Jardims Auto Body and the Linden PBA on November 6, 2016 at Linden Airport between the hours of 10am and 4pm. And authorizing the waiving of permit fees and insurance requirements relative to City Ordinance 4-21 Circuses and Carnivals. Insurance will be provided to Linden Airport Corp. by the City of Linden in the amount of $2,000,000.00 as required.

Mrs. Yamakaitis moved for approval of consent items #1 through #8. The motion was seconded by Mr. Medina and was unanimously ordered approved by a roll call vote.

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

**FIRST WARD**

Mrs. Ormon stated that she would be addressing a number of issues that First Ward residents were inquiring about. The first was the former Pathmark site. She noted that the efforts to get a grocery store back into that site have stalled, and the property is now bank owned. It was her hope that negotiations would start again in a few months. Next she addressed the issue of curbing of pets. She asked pet owners not to allow their pets to go on someone else’s front lawn, and reminded them of their obligation to clean up after their pet, or they could be subject to a $2,000.00 fine. Mrs. Ormon informed all that an ordinance, would be introduced this evening, banning the feeding of stray animals. She then spoke about the automated garbage collection program that was introduced into the First Ward kinks in the program, and efforts to resolve them. She reviewed several of them.

Mrs. Ormon offered her best wishes to Chief Schulhafer, in his retirement. She announced that the First and Third Wards will be holding a community meeting, on September 14, with the new chief being introduced there. Next she thanked Mayor Armstead for organizing the first City wide back to school back pack event. She explained the reasons for doing it as a single city wide event. She provided details on the event. She also thanked Sandy Vazquez, President of the Mayor’s Youth Commission, for organizing volunteers to help with the event.

**SECOND WARD**

Mr. Beyer gave the report of the Construction Code Department for the month of July. 195 permits and 137 certificates were issued, and $86,398.00 in fees were collected.

Mr. Beyer noted the request, by Mrs. Yamakaitis, for a street light on poll #64233, 840 Meachem Ave. He then moved to approve the request. The motion was seconded by Mr. Brown and was unanimously ordered approved by a roll call vote.

Mr. Beyer reported on two water main breaks, in the second ward. Next he reported that last year he had put in a request for a crosswalk on Stiles St. and Amon Terrace. On tonight’s agenda is a resolution approving the placement of that crosswalk by the County of Union. He noted the recent repaving of Stiles St., and its impact on traffic in the area.

Mr. Beyer spoke about the City wide garage sale, on October 1st and 2nd, and the waving of the permit fees for those days.

**THIRD WARD**

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

1. The payment of bills totaling $2,080,917.48 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 July at the rate of .15%

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

**FOURTH WARD**

Mr. Brooks noted that he was excited by what is going on in the Fourth Ward, detailed a number of activities being held in the ward, and provided details on them. He also provided details on the City wide backpack giveaway. Mr. Brooks then spoke about the automated garbage collections that began in the Fourth Ward. He noted that prior to the automated system, pickup was twice a week, and now it would be once a week. He noted the two districts that the ward was divided into, the boundaries of each, and what day garbage would be collected in each. He provided other details on the new collection process.

Mr. Brooks spoke about the Fourth Ward, and identified the streets that would be paved this year in the ward. He also informed residents to be courteous to the workers, especially when they close streets in the ward. He concluded by again detailing the various events that would be held in the Fourth Ward, and noting the process for selecting the wards that street paving work would be done in.

**FIFTH WARD**

Mrs. Cosby-Hurling noted that the speed humps, and signs have been installed in Fifth Ward. She added that Lt. Babulski has inspected the installations, and they are all fine. Next she spoke about there was a resolution, on tonight’s agenda, for the equipment to renovate Hagel Ave Park. Mrs. Cosby-Hurling spoke about the annual Fifth Ward event, being held this Saturday, and provided details.

Mrs. Cosby-Hurling asked if there was any public comment on the Personnel Report. Mr. Lindsey, shop steward, spoke about the staff transfers, and asked that one be tabled, as had been discussed earlier. Mrs. Cosby-Hurling responded, explaining how the items would be voted on.

Mrs. Cosby-Hurling asked Mr. Antonelli for a clarification on how the vote should take place, which he did. A discussion followed.

Mrs. Cosby-Hurling moved to separate items 1A and 1B. The motion was seconded by Mr. Brown, with all voting in favor except Mrs. Ormon, Mr. Sadowski, Mr. Strano, and Mrs. Yamakaitis who voted no.

Mrs. Cosby-Hurling gave the following report of the Personnel Committee:

1. **Staff Transfers:**
2. **In the Department of Finance the rescission of the transfers of Diana Menzel from the Finance Department to the Department of Public Property and Community Services, approved at the Council meeting of July 19, 2016 effective immediately.**

Mrs. Cosby-Hurling moved for approval of item 1A. The motion was seconded by Mr. Brown was ordered approved with all voting in favor, except Mr. Brown, Mr. Brooks, Mrs. Cosby-Hurling and Mrs. Hickey who voted no.

1. **In the Department of Finance the rescission of the transfers of Mindi Kuzniak from the Finance Department to the Department of Public Property and Community Services, approved at the Council meeting of July 19, 2016 effective immediately.**

Mrs. Cosby-Hurling moved for approval of item 1B. The motion was seconded by Mr. Brown, and was ordered approved with all voting in favor except Mrs. Cosby-Hurling and Mrs. Hickey, who voted no.

1. **The acceptance of the separation of employment from the City of Linden:**
2. **Lance Jackson, Recreation Leader, effective July 29, 2016.**
3. **Patrick Kudlac, Police Officer, August 8, 2016.**

Mrs. Cosby-Hurling moved for approval of items 2A and 2B. The motion was seconded by Mr. Brooks and were ordered approved with all voting in favor of all, except Mr. Sadowski, Mr. Strano and Mrs. Yamakaitis who voted no to items 2A.

1. **Diana Menzel, Principle Payroll Clerk at the end of her working test period.**

Mrs. Cosby-Hurling moved for approval of item #2C. The motion was seconded by Mr. Brooks, and was ordered approved, with all voting in favor except, Mr. Brown, Mr. Brooks and Mrs. Hickey, who voted no.

Mr. Antonelli reviewed each of the items voted on, what occurred, and results of the same.

1. **Hires:**
2. **Tanaya Calenicoff (appoint off existing CSC list) Principal Payroll Clerk, Treasury Department at the annual salary of $57,500.00 effective September 12, 2016.**
3. **Craig Lampert, Truck Driver Tier 2, Department of Public Works at the salary of $21.00 per hour effective August 22, 2016.**
4. **Angelo Antanasio, Truck Driver Tier 2, Department of Public Works at the salary of $21.00 per hour effective August 22, 2016.**
5. **Alex Primavera, Laborer Tier 2, Department of Public Works at the salary of $14.00 per hour effective August 22, 2016.**
6. **Oscar Goff, Laborer Tier 2, Department of Public Works at the salary of $14.00 per hour effective August 22, 2016.**
7. **Daniel Frankel, Laborer Tier 2, Department of Public Works at the salary of $14.00 per hour effective August 22, 2016.**

Mrs. Cosby-Hurling moved for approval of item 3. The motion was seconded by Mrs. Ormon, and was ordered approved by a roll call vote, with all voting yes, except Mrs. Cosby-Hurling who abstained to item E, and Mr. Medina who abstained on items A and B.

1. **Seasonal Hires Recreation:**
2. **Ryan Vasquez, Assistant Director, Playgrounds at the salary of $11.00 per hour from August 16, 2016 to February 28, 2017.**
3. **John Vircik, Lights/Bathroom Operator at Memorial Park at the salary of $8.38.00 per hour from August 16, 2016 to February 28, 2017.**
4. **James Julius, DPW Seasonal, in the Department of Public Works.**
5. **Keith Brown, DPW Seasonal, in the Department of Public Works.**
6. **Hafeez Brown, DPW Seasonal, in the Department of Public Works.**
7. **Ernesto Green, DPW Seasonal, in the Department of Public Works.**
8. **FMLA/NJFLA:**
9. **Employee No. 001968, in the Police Department from June 29, 2016 to September 23, 2016.**
10. **Employee No. 000163, in the Department of Municipal Court, from August 22, 2016 to September 2, 2016.**
11. **Employee No. 108112, in the Police Department, from June 21, 2016 to July 5, 2016.**
12. **A leave of absence for Employee No. 908841, in the Engineering Department, from July 26, 2016 to October 26, 2016.**

Mrs. Cosby-Hurling moved for approval of items #4 and #5. The motion was seconded by Mrs. Ormon and was unanimously ordered approved by a roll call vote.

1. **Title Changes pending Mayor’s Approval:**

**In the Police Department**

1. **Captain Jonathan Parham, promotion to Provisional Police Chief, at the salary of $171,955.00 effective September 1, 2016.**
2. **Lt. Michael Saake, promotion to Captain, at the salary of $149,000.00 effective September 1, 2016.**
3. **Sgt. William Mack, promotion to Lieutenant, at the salary of $121,000.00 effective September 1, 2016.**
4. **Officer Monika Oliveira, promotion to Sergeant, at the salary of $108,000.00 effective September 1, 2016.**

Mrs. Cosby-Hurling moved for approval of item #6. The motion was seconded by Mrs. Ormon, and was unanimously ordered approved by a roll call vote.

1. **Public Advertise Employment Opportunities:**
2. **(1) Part-Time Clerk 1 not to exceed 19.5 hours per week, to be used as a floater in City Hall.**
3. **(2) Part-Time P/W (per diem), in the Engineering Department.**
4. **Part-time Clerk 1, in the Transportation & Parking Division, not to exceed 19.5 hours per week.**
5. **Posting for full time City Administrator, Statewide posting.**
6. **Change in salary for truck driver tier 2:**
7. **Cory Higgs, Truck Driver Tier 2, $21.00 per hour effective August 17, 2016.**
8. **Pedro Calzado, Truck Driver Tier 2, $21.00 per hour effective August 17, 2016.**
9. **C. McCintyre, Truck Driver Tier 2, $21.00 per hour effective August 17, 2016.**

Mrs. Cosby-Hurling moved for approval of items #7 and #8. The motion was seconded by Mrs. Ormon and was unanimously ordered approved by a roll call vote.

Mrs. Cosby-Hurling gave best wishes to Elijah Johnson. She also urged Fifth Ward residents to make sure they pull their garbage cans back in. She concluded by wishing, her baby girl, CC, a happy birthday.

President Alvarez recognized Mr. Brooks to give the report of the Transportation and Parking Division. A total of $58,196.67 was collected from all sources. He announced that around September 1, 2016 commuters will be able to pay by mobile by downloading an app. He noted where further information could be obtained, on this.

**SIXTH WARD**

Mr. Sadowski gave the report of the City Clerk’s office. A total of $5286.07 was collected from all sources. Next he gave the report of the Licensing Division of the City Clerk’s office. A total of $2,862.00 was collected from all sources.

Mr. Sadowski congratulated all those that were promoted this evening. Next he spoke about taking a ride on the senior citizens bus, his experience, and complimented the driver. He noted the dedication of the driver to the seniors. Mr. Sadowski talked about the number of pickups in the Sixth Ward, and thanked two employees of the Public Works Department for their assistance.

Mr. Sadowski requested that any Sixth Ward resident, wanting a tree to contact him. He provided his contact information. Next he spoke about the passing of former Councilman Jack Sheehy. He thanked Chief Schulhafer for the job he did.

**SEVENTH WARD**

Mr. Strano provided an update on the quite zone, the need to redraw the channelization plans, due to the demands of Conrail. He had Mr. Vircik provide an update on the timetable for submittal of the plans. Mr. Strano offered his condolences to the Sheehy family, on the passing of Jack Sheehy. He spoke about his relationship with Mr. Sheehy as a neighbor. Mr. Strano also noted the passing of former Third Ward Councilman Tom Boland.

Mr. Strano stated that while summer last until September 21st, most people view Labor Day as the end of summer, with students returning to school. He wished all a safe and enjoyable Labor Day weekend, and urged people to be careful of the kids returning to school. He congratulated the members of the Police Department who were promoted this evening.

**EIGHTH WARD**

Mrs. Yamakaitis extended her condolences to both the Sheehy and Boland families, noting that she had served with both, stating that they were great councilman, and would be missed.

Mrs. Yamakaitis gave the report of the Fire Prevention Bureau. For the month of July the bureau collected a total of $4,681.56. In addition the ambulance reimbursement system collected $54,737.16 for the month of July, bringing the year to date total to $385,334.92. Mrs. Yamakaitis informed all of how the Fire Department, working with the Recreation Department, conducted a wet down of the children in the summer recreation programs, due to the excessive heat. Mrs. Yamakaitis announced that the recreation Department had their annual summer craft program, last week. She provided details on it and spoke about the great job that was done by all.

Mrs. Yamakaitis reported that the repaving of Linden Avenue, has been halted by Executive Order 210, issued by Governor Christie. She explained why, and urged people to contact their Senators to get the matter resolved, as the roadway probably would not survive another winter. She noted that paving projects, being done under the City’s Capital budget, has begun. She identified the streets being addressed under this program in the Eighth Ward.

Mrs. Yamakaitis informed all that the City Engineer has met with representatives of the gas company, regarding the repaving of Eighth Ward streets that they dug up during their gas main replacement project. Mrs. Yamakaitis announced her annual 911 vigil at Wanda Green Park on September 11th. She also announced that Resolution 216 helps move Park Plastics project forward. She asked residents if they see anyone around the building, to please call the police. Mrs. Yamakaitis reported on the approval, by the Accident Review Committee, of various projects in the Eighth Ward. She then thanked all of the residents who came out to the Eighth Ward picnic. She added that it was a very successful event, and thanked those that donated to it.

Mrs. Yamakaitis asked those Eighth Ward residents wanting a tree to contact her immediately. She then talked about the August 21st back to school back pack night, and the need to bring proof of Linden residency.

**NINTH WARD**

Mr. Medina congratulated the police officers and provisional chief Parham on their promotions, and that he looked forward to working with them. Next he congratulated Chief Schulhafer on his retirement, and spoke about all that the Chief did during his thirty plus years as a police officer for the City. Mr. Medina then spoke about the passing of former Seventh Ward Council Jack Sheehy and how much he was loved by this community. He noted Mr. Sheehy’s family business and how they went out of the way to take care of fellow Linden residents, and offered his condolences to the Sheehy family.

Mr. Medina provided a detailed list of events that the Friends of the Linden Library are sponsoring, to raise funds for the library. Next he spoke about restoration of streets, in the Ninth Ward, that were dug up by the utility companies. He noted the standards for repaving of the complete street verses patching part of the street. Mr. Medina announced that a Ninth and Tenth Ward community meeting would be held on August 17th, and the subject matter that would be covered. He concluded by providing his contact information.

**TENTH WARD**

Mrs. Hickey congratulated all those promoted in the Police Department tonight. She offered a special thank you to retiring Chief Schulhafer, and spoke about how helpful he was to her and the residents of the Tenth Ward. She also thanked Captain Turbett for the help he has given her in the Tenth Ward.

Mrs. Hickey noted that the marking, on certain streets, were not done by the utility companies, as she first thought, but were done by City contractors in preparation of the paving of those streets. Next she spoke about the City wide yard sale, on October 1st and 2nd. The fee was being waved, and a rain date of October 8th and 9th has been established. She provided contact information for those wishing to participate. Next she provided information on the September to Remember event, and urged all to come out and have a great time.

Mrs. Hickey asked Tenth Ward residents wanting a tree to call her, and provided contact information. She commended the Police Department on the outstanding job they did with National Night Out, and what a great job was done by the Merchants Committee on the First Wine and Cheese tasting event. Mrs. Hickey then spoke about the job done by all with the Recreation talent and arts show.

Mrs. Hickey offered her heartfelt condolences to the Sheehy family. She related a story about Mr. Sheehy and Casino Night run by the Housing Authority. Next she noted that her son would be going to the High School this year, and would be participating in ROTC. She then announced a fundraiser that ROTC would be hosting. She informed all that she would be leaving on vacation for a few days, and Mr. Medina would be covering the Tenth Ward, if any issues arise. She provided his contact information. She covered several other topics and concluded by wishing all a happy Labor Day.

**MAYOR’S REPORT**

Mayor Armstead asked all to stand for a moment of silence in memory of former Councilmembers Jack Sheehy and Thomas Boland. He reflected on the service of each of these individuals to their communities. He then spoke about the recent Merchant Committee Wine and Cheese tasting, and thanked Councilman Brown and employee Katarzyna Kozak for their efforts in putting it together.

Mayor Armstead extended his thanks to the Department of Public Works and Police Department for their help with the Unity Day event. He then spoke about upcoming events at Promenade Park, including a gospel music show, that was being sponsored by the First Baptist Church and all of the church’s. He spoke about an individual that the event would be honoring. He then spoke about a number of events that would be held at Fourth Ward Park - Dr. King Park, detailing each of them.

Mayor Armstead announced that on August 20th, Applebee’s would be again sponsoring a stop in Linden for the 911 motorcycle ride from Washington D.C. to ground zero. He noted that this would be the fifteen and final ride, as some of the states have declined to stop providing the highway access. He spoke about the events of that day, and the efforts of the First Responders. He urged all to come out and give a big send off. The Mayor announced that he would also be attending, as a former Fourth Ward Councilman, Councilman Brooks meet and greet in the Dr. King Park.

Mayor Armstead then spoke about the back pack to school event on August 29th. He spoke about the reasons for doing this as a City wide event, instead of continuing with a number of events, hosted by different groups, throughout the city. He mentioned some of the Council persons who donated and stated that there was still time to donate.

Mayor Armstead congratulated all of the newly promoted officers in the Police Department. He thanked Chief Schulhafer for his thirty years of service and congratulated him on his retirement. The Mayor then provided updates on the various redevelopment projects in Linden. He announced that a developer has expressed interest in St. Georges Ave project, and made a presentation to Council regarding it. He noted that while a number of details had to be worked out, the governing body was happy with the concept. Next the Mayor spoke about the Cantor property, which for a long time was an eyesore and problem to area residents. He informed all that the development of a new warehouse, with upscale tenants has been proposed for the site. Mr. Cantor is selling the property, and there will be new owners doing this development. He provided an update on the development of the former JTG scaffolding site.

Mayor Armstead spoke about the United Lacquer property, and that there are two developers interested in it. Both are proposing residential development for the site, and would be responsible for the cleanup.

**COUNCIL PRESIDENT**

President Alvarez offered his condolences to the Boland and Sheehy families. He informed all that there are no permits needed to participate in the City wide garage sale. He offered his congratulations and thanked to retiring police Chief James Schulhafer, and spoke about his service to the City. President Alvarez then congratulated Captain Parham on his appointment as provisional police chief. He invited Captain Parham to say a few words.

Captain Parham offered his condolences to the Sheehy and Boland families for their loss. Next he stated that on behalf of himself, and the entire police department, he wished Chief Schulhafer a happy, healthy and long retirement. He thanked the Mayor and Council for their support of the promotions. Captain Parham then spoke about the department, the role of the officers and the standards that he expects of them.

**RESOLUTIONS**

**President Alvarez announced that public comments will be permitted for those specific resolutions to be removed from the consent approval. Please read the synopsis of the resolutions, which have been prepared by the City Clerk’s office. Each is informative and**

**self-explanatory However, if you wish to address a specific resolution, the Council, will entertain questions on it.**

**Virginia Malik, 1633 Lenape Road, removed resolutions 2016-292 and 2016-295.**

Mrs. Hickey moved for approval of resolutions #2016-278 to #2016-300, with the exception of resolutions #2016-292 and #2016-295. The motion was seconded by Mrs. Ormon, and was unanimously ordered approved by a roll call vote.

**RESOLUTION: 2016-278**

**CITY OF LINDEN RESOLUTION**

**WHEREAS,** there were certain payments made by the Municipal Treasurer during the month of July, 2016 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**

7/1/16 Payroll FICA 72,254.74

7/1/16 Payroll payroll 1,604,477.11

7/6/16 Worker’s Comp. claims 8,565.26

7/6/16 Medco claims 99,248.73

7/15/16 SHBP Retirees July health premium 579,522.78

7/15/16 SHBP Active May health premium 664,907.42

7/15/16 Payroll FICA 75,601.91

7/15/16 Payroll payroll 2,198,683.52

7/19/16 Worker’s Comp. claims 81,810.93

7/20/16 Medco claims 63,762.98

7/20/16 Vision Service Plan claims 8,174.54

7/28/16 Worker’s Comp. claims 67,573.77

7/28/16 US Bank admin fee 3,000.00

7/28/16 UCIA admin fee 2,500.00

7/28/16 Skill Path seminar 395.00

7/28/16 Renna Media advertisement 500.00

7/29/16 Payroll FICA 70,617.78

7/29/16 Payroll payroll 1,724,957.09

**TRUST**

7/1/16 Payroll payroll 81,526.30

7/15/16 Payroll payroll 89,387.38

7/29/16 Payroll payroll 52,444.56

**GRANT**

7/1/16 Payroll payroll 35,936.39

7/15/16 Payroll payroll 29,446.05

7/29/16 Payroll payroll 29,138.80

**SANITARY LANDFILL**

7/1/16 Payroll payroll 2,520.00

7/1/16 Payroll payroll 2,682.00

7/29/16 Payroll payroll 2,899.69

**CAPITAL**

7/1/16 Payroll payroll 2,602.81

7/15/16 Payroll payroll 13,753.66

7/29/16 Payroll payroll 7,653.04

**RESOLUTION: 2016-279**

**RESOLUTION FOR PROPERTYROOM.COM SOLICIATED BY QUOTATIONS FOR THE POLICE DEPARTMENT**

**WHEREAS**, the City of Linden wishes to obtain service from PropertyRoom.com for the sale of confiscated miscellaneous items for the Police Dept.; and

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

**WHEREAS,** PropertyRoom.com, 26421 Crown Valley Parkway, Suite 200, Mission Viejo, California 92691 was solicited for quotations; and

**WHEREAS,** PropertyRoom.com provided the most advantageous quote, price and others factors considered.

**NOW THEREFORE BE IT RESOLVED** PropertyRoom.com be awarded a contract to supply auction services for the Police Department;

**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: 2016-280**

**RESOLUTION FOR STATE CONTRACT PURCHASE OF TWO 2016 F-450 4WD MASON DUMP TRUCKS FROM BEYER FORD FOR THE PUBLIC WORKS DEPT.**

**WHEREAS**, the City of Linden wishes to purchase two 2016 f-450 4wd mason dump trucks options from an authorized vendor under the State of New Jersey contract A88214 awarded to Beyer Brothers, 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 has been awarded Contract No A88214 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 $ 110,000.00 and,

**WHEREAS**, the Chief Finance Officer has certified the availability of funds for this contract, which will be charged to account number C-04-55-907-659-919;

**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: 2016-281**

**RESOLUTION FOR STATE CONTRACT PURCHASE OF ONE 2017 FORD EXPLORER FOR THE DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, the City of Linden wishes to obtain services from an authorized vendor under the State of New Jersey Cooperative Purchasing Program 1-NJCP; one 2017 Ford Explorer from Winner Ford, an authorized vendor under the State of New Jersey Cooperative Purchasing Program 1-NJCP; 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**, Winner Ford, Cherry Hill, NJ has been awarded New Jersey State Contract No. 88728 for the provision of police vehicles; and,

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

**WHEREAS**, the amount of the service is not to exceed $24,404.00; and,

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

C-04-55-905-640-919 $17,009.95

6-01-26-301-159-277 $7,394.05

**NOW THEREFORE BE IT RESOLVED** by the City of Linden that Winner 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: 2016-282**

**RESOLUTION ACCEPTING DONATION OF A BOAT, MOTOR AND TRAILER FOR THE CITY OF LINDEN OFFICE OF EMERGENCY MANAGEMENT**

**WHEREAS**, the Township of Winfield, 12 Gulfstream Avenue, Winfield, New Jersey wishes to donate 2001 Zodiac boat, 2001 Mercury motor and 2001 Load-Rite trailer to the City of Linden Office of Emergency Management; and

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

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF**

**THE CITY OF LINDEN** that the City of Linden shall accept the aforesaid donation; and

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk are hereby authorized to execute any and all documents, if necessary, to effectuate the foregoing as approved by the City of Linden Law Department.

**RESOLUTION: 2016-283**

**RESOLUTION AMENDING A SHARED SERVICES AGREEMENT WITH THE CITY OF RAHWAY FOR CLEANING AND INSPECTION OF THE ALLEN STREET CULVERT**

**WHEREAS**, the City Council of the City of Linden passed a resolution on March 18, 2014, No. 2014-152, to enter into a shared services agreement with the City of Rahway; and

**WHEREAS,** it was estimated that the cost for each municipality would be $10,000; and

**WHEREAS**, due to the ongoing nature of the work, it is necessary to provide for additional funds not to exceed $887.50; and

**WHEREAS**, inclusive of these additional funds the total expenditures paid to date to the City of Rahway for services rendered under the original or substantially related contract is $10,887.50; and

**WHEREAS**, the Chief Financial Officer has certified to the availability of funds for this purpose, to be charged to Account No. C-04-55-901-541-919;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** that the agreement for Shared Services Agreement with the City of Rahway be increased by $887.50; and

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

**RESOLUTION: 2016-284**

**RESOLUTION APPROVING THE DONATION OF FIVE (5) HT-1250 portable radios TO THE TOWNSHIP OF WINFIELD POLICE DEPARTMENT**

**WHEREAS,** the City of Linden wishes to donate five (5) HT-1250 portable radios to the Township of Winfield Police Department as listed below

|  |
| --- |
| 749THCG003 |
| 749THCF845 |
| 749THCF885 |
| 749THCG155 |
| 749THCG173 |

; and

**WHEREAS,** the Township of Winfield Police Department is desirous of accepting the aforesaid donation; and

**NOW, THEREFORE, BE IT RESOLVED BY CITY COUNCIL OF THE CITY OF LINDEN** that the City of Linden shall donate said radios to the Township of Winfield; and

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

**RESOLUTION: 2016-285**

**RESOLUTION APPROVING THE AWARD OF A CONTRACT TO CMS CONSTRUCTION, INC. FOR THE RECONSTRUCTION OF CURBS AND WALKS THROUGHOUT THE CITY OF LINDEN**

**WHEREAS**, sealed bids were received by the Purchasing Agent on July 28, 2016 for the reconstruction of curbs and walks throughout the City of Linden; and

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

**WHEREAS**, the Chief Financial Officer or her designee has certified as to the availability of funds for this purpose, as attached hereto, which will be charged to account/line item No. C-04-55-901-656-919; and

**WHEREAS,** CMS Construction, Inc. was the lowest responsible bidder at their bid of $45,400.00; and

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

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

1. A contract is awarded to CMS Construction, Inc. at their bid of $45,400.00

2. This Resolution is expressly contingent upon the negotiation and execution of the necessary contract document between CMS Construction, 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: 2016-286**

**RESOLUTION APPROVING THE AWARD OF A CONTRACT TO A&A CURBING, INC. FOR THE RECONSTRUCTION OF WALKS AT 1400 S. PARK AVENUE**

**WHEREAS**, sealed bids were received by the Purchasing Agent on July 28, 2016 for the reconstruction of walks at 1400 S. Park Avenue: and

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

**WHEREAS**, the Chief Financial Officer or her designee has certified as to the availability of funds for this purpose, as attached hereto, which will be charged to account/line item No. T-03-56-801-013-003; and

**WHEREAS,** A&A Curbing, Inc. was the lowest responsible bidder at their bid of $34,230.60; and

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

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

1. A contract is awarded to A&A Curbing, Inc. at their bid of $34,230.60

2. This Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents between A&A Curbing, 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: 2016-287**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDEN, COUNTY OF UNION, STATE OF NEW JERSEY, AUTHORIZING FORECLOSURE OF CITY TAX TITLE LIENS**

**WHEREAS**, the Municipal Council of the City of Linden, in the County of Union and State of New Jersey, may from time to time determine by Resolution to foreclose any of the Tax Sale Certificates held by the municipality, by the summary proceeding In Rem provided by the In Rem Tax Foreclosure Act (1948), N.J.S.A. 54:5-104.29, et seq.; and

**WHEREAS**, the City of Linden holds a tax sale certificate, set forth in the Tax Foreclosure List attached hereto; and

**WHEREAS**, it is the desire of the governing body to institute in rem tax foreclosure proceedings against the property set forth in the Tax Foreclosure List attached hereto.

**NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF LINDEN**, **COUNTY OF UNION, STATE OF NEW JERSEY, THAT:**

1. The Tax Sale Certificate as shown on the attached foreclosure list now held by the City of Linden be foreclosed by summary proceedings In Rem, and as described by N.J.S.A. 54:5-104.29 *et seq.*, as amended, and pursuant to the rules of Civil Procedure of the Superior Court of New Jersey.
2. The said listing of the parcel and lien, all of which are identified on the Tax Foreclosure List annexed hereto and on file with the City Clerk’s Office for inspection, be and the same is hereby set forth as the Tax Foreclosure List for the cause of action to be embraced in an action or actions in the Superior Court of New Jersey, Chancery Division, Union County.
3. Special Counsel, McManimon, Scotland & Baumann, LLC is hereby authorized to execute any and all documents necessary to effectuate the filing of said In Rem foreclosure complaint hereunder.
4. This Resolution shall take effect immediately.

**CERTIFICATION**

I hereby certify that I, the undersigned, am the City Clerk of the City of Linden and am duly authorized to certify resolutions adopted by the City Council at a regular meeting held on the 16th day of August, 2016.

**RESOLUTION: 2016-288**

**RESOLUTION APPROVING ENTERING INTO A**

**HOLD HARMLESS AGREEMENT WITH ABA EQUITIES, LLC**

**WHEREAS**, ABA Equities, LLC came to an agreement with the City of Linden to allow for the City of Linden Police Department to utilize their building located at 323-345 N. Wood Avenue, Linden, NJ for National Night Out on August 2, 2016; and

**WHEREAS**, ABA Equities, LLC required a Hold Harmless Agreement from the City of Linden for such an agreement.

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

1. The Mayor and City Clerk are hereby authorized and directed to execute a Hold Harmless Agreement as requested by ABA Equities, LLC and as approved by the Law Department.

2. This Resolution shall take effect pursuant to law.

**RESOLUTION: 2016-289**

**RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE LINDEN ROSELLE SEWAGE AUTHORITY (“LRSA”) AND THE CITY OF LINDEN FOR VEHICLE MAINTENANCE**

**WHEREAS**, the LRSA requires the use of the City of Linden Municipal Garage for the LRSA vehicle maintenance;

**WHEREAS**, the City has the means to provide said services to the LRSA; and

**WHEREAS**, *N.J.S.A.* 40A:65-4 et *seq*., allows the LRSA and the City to enter into a shared service agreement for the City to provide said services to the LRSA.

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

1. The City agrees to allow the LRSA to utilize the City of Linden Municipal Garage for its vehicle maintenance.
2. The LRSA hereby agrees to pay the City of Linden $85.00/per hour, plus the cost of parts, for said vehicle maintenance services.
3. The LRSA shall provide proof of insurance, reflecting liability coverage for all actions, omissions and services rendered by the City in the amount of One Million Dollars ($1,000,000.00), with the City as a named insured.
4. This Resolution is expressly contingent upon the negotiation and execution of a formal Shared Services Agreement between the LRSA and the City of Linden; and
5. The Mayor and City Clerk be and hereby are empowered and directed to execute said agreement with the County of Union, Township of Cranford and the City of Linden to effectuate the foregoing; and
6. A copy of this Resolution will be published according to law.

**RESOLUTION: 2016-**­**290**

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 $505.58.

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 $505.58 to Amaco, 125 Rocky Boulevard # 623, Bear, DE, 19701.

**RESOLUTION: 2016-291**

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

WHEREAS, the city council has determined to allow a city wide garage sale on October 1, 2016 and October 2, 2016 with a rain date on October 8, 2016 and October 9, 2016; and

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

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

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

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

1. The City of Linden hereby waives fees for permits for a city wide garage sale to be held on October 1, 2016 and October 2, 2016 with a rain date on October 8, 2016 and October 9, 2016.
2. The city wide garage sale shall not impact a resident’s right to conduct up to two garage sales in a year.
3. Chapter 4-3.6 shall still apply, limiting one singled faced sign containing not more than four square feet in total area to be placed upon the premises where the sale is being conducted, and further prohibiting any other signs and either public or private property.
4. This Resolution shall take effect pursuant to law.

**Resolution: 2016-292**

**AMENDMENT TO RESOLUTION 2016-27**

**AWARDING A CONTRACT TO**

**PASCACK DATA SERVICES FOR**

**COMPUTER CONSULTING SERVICES**

**WHEREAS**, the Governing Body of the City of Linden has determined that there exists a need for computer consulting services; and

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

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

**WHEREAS**, the Chief Financial Officer or his designee has certified as to the availability of finds for this purpose will be charged to account/line item

Non Public Safety and Public Safety; and

**WHEREAS**, the Purchasing Agent has certified that this meets the statute and regulations governing the award of said contract;

**NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN**, that the contract for professional services be and hereby awarded to Pascack Data Services, 200 Central Avenue Suite 100 Hawthorne, NJ 07506 in accordance with their qualifications, for the public safety department and non- public safety department for the period of August 1, 2016 to December 31, 2016 for the Disaster Recovery Project not to exceed $96,022.14

**BE IT FURHTER RESOLVED** that this Resolution expressly contingent upon the negotiation of the necessary contract documents between Pascack Data Services and the City of Linden; and

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk are hereby empowered and directed to execute a contact with Pascack Data Services to effectuate the foregoing; and;

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

**Please see the comment and vote under resolution #2016-295.**

**RESOLUTION: 2016-293**

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

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

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

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

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

**Police Department radios**

|  |  |  |  |
| --- | --- | --- | --- |
| HT 1250 |  | HT 1250 |  |
| 749THCG008 | | 749THCG003 | |
| 749HFN2972 | | 749THCF845 | |
| 749THCF834 | | 749THCF885 | |
| 749THCF875 | | 749THCG155 | |
| 749HFN2982 | | 749THCG173 | |
| 749THCF874 | | 749THCG090 | |
| 749THCF998 | | 749THCF888 | |
| 749THCF881 | | 749THCF837 | |
| 749THCG088 | | 749THCG082 | |
| 749THCG077 | | 749THCG093 | |
| 749THCF840 | | 749THCF891 | |
| 749THCF876 | | 749THCG001 | |
| 749THCG000 | | 749THCF880 | |
| 749THCG169 | | 749THCG074 | |
| 749THCG079 | | 749THCF990 | |
| 749THCG171 | | 749THCF878 | |
| 749THCF841 | | 749THCF886 | |
| 749THCF892 | | 749THCG004 | |
| 749THCF997 | | 749HFCF525 | |
| 749HFCF599 | | 749THCG084 | |
| 749THCG091 | | 749THCF994 | |
| 749THCG172 | | 749THCF991 | |
| 749HFN2976 | | 749HFN2984 | |
| 749THCF847 | | 749THCF999 | |
| 749THCG175 | | 749THCG002 | |

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

**RESOLUTION: 2016-294**

**RESOLUTION APPROVING THE DONATION OF TWENTY (20) HT-1250 portable radios TO THE CITY OF LINDEN BOARD OF EDUCATION**

**WHEREAS,** the City of Linden wishes to donate twenty (20) HT-1250 portable radios to the City of Linden Board of Education as listed below

|  |
| --- |
| 749THCG008 |
| 749HFN2972 |
| 749THCF834 |
| 749THCF875 |
| 749HFN2982 |
| 749THCF874 |
| 749THCF998 |
| 749THCF881 |
| 749THCG088 |
| 749THCG077 |
| 749THCF840 |
| 749THCF876 |
| 749THCG000 |
| 749THCG169 |
| 749THCG079 |
| 749THCG171 |
| 749THCF841 |
| 749THCF892 |
| 749THCF997 |
| 749HFCF599 |

; and

**WHEREAS,** the City of Linden Board of Education is desirous of accepting the aforesaid donation; and

**NOW, THEREFORE, BE IT RESOLVED BY CITY COUNCIL OF THE CITY OF LINDEN** that the City of Linden shall donate said radios to the City of Linden Board of Education; and

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

**RESOLUTION: 2016-295**

**RESOLUTION TO APPLY FOR AND OBTAIN GRANT FUNDING FROM THE KIDS RECREATION TRUST FUND GRANT TO SUPPORT THE UPGRADE OF RECREATIONAL EQUIPMENT IN HAGEL AVENUE PARK AND MELNYK PARK**

Whereas, the **City of Linden** desires to apply for and obtain a grant from the Kids Recreation Trust Fund Grant Program for approximately **$163,740.00** to carry out a project to support the **upgrading of playground equipment in Hagel Avenue and Melnyk Parks to ensure the safety and enjoyment of Linden’s youth.**

Be it therefore RESOLVED,

1) that the **City of Linden** does hereby authorize the application for such a grant; and,

2) recognizes and accepts that the Grant Program may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the Kids Recreation Trust Fund Grant Program, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Grant Program, does further authorize the expenditure of funds pursuant to the terms of the agreement between **The City of Linden** and the Kids Recreation Trust Fund Grant Program.

3) Commits to matching the fund request, $12,480.00 in kind, and $151,260.00 in cash.

Be it further RESOLVED, that the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith:

Virginia Malik, 1633 Lenape Road. Regarding resolution 2016-292, Ms. Malik asked what the disaster recovery project was and what services were being provided. Mrs. Zack responded with an explanation. Regarding resolution 2016-295, Ms. Malik asked about the grant and where the matching funds came from. Mrs. Zack again responded with an explanation.

Mrs. Hickey moved for approval of resolutions #2016-292 and #2016-295. The motion was seconded by Mrs. Ormon and was unanimously ordered approved by a roll call vote. Before voting Mr. Brown asked if the funds in resolution 2016-292, were inclusive of the current contract or were new funds. Mrs. Zack responded.

**RESOLUTION: 2016-296**

**RESOLUTION APPROVING THE AWARD OF A CONTRACT TO P&A CONSTRUCTION, INC. FOR RESURFACING OF MONMOUTH AVENUE AND W. STIMPSON AVENUE IN THE CITY OF LINDEN**

**WHEREAS**, sealed bids were received by the Purchasing Agent on August 9, 2016 for resurfacing of Monmouth Avenue and W. Stimpson Avenue in the City of Linden: and

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

**WHEREAS**, the Chief Financial Officer or her designee has certified as to the availability of funds for this purpose, as attached hereto, which will be charged to Account No. C-04-55-901-638-919; and

**WHEREAS,** P&A Construction, Inc. was the lowest responsible bidder at their bid of $122,961.35; and

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

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** that a contract for resurfacing of Monmouth Avenue and W. Stimpson Avenue, be and hereby, is awarded to P&A Construction, Inc., 650 Leesville Avenue, Rahway, New Jersey 07065, at a fee not to exceed $122,961.35 in accordance with their bid dated August 9, 2016; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary contract agreements between P&A Construction, Inc. and the City of Linden; and

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk be and hereby are empowered and directed to execute a contract with P&A Construction, Inc. to effectuate the foregoing; and

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

**RESOLUTION: 2016-297**

**RESOLUTION AUTHORIZING EMERGENCY APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-46 DUE TO WORKERS COMP INSURANCE CLAIMS**

WHEREAS, an emergency has arisen with respects to expenses related to the cost of workers comp insurance claims and no adequate provision was made in the 2016 budget for the aforesaid purpose, and N.J.S. 40A:4-46 provides for the creation of an emergency appropriation for the purpose above mentioned, and

WHEREAS, the total amount of emergency appropriations created including the appropriation to be created by this resolution is $775,000.00 and three percent of the total operations in the budget for the year 2016 is $ 3,160,879.81, and

WHEREAS, the foregoing appropriation together with prior appropriations does not exceed three percent of the total current appropriations in the budget for the year 2016,

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

1. An emergency appropriation be and the same is hereby made pursuant to N.J.S.A. 40A:4-46 for funding of expenses related to workers comp insurance claims in the amount of $775,000.00

2. That said emergency appropriation shall be provided in full in the 2017 budget, except if financing of such emergency appropriation shall have been made from other funds or by authorization of notes or bonds pursuant to N.J.S.A. 40A:2-3 or 40A:2-51.

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

**RESOLUTION: 2016-298**

**A RESOLUTION DESIGNATING SEPTEMBER 18, 2016 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 16, 2016 “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 16, 2016 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: 2016-299**

**RESOLUTION AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT WITH THE COUNTY OF UNION FOR THE INSTALLATION OF A LIGHTED CROSSWALK ON N. STILES STREET NEAR AMON TERRACE IN THE CITY OF LINDEN**

**WHEREAS**, the City of Linden has requested a lighted crosswalk on N. Stiles Street, a county road, in the vicinity of Amon Terrace; and

**WHEREAS**, the Union County Department of Public Works and Facilities prepared an assessment of the site and recommended approval; and

**WHEREAS**, it is in the best interest of the City of Linden to enter into a Shared Services Agreement with the County of Union to install a lighted crosswalk as specified above.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** that a shared services agreement with the County of Union for a lighted crosswalk on N. Stiles Street is authorized.

**BE IT FURTHER RESOLVED** that pursuant to N.J.S.A. 40A:65-4(b), a copy of the Shared Services Agreement shall be filed with the New Jersey Department of Community Affairs, Division of Local Government Services; and

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

**RESOLUTION: 2016-300**

**RESOLUTION AUTHORIZING A MEMORANDUM OF AGREEMENT BETWEEN THE NEW JERSEY OFFICE OF EMERGENCY MANAGEMENT AS THE SPONSORING AGENCY OF NEW JERSEY TASK FORCE ONE AND THE CITY OF LINDEN FIRE DEPARTMENT**

**WHEREAS**, the New Jersey Office of Emergency Management (“NJOEM”) is the lead agency in New Jersey responsible for Coordinating the state’s preparedness, response and recovery operations for all hazards impacting the State; and

**WHEREAS**, New Jersey Task Force One (“NJ-TF1”) is a multi-disciplined Urban Search and Rescue (“US&R”) Task Force authorized and sponsored by NJOEM, responsible for search, rescue, and recovery operations; and

**WHEREAS**, the U.S. Department of Homeland Security, acting through the Federal Emergency Management Agency (“FEMA”), is responsible for developing and administering the Nation Urban Search and Rescue Response System (“SYSTEM”); and

**WHEREAS**, the SYSTEM is authorized by federal law, principally the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. §§ 5121 through 5206 (the Stafford Act), and the applicable provisions of the Code of Federal Regulations, including 44 CFR 208.1, et seq.; and

**WHEREAS**, the purpose of the SYSTEM is to develop and provide a national system of standardized urban search and rescue resources to respond to emergencies and major disasters that are beyond the capabilities of affected states and local governments; and

**WHEREAS**, the National Urban Search and Rescue Response System includes 28 Task Forces across the country; and

**WHEREAS**, NJ-TFI, through its Sponsoring Agency, NJOEM, is a participating Task Force in the SYSTEM; and

**WHEREAS**, in the performance of its responsibilities, NJOEM as the Sponsoring Agency of NJ-TFI is charged with, among other things, recruiting and organizing members of the Task Force; and

**WHEREAS**, NJOEM as a Sponsoring Agency, may enter into written cooperative agreements with entities designated as Participating Agencies in the Task Force; and

**WHEREAS**, this Agreement is intended to set forth the roles and responsibilities of NJOEM/NJ-TFI, the Participating Agency, and the Participating Task Force Member in engaging in preparatory and response activities in support of National Urban Search and Rescue Response System.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN,** that the City of authorizes said Memorandum of Agreement (“MOA”) with NJOEM for the aforementioned project and Mayor hereby be authorized to sign said MOA between the City of Linden and the New Jersey Office of Emergency Management as approved by the City Law Department, and the City Clerk is hereby authorized to attest to same and affix the City Seal thereon.

**ORDINANCE ON FIRST READING**

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

**AN ORDINANCE ENTITLED:**

* 1. **Bond Ordinance providing an appropriation of $66,000.00 for acquisition of computer equipment for various non-public safety departments and authorizing the issuance of $62,700.00 bonds or notes of the City for financing part of the appropriation.**

Council President Alvarez asked if there were any comments from the public. There were none. Ordinance #60-60 was introduced by Mr. Brown and was read on first reading by the Deputy Clerk.

Upon motion of Mr. Brown, seconded by Mr. Medina, the foregoing Ordinance was on roll call vote unanimously ordered approved.

**AN ORDINANCE ENTITLED:**

* 1. **An Ordinance to amend Chapter II, Administration, of the City of Linden.**

**Delete section 2-8.3 Qualifications of Article III**

**Add new Section 2-8.3 Qualifications of Article III**

**(Revises the qualifications for the City Administrator)**

Council President Alvarez asked if there were any comments from the public. There were none. Ordinance #60-61 was introduced by Mrs. Cosby-Hurling and was read on first reading by the Deputy Clerk.

Upon motion of Mrs. Cosby-Hurling, seconded by Mrs. Hickey, the foregoing Ordinance was on roll call vote unanimously ordered approved.

**AN ORDINANCE ENTITLED:**

* 1. **An Ordinance to amend an ordinance entitled, “An Ordinance establishing a schedule of titles, salary ranges and regulations for maintaining the classification and salary standardization plan of all employees of the City by adding schedule 4-KK-6 (Salary of Police Chief and Deputy Chief).**

Council President Alvarez asked if there were any comments from the public. There were none. Ordinance #60-62 was introduced by Mrs. Cosby-hurling and was read on first reading by the Deputy Clerk.

Upon motion of Mrs. Cosby-Hurling, seconded by Mrs. Hickey, the foregoing Ordinance was on roll call vote ordered approved, with all voting in favor except Mrs. Cosby-Hurling who voted no.

**AN ORDINANCE ENTITLED:**

* 1. **An Ordinance to amend and supplement Chapter VI, Traffic.**

ADD: 7-33.1A Handicapped Parking On-Street

Name of Street Spaces No. of Location

321 Ashton Ave 1 Pm the northeasterly sideline of Ashton Avenue, 271

Feet more or less southeasterly from the projection of

The projection of the southeasterly curbline of E. Linden Linden Ave in front of 321 Ashton Ave for a length of 22

Feet. The aforesaid space is specifically reserved and designated for a vehicle for Carlos Chamizo to identified by licensed plate number and placard to be issued by the City, and no other vehicle bearing or displaying handicapped license plates and/or placards, or not, shall be permitted to park in such space.

Council President Alvarez asked if there were any comments from the public. There were none. Ordinance #60-63 was introduced by Mrs. Yamakaitis and was read on first reading by the Deputy Clerk.

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

**AN ORDINANCE ENTITLED:**

* 1. **An Ordinance to amend and supplement Chapter V, Animal Control, of an ordinance adopting and enacting the revised general ordinances of the City of Linden.**

**ADD Section 5-5 (prohibiting the feeding of unconfined wildlife and stray animals on any public or private property).**

Council President Alvarez asked if there were any comments from the public. There were none. Ordinance #60-64 was introduced by Mrs. Yamakaitis and was read on first reading by the Deputy Clerk.

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

**AN ORDINANCE ENTITLED:**

* 1. **An Ordinance amending Chapter VII, Traffic. That Chapter VII, Traffic, Section 7-13, Parking Prohibited for Street Cleaning and Maintenance, shall be and the same is hereby amended as follows:**

ADD

Street Side Hours Days Location

Stiles Street Both 7:00 am to 12:00 pm Mon & Tues. From W. Curtis St. to W. St. Georges Ave

Council President Alvarez asked if there were any comments from the public. There were none. Ordinance #60-65 was introduced by Mr. Strano and was read on first reading by the Deputy Clerk.

Upon motion of Mr. Strano, seconded by Mrs. Ormon, the foregoing Ordinance was on roll call vote unanimously ordered approved.

**AN ORDINANCE ENTITLED:**

* 1. **An ordinance amending Chapter Two of the City Code as follows:**

**2-12 Department of Police, section 2-12.1 Adding (1) Deputy Chief and increasing the compliment of Police Officers.**

Council President Alvarez asked if there were any comments from the public.

Martin Jedrezewski, PBA Local #42, President. Mr. Jedrezewski thanked the Mayor and Council for not proceeding with the Police Director Ordinance. He then expressed his overwhelming support for this ordinance, the position of Deputy Chief and the increase in the compliment.

Michael Babulski, Police Superiors Local #242, President. Lt. Babulski thanked Council for supporting the police promotions. He thanked Council for the introduction of this ordinance, increasing the compliment, and creating the position of Deputy Chief, which his organization thought was vitally important to the administration of the City Police Department.

Ordinance #60-66 was introduced by Mr. Brown and was read on first reading by the Deputy Clerk.

Upon motion of Mr. Brown, seconded by Mr. Brook, the foregoing Ordinance was on roll call vote ordered approved, with all voting in favor except Mr. Beyer, Mr. Brooks and President Alvarez.

**AN ORDINANCE ENTITLED:**

* 1. **An ordinance to amend and supplement Chapter VII, Traffic, Section 7-22.1 Four-Way Stop Intersections shall be and the same is hereby amended as follows:**

7-22-1 Four-way stop intersections.

Intersections Stop signs to be located on:

ADD:

E. Blancke Street and E. Blancke Street and Maple Avenue

Maple Avenue

Maple Avenue and E. Blancke Street

Council President Alvarez asked if there were any comments from the public. There were none. Ordinance #60-67 was introduced by Mr. Brown and was read on first reading by the Deputy Clerk.

Upon motion of Mr. Brown, seconded by Mr. Brooks, the foregoing Ordinance was on roll call vote ordered approved, with all voting in favor except Mr. Brooks.

**PUBLIC COMMENT**

**PRESIDENT ALVAREZ ANNOUNCED COMMENTS FROM MEMBERS OF THE PUBLIC IN ATTENDANCE ON CITY BUSINESS ONLY. NO PERSONAL, POLITICAL OR DEROGATORY COMMENTS. Not to exceed 5 minutes.**

At the conclusion of the Public Comment period Mrs. Cosby-Hurling moved to close the public comment period. The motion was seconded by Mrs. Ormon, and was unanimously ordered approved by a roll call vote.

Sandra Vazquez, 850 Seymour Avenue. Ms. Vazquez spoke about the Backpack to School event, and that it is open to Linden residents. She noted the types of documents that would be acceptable as proof of residency. She added that packages would be given out on a first come basis. She explained how the packages would be given out. She thanked a number of individuals, and groups, for making this event possible. Next Ms. Vazquez, spoke about ROTC, that both her children were in the program, with her son Kyle being the units commander, and other son enlisting in the Navy upon graduation. She then spoke about the carwash fundraiser the freshman ROTC members would be holding.

Henry Mack, Linden City Hall. Mr. Mack spoke about Mr. Sheehy and their relationship. He then spoke about the appointment of Captain Parham, as Chief of Police and compared his roll to that of Ms. Tango’s as a savior of humanity. He praised the Captain’s appointment.

Adam Kuczynski, 510 Livingston Road. Mr. Kuczynski spoke about Mr. Sheehy, his relationship with Mr. Sheehy, and advice that Mr. Sheehy had given him when he first became a councilman.

Mrs. Cosby-Hurling moved to close the public comment portion of the meeting. The motion was seconded by Mrs. Ormond and was unanimously ordered approved by a roll call vote.

**COMMENTS FROM MEMBERS OF THE GOVERNING BODY**

Mayor Armstead informed all that they are still accepting applications for vendor for the September to Remember, and that the applications are available in his office.

Mrs. Ormon expressed her condolences to the families of Mr. Sheehy and Mr. Boland. She then provided her contact information.

Mr. Brooks offered his prayers to the Boland and Sheehy family. He also wished Elijah Johnson a speedy recovery.

Mr. Brown offered condolences to the Boland and Sheehy family.

Mr. Medina noted that a fundraiser has been set up to help the Sheehy. He provided details on the event.

**ANNOUNCEMENTS**

President Alvarez made the following announcements:

\*Council Conference meeting: Monday, September 19, 2016 at 6:00 pm in the Council Conference Room, City Hall, 301 N. Wood Ave.

Council Conference meeting prior to the Council meeting: Tuesday, September 20, 2016 at 6:00 pm in the Council Conference Room, City Hall, 301 N. Wood Ave.

\*Council Meeting: Tuesday, September 20, 2016 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. Strano moved to adjourn the meeting. The motion was seconded by Mrs. Yamakaitis and was unanimously ordered approved by a roll call vote. The meeting was adjourned at 9:30 pm.

Respectfully submitted,

Joseph C. Bodek

City Clerk