**Minutes of the Regular**

**Meeting of the 2016 Council of the**

**City of Linden, held Tuesday**

**February 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, February 16, 2016 at 7:33 pm., prevailing time.

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

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

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

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

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

A roll call showed the following members were present:

Councilwoman Lisa Ormon

Councilman Donald Beyer

“ Peter Brown

“ Monty Brooks

Councilman Robert Sadowski

Councilman Ralph Strano

Councilwoman Michele Yamakaitis

Councilman Armando Medina

Councilwoman Gretchen Hickey

Council President Jorge Alvarez

Mayor Derek Armstead

Councilwoman Rhashonna Cosby-Hurling was absent during roll call.

**APPROVAL OF MINUTES**

Mr. Sadowski moved for approval of the Regular Meeting Minutes of December 15, 2015 and the Regular Meeting Minutes of January 19th, 2016. The motion was seconded by Mrs. Yamakaitis and was ordered approved by all in favor with the exception of Mrs. Ormon who abstained on the Minutes of December 15, 2015.

**PRESENTATIONS**

**Walter John Olenick**

**Linden Resident and WWII Veteran**

President Alvarez called upon Mayor Armstead and Mrs. Hickey to make the presentation. Mayor Armstead noted that Mr. Olenick is a resident of Linden, and more importantly a veteran who put his life on the line so that we can have safety and security. The Mayor noted that Mr. Olenick was ninety-nine years old, and this was a way of thanking us for what he did for us. Mrs. Hickey read the resolution honoring Mr. Olenick. Mrs. Hickey stated that since Mr. Olenick could not be present this evening, she would deliver the resolution to him.

**BLACK HISTORY MONTH**

**Mayor Derek Armstead**

**Marshall Parker, Jr.**

President Alvarez announced that he and Mr. Brooks would be making the next presentation. President Alvarez noted how difficult it was to the first to break a barrier. He then called upon Mr. Brooks to read the resolution honoring Mr. Armstead as the first black mayor of Linden. Mayor Armstead thanked the council for recognizing him and noted that it has been a long journey. He spoke about his first run for council and then running and winning three years later. The Mayor stated that there is no color in caring. He reflected on the portraits of other Mayors, in the chambers, and that he would be the first African-American to have his portrait placed on the wall. He spoke about how he wanted people to think of him in the future, and how he hoped to change Linden to be a better place.

Mayor Armstead then was called upon to read the resolution honoring Marshall Parker, Jr. Before reading the resolution, the Mayor reflected on his long relationship with Mr. Parker and the influence that Mr. Parker had on his life and career. Mr. Parker thanks to all who had a role in his being selected for this honor. Mr. Parker introduced his wife and spoke about they are to be residents of Linden. He spoke about his life, career and battle with cancer. He stated how proud he was to be here tonight. Mr. Parker urged young people to be leaders and not followers.

**ORDINANCE – HEARING**

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

further consideration respecting an ordinance entitled:

**#60-1 ORDINANCE TO AMEND CHAPTER XXVI, FLOOD DAMAGE PROTECTION.**

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

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

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

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

further consideration respecting an ordinance entitled:

**#60-2 AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER VII, TRAFFIC, SECTION 7-42, PARKING FINES, 7-42.1 FINES ESTABLISHED SHALL BE AMENDED AS FOLLOWS: Amend Various Parking Fine Amounts**

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

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

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

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

further consideration respecting an ordinance entitled:

**#60-3 AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER XXXI, ZONING, OF AN ORDINANCE ENTITLED AN ORDINANCE ADOPTING AND ENACTING THE REVISED GENERAL ORDINANCES OF THE CITY OF LINDEN, 1999.**

**Delete Section 31-25.5, General Regulations and add new section 31-25.5 (Signs)**

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

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

There being no persons to be heard, Mr. Brown moved that the Ordinance be tabled to the March 15, 2016 meeting. The motion was seconded by Mrs. Cosby-Hurling and was unanimously ordered approved on a roll call vote.

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

further consideration respecting an ordinance entitled:

**#60-4 AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER XV, STREETS AND SIDEWALKS, OF AN ORDINANCE ENTITLED, “AN ORDINANCE ADOPTING AND ENACTING THE REVISED GENERAL ORDINANCES OF THE CITY OF LINDEN 1999.”**

**ADD SECTION 15-7, OWNER’S RESPONSIBILITY**

**ADD SECTION 15-8, CPMSTRICTION ALTERATION AND REPAIR TO A EXPENSE OF ABUTTING LANDOWNER**

**ADD SECTION 15-9, CLEANING OF SIDEWALKS**

**ADD SECTION 15-10 REMOVAL OF ICE AND SNOW**

**ADD SECTION 15-11 COST OF REMOVAL BY THE CITY**

**ADD SECTION 15-12 PROHIBITING PLACING SNOW OR ICE ON STREETS, SIDEWALKS OR FIRE HYDRANTS.**

**ADD SECTION 15-13 NONCOMPLIANCE; PENALTY**

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

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

Sylvia Weisbrot, 429 Ainsworth Street. Ms. Weisbrot spoke about the recent snow storm, issues related to the clearing of the snow, and compared snow removal in her neighborhood to that in other areas. Mr. Brown explained that this ordinance deals with Wood Avenue, and an attempt to get the property owners and business owners to take more responsibility.

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

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

further consideration respecting an ordinance entitled:

**#60-5 AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER III, POLICE REGULATIONS OF AN ORDINANCE ENTITLED, “AN ORDINANCE ADOPTING AND ENACTING THE REVISED GENERAL ORDINACES OF THE CITY OF LINDEN, 1999.”**

**AMENDING SECTION 3-2 TO ADD NEW SECTION 3-2.6 PHOBITIED ACTS AS FOLLOWS.**

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

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

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

**CONSENT AGENDA**

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

1. The amount of money collected during the month of January 2016 and turned over to the treasurer’s office is as follows:

2016 Taxes $10,029,449.20

2015 Taxes $291,134.16

2014 Taxes $0.00

Garbage Fee Payments $16,534.82

Garbage Fee Penalty $1,270.00

Municipal Lien Redemption $0.00

Duplicate Tax Sale Certificate $0.00

Tax Search $0.00

Lien Redemption Request Fee $0.00

Year End Penalty $7,346.96

Returned Check Fee Paid $20.00

Returned Check Fee Garbage Paid $0.00

Returned Check 2015 ($0.00)

Returned Check 2016 ($0.00)

Returned Check Interest ($0.00)

Returned Online Payment 2015 Taxes ($0.00)

Returned Online Interest ($0.00)

Returned Check Garbage Fee ($240.00)

Returned Check Garbage Fee Penalty ($30.00)

Arrears $0.00

Sewer Clean out charge $800.00

DPW Reso payments $0.00

Interest $20,915.67

Total $10,367,200.81

**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**

12 30 1/21/16 14-00012 $1,100.00

17 1 1/14/16 14-00016 $1,200.00

27 17 1/20/16 14-00024 $1,100.00

28 19 1/15/16 14-00026 $1,000.00

53 6 1/15/16 14-00045 $900.00

74 15 1/26/16 14-00059 $1,100.00

146 2 1/15/16 14-00111 $600.00

147 18.03 1/28/16 14-00112 $1,200.00

248 12 2/2/16 14-00202 $1,200.00

333 12 1/14/16 14-00231 $900.00

344 6 1/13/16 14-00238 $900.00

359 39.01 1/14/16 14-00246 $900.00

366 14 1/13/16 14-00249 $1,200.00

367 17 1/21/16 14-00250 $900.00

422 30 1/13/16 14-00279 $1,000.00

507 13 1/13/16 14-00314 $1,000.00

540 7 1/11/16 14-00331 $1,000.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $17,200.00 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 2015 tax sale on the following block & lot.

**Block Lot Redemption Date CTF# Amount**

34 9 1/29/16 14-00028 $1,500.00

61 7 1/28/16 14-00048 $1,500.00

76 9 1/20/16 14-00062 $2,500.00

92 5 1/26/16 14-00069 $1,800.00

99 5 1/22/16 14-00070 $3,100.00

104 2 2/3/16 14-00075 $1,800.00

104 6 1/29/16 14-00076 $2,000.00

105 10 1/19/16 14-00078 $2,100.00

113 5 1/29/16 14-00084 $7,800.00

117 7 1/21/16 14-00085 $2,300.00

125 1 1/15/16 14-00095 $4,100.00

132 19 1/15/16 14-00100 $1,900.00

151 7.01 2/2/16 14-00124 $2,900.00

152 10 1/26/16 14-00127 $2,600.00

165 7 1/21/16 14-00135 $1,300.00

168 5 1/15/16 14-00136 $1,900.00

205 10 1/20/16 14-00169 $2,300.00

205 18 1/26/16 14-00170 $3,700.00

207 6 2/2/16 14-00171 $2,200.00

210 1.01 1/15/16 14-00174 $1,500.00

210 14 1/15/16 14-00175 $2,700.00

235 15 1/28/16 14-00195 $1,500.00

248 5 1/13/16 14-00201 $2,000.00

256 6 2/2/16 14-00206 $1,700.00

320 3 2/5/16 14-00227 $2,600.00

379 4 1/21/16 14-00256 $1,600.00

422 1.01 1/21/16 14-00277 $2,400.00

479 21 1/20/16 14-00304 $3,100.00

482 20 1/28/16 14-00307 $6,000.00

540 18 2/3/16 14-00333 $1,600.00

549 8.02 1/13/16 14-00337 $3,000.00

550 7 1/21/16 14-00340 $1,400.00

556 15 1/26/16 14-00351 $3,600.00

565 11 1/26/16 14-00358 $1,500.00

572 11 1/15/16 14-00365 $2,300.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $87,800.00 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 2013 & 2014 tax sale on the following block & lot.

**Block Lot Redemption Date CTF# Amount**

35 11 1/20/16 14-00029 $1,300.00

117 16.01 1/14/16 14-00087 $1,300.00

126 19 1/14/16 14-00097 $1,200.00

193 9 1/21/16 13-00236 $1,300.00

237 6 2/5/416 13-00274 $1,300.00

366 15 2/5/16 13-00304 $900.00

392 9 1/13/16 13-00354 $1,300.00

440 10 2/2/16 14-00282 $1,400.00

469 16 2/3/16 13-00411 $900.00

480 9 2/3/16 13-00425 $1,300.00

539 15 1/26/16 13-00460 $1,300.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $13,500.00 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 tax sale on the following block & lot.

**Block Lot Redemption Date CTF# Amount**

43 5 2/3/16 14-00038 $1,300.00

179 12 2/2/16 14-00148 $3,200.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $4,500.00 payable to: PFS Financial 1, LLC US Bank Custodian, 50 South 16th Street-Suite 2050, Philadelphia, PA 19102 charging same to account #6-01-55-276-999-956.

**Tax Sale** Requesting athe refund of the premium paid at the 2013 tax sale on the following block

& lot.

**Bock Lot Redemption Date CTF# Amount**

85 3 1/21/16 12-00063 $900.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $900.00 payable to: MTAG Cust Caz Creek NJ, LLC, P.O. Box 54303, 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 2014 & 2015 tax sale on the following block & lot.

**Block Lot Redemption Date CTF# Amount**

123 13 1/20/16 14-00094 $10,600.00

161 2 1/15/16 14-00133 $7,900.00

246 19 2/5/16 13-00280 $100.00

343 21 1/27/16 13-00322 $100.00

472 22 1/13/16 13-00416 $100.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $18,800.00 payable to: US Bank Cust BV001 Trst & Crdtrs, 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**

198 8 1/15/16 14-00163 $200.00

341 24 1/26/16 14-00236 $200.00

448 22 1/21/16 14-00283 $100.00

472 23 1/15/16 14-00294 $200.00

514 5 1/28/16 14-00315 $900.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,600.00 payable to: 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**

413 7 1/27/16 13-00372 $800.00

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

**Tax Sale** Requesting the refund of the premium paid at the 2013 tax sale on the following blocks &

lots.

**Block Lot Redemption Date CTF# Amount**

439 20 2/1/16 12-00218 $100.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $100.00 payable to: Ace Plus, LLC, 1416 Ave L, Brooklyn, NY 11230, 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**

468 15 1/26/16 14-00289 $200.00

537 3 1/26/16 14-00326 $200.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $400.00 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 2013 tax sale on the following block & lot.

**Block Lot Redemption Date CTF# Amount**

538 23 2/4/16 12-00264 $700.00

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

**Credit** Block 101 Lot 16, 1001 E. Elizabeth Avenue

**Balance** Incorrect Garbage Fee billing

There now exists a credit balance on the above referenced block & lot due the property having been billed for a commercial property which is completely vacant and not being used. The property owner has paid the and is entitled to a refund of $180.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $180.00 payable to: Uno Financial Services, LLC, 910 Foulk Rd, Suite #-201 Wilmington DE, 19803, charging same to account *#* 6-01-08-607-011.

**Lien** Block 243 Lot 26.01, 205 W. Curtis Street - Certificate #14-00198

**Redemption**

Due to a certificate of redemption processed and recorded in error, this lien must be redeemed. As advised by The State of New Jersey and the City Attorney, this certificate has to be redeemed in the amount of $745.84 be refunded to the outside lien holder.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $745.84 payable to: US Bank Cust for PC5 Sterling National, 50 South 16th Street, Suite #2050, Philadelphia, PA 19102, charging same to account #-6-01-55-401-999-918.

**Refund** Block 514 Lot 13.03, Mendel & Samuel Schwimmer

Tax Court Docket #-003367-2013, 003379-2014 & 00372-2015

The above referenced property owners are entitled to a refund due to a Tax Court of New Jersey judgment reducing the assessment by 150,000 for 2013, 250,000 for 2014 & 250,000 for 2015.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $39,982.50 payable to: Michael A. Vespasiano, Attorney Trust Account, 331 Main Street Chatam, NJ 07928 charging same to account #6-01-55-275-999-000.

**Credit** Block 571 Lot 14, 3008 Tremley Point Road

**Balance** Incorrect Garbage Fee billing

There now exists a credit balance on the above referenced block & lot due the property having been billed for a commercial property, but was converted to a single family dwelling and never changed in the tax assessor’s office. The property owner has paid the and is entitled to a refund of $415.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $415.000 payable to: Ester Owusu, 2008 Tremley Point Road, Linden, NJ 07036, charging same to account *#* 6-01-08-607-011.

**Cancellation of Taxes** Block 582 Lot 14, NJ DEP Green Acres C/O Lisa Parysz

Former Owner: Gliszczynski, 344 Madison Street Disallowed Senior Citizen

Deduction

I am requesting your approval to cancel a balance of $.68 for property taxes on the above referenced block & lot. This is due to the State of New Jersey purchasing this property on December 30, 2015 from Mrs. Gliszczynski as part of the Blue Acres Program.

**(\*\*\*) CITY CLERK’S OFFICE:**

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

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

RA-1501 PTSA Linden High School 50/50 $20.00

RA-1502 PTSA Linden High School Tricky Tray $20.00

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

1. Requesting approval to issue a refund to Horizon BCBS of NJ in the amount of $316.96 for service that was provided on May 16, 2015. Payable to Horizon BCBS NJ, PO Box 420 Newark, NJ 07101-0420.

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

1. Advising the forty-six (46) Certificates of Occupancy were issued during the month of December, 2015 and forty-four (44) Certificates of Occupancy were issued during the month of January, 2016.

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

1. Advising that he is appointing the following individuals to the Local Board of Assistance:

Robert Sadowski – effective January 1, 2016 and terminating December 31, 2016

Molly Lenz – effective January 1, 2016 and terminating December 31, 2017

**(\*\*\*) CITY OF LINDEN FIRE DEPARTMENT:**

1. Requesting permission to close Wood Avenue from Routes 1&9 to East Gibbons Street on Saturday, July 16, 2016 between the hours of 11am to 3pm to hold a parade marking the 100th Anniversary of the Linden Fire Department. Also requesting to close Wood Avenue between Blancke Street and Elm Street between the hours of 3pm to 9pm to hold a celebration for the event including the Raymond Bauer Promenade and adjacent parking area. Additional permission is requested to hang two banners across Wood Avenue advertising the event.

Mr. Beyer moved for approval of Consent Items #1 through #6. The motion was seconded by Mr. Brown and was unanimously ordered approved on a roll call vote.

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

**First Ward**

Mrs. Ormon spoke about how exciting her first forty-five days in office were. She spoke about the first meeting of the Real Estate and Revenue Enhancement Committee, learning of the various projects and what has already been put in place. She noted that she will begin giving monthly progress reports on the various projects going on in the City.

Mrs. Ormon then informed the residents of the work being done on Curtis Street by the water company and asked them to be patient. She also thanked the residents of the First Ward for being so patient and gracious with the removal of the snow from the recent major snow storm. She urged First Ward residents, who have a problem, to call her, as she returns every call. She provided her contact info.

**Second Ward**

Mr. Beyer gave the report of the Construction Code Department. For the month of January the department issued 159 permits, processed 111 certificates and collected $115,409.00 in fees.

Mr. Beyer stated that he believed the Department of Public Works did a great job. He noted that he snowfall amounted to 29 inches. He request that residents not throw the snow back out into the street, but instead place it on the lawns in front of their houses and why.

**Third Ward**

Mr. Brown gave the following report of the Finance Committee:

1. The payment of bills totaling $1,632,278.44 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 January at the rate of .10%

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

Mr. Brown spoke about the Jones Act tax sale, and how it became political. He explained to the residents why the sale was done, the reasons that some properties were removed from the Jones Act tax sale list and the benefits to the City.

Mr. Brown then talked about the various redevelopment projects going on around the City and the use of tax abatements and PILOT programs. He noted that he would talk more about this in the future and noted the Boxer Report on use of tax abatements.

**Fourth Ward**

Mr. Brooks gave the report of the Division of Transportation and Parking. The revenue collected from all sources for the month of January amounted to $51.724.59. Next he spoke about the first meeting of the Public Property and Community Services Committee. He welcomed Mrs. Ormon and Mrs. Yamakaitis to the committee.

Mr. Brooks noted the placement of a sign, on Union Street, alerting motorist to the presence of an autistic child there. He asked those driving on Union Street to be a little more cautious. He thanked the Department of Public Works for their quick response to the request. Next he spoke of a meeting with Mr. MacDonald regarding the need to paint and do repairs in the Police Department. Mr. MacDonald has made a commitment to getting started on this work. He pledged to continue to make the improvements, in the Police Department, that need to be done and that they are done quickly.

Mr. Brooks spoke about a call about the heat at the LMPC. He noted that the Committee is aware of the problem, and that the solution involves the replacement of certain elements of the system. Bids for the replacement were done, and the eventual replacement would be accomplished soon. Mr. Brooks spoke about a tutorial program, at the LMPC, that would involve National Honor Society Students and IB students. He spoke about how students, from these groups, would be making themselves available to students, at LMPC, to tutor them. The program would include tutoring elementary level students. He provided contact information regarding the tutoring program.

**Fifth Ward**

Mrs. Cosby-Hurling reported on the Black History Program that she recently held, which also honored Mayor Armstead and Mr. Marshall. She announced information pertaining to an upcoming Fifth Ward Community meeting on March 10th. She also announced that on March 1st there will be a meeting of the newly formed Hooked on Fishing not Drugs club. The program includes ages 10 to 17. She provided details on the Club and what is planned.

Mrs. Cosby-Hurling spoke about the events that the Mayor has planned for Bring a Kid to Parks Day on May 21st at Wilson Park. She hoped that the Fishing club would be there to show off their skills.

Mrs. Cosby-Hurling talked about issues that occurred in the Fifth Ward, over the weekend, and the need to communicate. She noted that the neighbors in the second district observed certain things, and communicated them, which helped start an investigation into the matter. She asked that residents, who have camera systems that may have captured crimes to review them and then share them with the police. She spoke about the need to stop crime.

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

1. From the Personnel Division – the approval of the following Family Medical Leave Act/NJFLA requests:

Employee ID#007171, FMLA 1/11/16 to 1/25/16

Employee ID#107427, FMLA 1/21/16-3/8/16

Employee ID#908938, FMLA 12/14/15-2/2/16

Employee ID#000988, FMLA 2/1/16-5/1/16

Employee ID#000192, intermittent FMLA 1/1/16-12/31/16

Employee ID# 909072, intermittent 2/19/2016-4/4/2016

2. Permission is granted for the posting of a permanent part time clerk 1 for the Division of Public Works

3. In the Division of Public Works the change in status for Kelly Hernandez from Seasonal to clerk 1 effective February 17, 2016 at the starting annual salary of $34,548.00.

4. In the City Clerk’s Office the rehiring of seasonal staff member Chelsea Libreros effective retroactively to February 10, 2016 at the starting hourly rate of $8.38/hr not to exceed 25 hours per week.

5. In the Division of Public Works the hiring of the following former seasonal laborers as permanent laborers tier 2 at the starting hourly rate of $14.00/hr., $29,120.00/yr, effective February 17, 2016, to replace existing vacancies due to retirements.:

Daniel Krok, Shane Gullette, Trell Myers, Anthony Myers, Willie McBryde, John O’Brien, Curtis Williams

6. Permission to hire seasonal laborers in the Division of Public Works. List is on file in the Treasurer’s Office.

7. In the Division of Public Works the change in title for the following employees effective February 17, 2016:

Troy Miller from laborer tier 2 to senior laborer - $15.50/hr, $32240.00/yr.

Igor Marhevka from laborer tier 2 to maintenance repairer - $18.50/hr, $38480.00/yr.

Glenn Larson from Truck Driver to Automated sanitation truck driver - $35.50/hr, $73840.00/yr.

Henry Figueiredo from Sanitation Truck Driver to Automated sanitation

Truck driver - $28.50/hr, $59,280.00/yr.

Clemmie McIntyre from laborer to truck driver -$20.25/hr, $42120.00/yr.

John Schleckmann from laborer to truck driver -$33.50/hr, $69,680.00/yr.

Ernie Green from laborer to truck driver -$25.00/hr, $52000.00/yr.

Pedro Caldzado from laborer to truck driver -$16.00/hr, $33,280.00/yr.

Korey Higgs from laborer to truck driver -$20.25/hr, $42,120.00/yr.

The following employees change from laborer to sanitation laborer:

Kevin Clark - $18.00/hr, $37440.00/yr

Cornellius Daves - $15.00/hr, $31200.00/yr

Eric Meikle - $19.50/hr, $40560.00/yr

Larry Julius – $15.00/hr, $31,200.00/yr

Kevin Meyers - $18.00/hr, $37,440.00/yr

William Telesco - $15.00/hr, $31,200.00/yr

Tyler Wierwiorski - $15.00/hr, $31,200.00/yr

8. In the Board of Health the change in status for Antonio Tayler from part time

Housing Inspector Trainee to full time effective February 17, 2016 at the

Annual salary of $31,759.00.

9. In the Construction Code Department the increase in hours for the part-time

Code enforcement officers, Al Cetroni and Jim Kushner from 20 hours to not to exceed 25 hours per week.

10. Authorizing the City Treasurer to register Council and Department Head and

Managers to attend mandatory training March 22 and March 30, 2016.

11. In the Police Department authorizing the posting for two full time clerk 1 positions in the Record Bureau. Internal candidates will be given preference.

12. In the Police Department, Division of Central Dispatch, the hiring of 6 per diem dispatchers, specific qualifications required.

13. Approving the seasonal list for the Department of Public Property and Community Services as on file in the City Treasurer’s Office.

14. Approving the hiring of seasonal employee Steven Kasper to part-time mechanic hours not to exceed 20 per week at the annual salary of $14,900.00 effective February 17, 2016.

Mrs. Cosby-Hurling moved for approval of Personnel Items 1 through 14. The motion was seconded by Mr. Brown and was unanimously ordered approved on a roll call vote.

Mrs. Cosby-Hurling noted that the Personnel Committee is making strides to ensuring that there is accountability and that employees are given the necessary skills to do the jobs expected of them. She spoke about the goals of the Committee regarding training and teaching skills to the employees.

Mrs. Cosby-Hurling concluded by announcing that it was her birthday.

**Sixth Ward**

Mr. Sadowski gave the report of the City Clerk’s office noting that a total of $5,758.33 was collected for the month of January. Next he reported that recently a mailbox, in the Sixth Ward, had been knocked down in an accident. One of the resident has pursued its replacement. Due to the residents efforts the City has recently been informed that the mailbox will be replaced.

Mr. Sadowski noted that he has received numerous complaints about truck traffic in the Sixth Ward. He is working with the Police Department in addressing those issues, and the police have been issuing summons for violations. Next Mr. Sadowski stated that he has been getting numerous calls about the status of 6 school. He informed all that he met with the Superintendent of Schools, and there are no plans to relocate the students from School Six to another location.

Mr. Sadowski spoke about the recent snow storm and the difficult job the drivers have. He provided his contact information for residents of the Sixth Ward.

**Seventh Ward**

Mr. Strano talked about the process for selecting Council Committees and his selection to serve on and be Chairman of the Public Works Committee. He then spoke about the recent snow storm, how it dropped close to two and half feet of snow over a day and a half and taxed the equipment and manpower. He noted various issues that affected snow plowing. He thanked the employees of Public Works and Public Properties for their efforts. He talked about plans to bring the Department of Public Works up to where it should be.

**Eighth Ward**

Mrs. Yamakaitis reported that the Fire Prevention Bureau collected a total of $2,252.00 for the month of January. The ambulance reimbursement system collected a total of $44,111.73 for the month of January, 2016. She next informed all that the Linden Fire Officers FMBA 234 and Firefighters Local 34 received a donation of $5,000.00, from Infinitum, to be used toward the purchase of fitness equipment for the various fire stations. Mrs. Yamakaitis moved to accept the donation of $5,000.00 from Infinitum. The motion was seconded by Mrs. Hickey and was ordered approved, with all voting yes except for Mr. Brown and Mr. Sadowski who were absent from the room. She then announced that the Fire Prevention Bureau will be hosting a fire safety discussion at the Senior Men’s Club and provided details.

Mrs. Yamakaitis announced that at the Planning Board meeting, the Planning Board reviewed the report of the planner and voted to recommend that the Council declare the former Parks Plastic factory site an area in need of redevelopment. She spoke about how this is a step in the right direction. She thanked Mayor Armstead, Mr. Puschel and Mr. Ricci for their assistance with this issue.

Mrs. Yamakaitis announced that she is planning a community meeting for representatives of the refinery to discuss sheltering in place with the residents. She then spoke about a sink hole on S. Park Ave, by the entrance to Sam’s Club, and her efforts to address it. Mrs. Yamakaitis spoke about potholes around the railroad crossing on Brunswick Ave and that the road will be repaired in the spring.

**Ninth Ward**

Mr. Medina congratulated all of the new hires, noting that they are all residents of the City and how he looked forward to working with them. He announced fundraisers, being held by various groups, and their details. He then announced various events that the Friends of Linden were holding at the Library and their details. Mr. Medina also spoke about the Linden Library’s new website.

Mr. Medina spoke about the Technology Committee and moving forward with installing cameras in key areas around the City as proposed by Mr. Brown and Mayor Armstead. Next he spoke about the snow storm, the thirty inches of snow and the amazing job done by the DPW crew. He next talked about wellness. He urged all to be on the lookout for neighbors, who may be experiencing health issues and not going to the doctors, to keep on top of them and urge them to go. Mr. Medina spoke about the recent passing of a neighbor that led to his previous statement.

**Tenth Ward**

Mrs. Hickey thanked all those who came out for the Linden Housing Authority’s Casino night, and how big of a success it was. Next she spoke about the trimming of trees and that there is a list running. She urged those, with tree issues, to contact her so that their name can be added to the list. Next she spoke about the recent snow storm, the calls from the residents, and thanked the employees for their efforts. Mrs. Hickey then spoke about the efforts to address the issues, in Public Works, that hampered snow removal. She then related her experiences, in driving around with DPW workers, and how they were treated by the residents. The behavior was unacceptable. She then talked about the need to come together and work together.

Mrs. Hickey spoke about the selection of roads, in the Tenth Ward, for paving projects and waiting to see which streets the water and gas companies would be digging up and repaving. She announced that PSE&G crews are out in the Tenth Ward trimming trees. She asked for the cooperation of residents with the work. Mrs. Hickey announced that the Union County St. Patrick’s Day Parade would be held on Saturday, March 12, 2016, in Union Township. Mrs. Hickey announced details on a fundraiser that two Linden City Employees would be hosting, and its purpose.

**MAYOR’S REPORT**

Mayor Armstead spoke about the tremendous snow storm that had hit Linden and how easy it is to play Monday morning quarterback. He noted that the storm gave the opportunity to see the areas where we are lacking and discuss how to fix them. He noted that the buck stops with him, and that he is willing to take that type of criticism. He spoke about the need to learn from this and correct those deficiencies. He noted the lack of resources in the Department of Public Works and how they are being addressed. Next he spoke about the need to remove vehicles from the streets and drafting ordinances to accomplish that. The Mayor stated that he was proud of the work done by DPW.

President Alvarez thanked the DPW workers for the work that they did during this snow storm. He spoke about, how as an individual, how hard it was to keep his property cleared during a storm of this magnitude. He then gave the report of the Engineering Committee and spoke about the paving of streets throughout the City.

President Alvarez acknowledged Mrs. Cosby-Hurling not only as the person in Linden who started a program to acknowledge individuals for Black History Month, but also individuals of Latino descent and Women. He noted that she was the first African American woman to serve on the Linden City Council. The Council President called upon Chief Dooley to provide an update on the establishment of a quite zone for the residents of Tremely Point. The Chief did so. Mr. Alvarez thank the Chief for all of his efforts.

**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.**

President Alvarez asked if anyone wanted to remove a resolution for comment.

Virginia Malik removed resolutions #2016-87, 2016-93, 2016-97, 2016-102 2016-126 and 2016-128. .

John Roman removed resolution 2016-96.

Mr. Brown moved for approval of Resolutions 2016-85 through 2016-130 with the exception of #2016-87, 2016-93, 2016-96, 2016-97, 2016-102 2016-126 and 2016-128. The motion was seconded by Mr. Brooks and was ordered approved by a roll call vote, with all voting in favor except Mr. Brown who abstained on 2016-91 and Mrs. Cosby-Hurling who abstained on 2016-86.

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| **CITY OF LINDEN** | | | |
| Resolution 2016-85 | | | |
| **RESOLUTION TO TRANSFER 2015 APPROPRIATIONS** | | | |
| **BE IT RESOLVED,** by the City Council of the City of Linden, County of Union, New Jersey, that the following transfers of 2015 appropriations be made in accordance with the provisions of Revised Statute 40A: 4-58. | | | |
| **CURRENT BUDGET** | | | |
| From: | Social Security System - Other Expenses | $ 37,900.00 |  |
| To: | Grant Administration - Other Expenses |  | $ 37,900.00 |
| From: | Salary Adjustment - Salaries & Wages | $ 45,000.00 |  |
| To: | Mayor's Office - Salaries & Wages |  | $ 3,000.00 |
| To: | City Clerk - Salaries & Wages |  | $ 5,000.00 |
| To: | Purchasing - Salaries & Wages |  | $ 7,000.00 |
| To: | Financial Administration - Salaries & Wages |  | $ 5,000.00 |
| To: | Assessment of Taxes - Salaries & Wages |  | $ 7,000.00 |
| To: | Personnel/Human Resources - Salaries & Wages |  | $ 8,000.00 |
| To: | Legal Services & Costs - Salaries & Wages |  | $ 2,000.00 |
| To: | Engineering Services & Costs - Salaries & Wages |  | $ 5,000.00 |
| To: | Dept of Community Service - Salaries & Wages |  | $ 3,000.00 |
|  | Total Transfers Needed: | $ 82,900.00 | $ 82,900.00 |

**RESOLUTION: 2016-86**

**A RESOLUTION DECLARING SATURDAY, MAY 21, 2016 AS KIDS TO PARK DAY**

WHEREAS, May 21st, 2016 is the sixth Kids to Parks Day organized and launched by the National Park Trust; and

WHEREAS, Kids to Parks Day empowers kids and encourages families to get outdoors and visit America’s parks; and

WHEREAS, it is important to introduce a new generation to our nation’s parks because of the decline in Park attendance over the last decades; and

WHEREAS, we should encourage children to lead a more active lifestyle to combat the issues of childhood obesity, diabetes depression, hypertension and hypercholesterolemia; and

WHEREAS, Kids to Parks Day is open to all children and adults across the country to encourage a large and diverse group of participants; and

WHEREAS, The first annual Kids to Parks Day will be hosted by Rhashonna Cosby Civic Association in an attempt to broaden children’s appreciation for nature and the outdoors in the City of Linden; and

NOW THEREFORE, the Mayor and Council of the City of Linden does hereby recognize RHASHONA COSBY CIVIC ASSOCIATION FOR ORGANIZING AND ENCOURAGING participation in Kids to Parks Day and urge residents of Linden to make time on May 21st, 2016 to take the children in their lives to a neighborhood, state or national park.

**RESOLUTION: 2016-87**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDEN, COUNTY OF UNION, NEW JERSEY AUTHORIZING THE PLANNING BOARD TO INVESTIGATE WHETHER THE PROPERTY COMMONLY KNOWN AS BLOCK 469, LOTS 38.01, 38.02, 38.03 AND 38.04 ON THE TAX MAP OF THE CITY SHOULD BE DESIGNATED AS AN AREA IN NEED OF REDEVELOPMENT PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A*. 40A:12A-1, *et seq.***

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

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

**WHEREAS,** the City Council believes it is in the best interest of the City that an investigation occur with respect to certain parcels within the City and therefore authorizes and directs the Planning Board to conduct an investigation of the property commonly known as Block 469, Lots 38.01, 38.02, 38.03 and 38.04 on the tax map of the City (the “**Study Area**”) as depicted on the map attached hereto as *Exhibit A*, to determine whether the Study Area meets the criteria set forth in the Redevelopment Law, specifically  *N.J.S.A.* 40A:12A-5, and should be designated as an area in need of redevelopment; and

**WHEREAS**, if the Planning Board determines to recommend that the Study Area should be designated as an area in need of redevelopment, pursuant to Section 7(f) of the Redevelopment Law, the City Council requests that the Planning Board also prepare a redevelopment plan for the Study Area and submit same to the Municipal Council for its consideration; and

**WHEREAS,** the redevelopment area determination requested hereunder authorizes the City and City Council to use all those powers provided by the Redevelopment Law for use in a redevelopment area, other than the power of eminent domain (a “**Non-Condemnation Redevelopment Area**”).

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

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

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

Section 3. As part of its investigation, the Planning Board shall prepare a map showing the boundaries of the Study Area and the location of the parcel contained therein, and appended thereto shall be a statement setting forth the basis of the investigation.

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

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

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

Section 7. If the Planning Board recommends the Study Area be designated as a Non-Condemnation Redevelopment Area, the Planning Board is further directed to prepare a redevelopment plan for the Study Area pursuant to Section 7(f) of the Redevelopment Law. Upon completion of the redevelopment plan, the Planning Board shall transmit the plan to the City Council for its consideration.

Section 8. This Resolution shall take effect immediately.

Virginia Malik, 1633 Lenape Rd. Ms. Malik stated she understood the reasons for the other resolutions regarding the declaration of other properties an area in need of redevelopment, but not this one and asked for an explanation. Mr. Bodek responded that it was the request of developer to do that. (See vote after Resolution 2016-128)

**RESOLUTION: 2016-88**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDEN, COUNTY OF UNION, NEW JERSEY AUTHORIZING THE PLANNING BOARD TO INVESTIGATE WHETHER THE PROPERTY COMMONLY KNOWN AS BLOCK 421, LOTS 6, 7, 8, 9, 10, 11, 12, 13, 14 AND 15.01 ON THE TAX MAPS OF THE CITY SHOULD BE DESIGNATED AS AN AREA IN NEED OF REDEVELOPMENT PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A*. 40A:12A-1, *et seq.***

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

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

**WHEREAS,** the City Council believes it is in the best interest of the City that an investigation occur with respect to certain parcels within the City and therefore authorizes and directs the Planning Board to conduct an investigation of the property commonly known as Block 421, Lots 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15.01 on the tax map of the City(hereinafter the “**Study Area**”), to determine whether the Study Area meets the criteria set forth in the Redevelopment Law, specifically  *N.J.S.A.* 40A:12A-5, and should be designated as an area in need of redevelopment; and

**WHEREAS**, if the Planning Board determines to recommend that the Study Area should be designated as an area in need of redevelopment, pursuant to Section 7(f) of the Redevelopment Law, the City Council requests that the Planning Board also prepare a redevelopment plan for the Study Area and submit same to the City Council for its consideration; and

**WHEREAS,** the redevelopment area determination requested hereunder, in connection with the Study Area, authorizes the City and City Council to use all those powers provided by the Redevelopment Law for use in a redevelopment area, not including the power of eminent domain (hereinafter referred to as a “**Non-condemnation Redevelopment Area**”).

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

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

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

Section 3. As part of its investigation, the Planning Board shall prepare a map showing the boundaries of the Study Area and the location of the parcels contained therein, and appended thereto shall be a statement setting forth the basis of the investigation.

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

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

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

Section 7. If the Planning Board recommends the Study Area be designated as a Non-condemnation Redevelopment Area, the Planning Board is further directed to prepare a redevelopment plan for the Study Area, pursuant to Section 7(f) of the Redevelopment Law. Upon completion of the redevelopment plan, the Planning Board shall transmit the plan to the City Council for its consideration.

Section 8. This Resolution shall take effect immediately.

**RESOLUTION: 2016-89**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDEN, COUNTY OF UNION, NEW JERSEY AMENDING RESOLUTION 2015-426 AUTHORIZING THE PLANNING BOARD TO INVESTIGATE WHETHER THE PROPERTY COMMONLY KNOWN AS BLOCK 288, LOTS 3, 4.01, 4.02, 8.01, 9, 10 AND 12 AND BLOCK 321, LOTS 1, 2, 3, 4, 5, 7 AND 8 ON THE TAX MAP OF THE CITY SHOULD BE DESIGNATED AS AN AREA IN NEED OF REDEVELOPMENT PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A*. 40A:12A-1, *et seq.***

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

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

**WHEREAS,** at the direction of the City Council, the Planning Board previously conducted a preliminary investigation to determine whether the property commonly known as Block 288, Lots 1, 2, 13, 14 and 15 and Block 254, Lots 12 and 13 on the tax map of the City, as well as the vacated portion of Lumber Street now known as Block 254, Lot 16 (together, the “**Prior Study Area**”) meets the criteria set forth in the Redevelopment Law for designation as an area in need of redevelopment; and

**WHEREAS,** the Planning Board found that the properties in the Prior Study Area meet criteria necessary for designation as an area in need of redevelopment under the Redevelopment Law and it therefore recommended that the City Council so designate the Prior Study Area; and

**WHEREAS,** on December 16, 2015, the City Council adopted resolution 2015-426 directing the Planning Board to conduct an investigation of the property commonly known as Block 288, Lots 3, 4.01, 4.02, 8.01, 9, 10 and 12 on the tax map of the City (the “**Expanded Area**”), to determine whether the Expanded Area meets the criteria set forth in the Redevelopment Law, specifically  *N.J.S.A.* 40A:12A-5, and should be designated as an area in need of redevelopment; and

**WHEREAS,** the City Council believes it is in the best interest of the City that an investigation occur with respect to certain additional parcels within the City and therefore amends resolution 2015-426 and authorizes and directs the Planning Board to conduct an investigation of the property commonly known as Block 288, Lots 3, 4.01, 4.02, 8.01, 9, 10 and 12 and Block 321, Lots 1, 2, 3, 4, 5, 7 and 8 on the tax map of the City (hereinafter the “**Additional Study Area**”), to determine whether the Additional Study Area meets the criteria set forth in the Redevelopment Law, specifically  *N.J.S.A.* 40A:12A-5, and should be designated as an area in need of redevelopment; and

**WHEREAS**, if the Planning Board determines to recommend that the Additional Study Area should be designated as an area in need of redevelopment, pursuant to Section 7(f) of the Redevelopment Law, the City Council requests that the Planning Board also prepare a redevelopment plan for the Study Area and the Additional Study Area and submit same to the City Council for its consideration; and

**WHEREAS,** the redevelopment area determination requested hereunder, in connection with the Additional Study Area, authorizes the City and City Council to use all those powers provided by the Redevelopment Law for use in a redevelopment area, not including the power of eminent domain (hereinafter referred to as a “**Non-condemnation Redevelopment Area**”).

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

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

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

Section 3. As part of its investigation, the Planning Board shall prepare a map showing the boundaries of the Additional Study Area and the location of the parcels contained therein, and appended thereto shall be a statement setting forth the basis of the investigation.

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

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

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

Section 7. If the Planning Board recommends the Additional Study Area be designated as a Non-condemnation Redevelopment Area, the Planning Board is further directed to prepare a redevelopment plan for the Study Area and the Additional Study Area, pursuant to Section 7(f) of the Redevelopment Law. Upon completion of the redevelopment plan, the Planning Board shall transmit the plan to the City Council for its consideration.

Section 8. This Resolution shall take effect immediately.

**RESOLUTION: 2016-90**

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

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

**WHEREAS,** to determine whether certain parcels of land in the City of Linden (the “**City**”) constitute an area in need of redevelopment, the City’s municipal council (the “**City Council**”), by way of a resolution adopted October 20, 2015, authorized and directed the Planning Board of the City (the “**Planning Board**”) to conduct a preliminary investigation to determine whether the property commonly known as Block 288, Lots 1, 2, 13, 14 and 15 and Block 254, Lots 12 and 13 on the tax map of the City, as well as the vacated portion of Lumber Street now known as Block 254, Lot 16 (together, the “**Study Area**”) meets the criteria set forth in the Redevelopment Law for designation as an area in need of redevelopment; and

**WHEREAS,** the aforesaid resolution authorized the Planning Board to investigate the Study Area as a Condemnation Redevelopment Area (as defined in *N.J.S.A.* 40A:12A-6(a) of the Redevelopment Law), within which the City may use all of those powers provided under the Redevelopment Law for use in a redevelopment area, including the power of eminent domain; and

**WHEREAS,** Ricci Planning (the “**Planning Consultant**”) was engaged to conduct a preliminary investigation and prepare a written report for review by the Planning Board concerning whether the Study Area should be designated an area in need of redevelopment; and

**WHEREAS,** the Planning Board received an investigative report from the Planning Consultant entitled “Redevelopment Study and Preliminary Investigation Report, Block 288, Lots 1, 2, 13, 14 and 15; Block 254, Lots 12 and 13; and, the vacated portion of Lumber Street” and dated November 17, 2015 (the “**Report**”), concerning the determination of the Study Area as an area in need of redevelopment; and

**WHEREAS**, on December 8, 2015, the Planning Board, after providing due notice, conducted a public hearing in accordance with the Redevelopment Law at which it reviewed the Report, heard testimony from the Planning Consultant and determined that the Study Area qualified as an area in need of redevelopment and thereat adopted a resolution recommending that the City Council designate the Study Area as an area in need of redevelopment pursuant to the criteria and requirements of the Redevelopment Law; and

**WHEREAS,** the City Council has determined that, based upon the recommendation of the Planning Board, the Study Area should be designated an area in need of redevelopment under the Redevelopment Law, with such designation authorizing the City and City Council to use all those powers provided by the Redevelopment Law for use in a redevelopment area, including the power of eminent domain.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Linden as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The recommendations and conclusions of the Planning Board are hereby accepted by the City Council.
3. Based upon the findings and recommendations of the Planning Board, the Study Area is hereby designated an area in need of redevelopment inclusive of the power of eminent domain, pursuant to the provisions of Sections 5 and 6 of the Redevelopment Law (the “**Condemnation Redevelopment Area**”).
4. The City Clerk is hereby directed to transmit a copy of this Resolution to the Commissioner of the New Jersey Department of Community Affairs for review pursuant to Section 6(b)(5)(c) of the Redevelopment Law.
5. The City Clerk is hereby directed to serve, within ten (10) days hereof, a copy of this Resolution upon (i) all record owners of property located within the Condemnation Redevelopment Area, as reflected on the tax assessor’s records, and (ii) each person who filed a written objection prior to the hearing held by the Planning Board, service to be in the manner provided by Section 6 of the Redevelopment Law.
6. This Resolution shall take effect immediately.

**RESOLUTION: 2016-91**

**RESOLUTION AUTHORIZING AN AMENDMENT TO THE AGREEMENT APPOINTING EDWARD KOLOGI, ESQ OF THE FIRM KOLOGI-SIMITZ**

**WHEREAS,** the City Council of the City of Linden passed Resolution No. 2014-177 on April 15, 2014 retaining the services of Edward Kologi, Esq. of Kologi-Simitz to represent Councilman Peter Brown in the matter relating to charges filed by the Local Ethics Board in the Department of Community Affairs; and

**WHEREAS,** because of the ongoing nature of the services in this matter, there is a need for additional funds not to exceed $2,000.00 for legal services relative to the aforesaid matter; and

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

**WHEREAS**, Kologi-Simitz submitted a qualification to the City and has qualified for the aforesaid services for 2016; and

**WHEREAS,** inclusive of these additional funds the total expenditures paid to date to Edward Kologi, Esq. for services rendered under the original or substantially related contract is $11,798.37.00; and

**WHEREAS,** the Chief Financial Officer or her designee has certified to the availability of funds for this purpose, to be charged to Account No. 6-01-20-155-123-255;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that they do hereby approve the additional amount not to exceed $2,000.00 for services rendered by Kologi-Simitz.; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary amendatory contract documents between Kologi-Simitz and the City of Linden; and

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

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

**RESOLUTION**: **2016-92**

**RESOLUTION AMENDING A CONTRACT WITH T&M ASSOCIATES FOR THE COMPLIANCE ISSUES RELATIVE TO THE LANDFILL ACO FOR 2013**

**WHEREAS,** the City Council of the City of Linden passed a resolution on June 18, 2013, No. 2013-240, retaining the services of a consultant for compliance issues relative to the ACO for 2013; and

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

**WHEREAS,** T&M Associates, 11 Tindall Road, Middletown, New Jersey 07748 submitted a qualification to the City and has qualified for the aforesaid service for 2016; and

**WHEREAS,** due to the ongoing nature of various work, for redesign and inspection services, it is necessary to provide for additional funds not to exceed $1,560.74; and

**WHEREAS,** inclusive of these additional funds the total expenditures paid to date to T&M Associates for services rendered under the original or substantially related contract is $65,876.74; and

**WHEREAS,** the Chief Financial Officer has certified to the availability of funds for this purpose, to be charged to Account No. C-04-55-907-523-919;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that the agreement for Professional Services awarded to T&M Associates, 11 Tindall Road, Middletown, New Jersey, is hereby amended to increase the contract an additional sum of $1,560.74, for a total contract of $65,876.74; and

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

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

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

**RESOLUTION: 2016-93**

**RESOLUTION APPROVING A CONTRACT TO CME ASSOCIATES FOR THE SAMPLING AND ANALYSIS OF WELLS AND PIEZOMETERS, AIR PERMITTING AND REPORTING LEACHATE MONITORING AND ACO COMPLIANCE SERVICES AT THE LINDEN LANDFILL FOR THE YEAR 2016**

**WHEREAS**, there exists a need for consulting services for various services at the City of Linden Landfill: and

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

**WHEREAS**, CME Associates, submitted a qualification to the City and has qualified for the aforesaid services for 2016; and

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

**WHEREAS**, the Chief Financial Officer has certified to the availability of funds for this purpose, to be charged to Account No. C-04-55-907-523-919;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** that a contract for Professional Services be and hereby is awarded to CME Associates, 3759 Highway 1 South, Suite 100, Monmouth Junction, New Jersey 08852, at a fee not to exceed $110,000.00 in accordance with their proposal dated February 3, 2016; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary contract agreements between CME Associates and the City of Linden; and

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk be and hereby are empowered and directed to execute a contract with CME Associates to effectuate the foregoing; and

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

Virginia Malik, 1633 Lenape Rd. Ms. Malik stated that this was part of annual work that needed to be done at the landfill, and asked for confirmation. The response was affirmative. (See vote after Resolution 2016-128).

**RESOLUTION: 2015-94**

**RESOLUTION AUTHORIZING THE CITY ENGINEER TO ACT AS THE CITY’S COUNCIL REPRESENTATIVE IN CONSENTING TO VARIOUS BUSINESSES SUBMITTING APPICATIONS TO THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**WHEREAS,** Businesses in the City of Linden have to periodically submit applications to the New Jersey Department of Environmental Protection (“NJDEP”); and

**WHEREAS,** said applications require the consent of the Governing Body; and

**WHEREAS,** the City Engineer reviews all applications to ensure conformance with the requirements of all City ordinances.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN,** that George R. Vircik, City Engineer, or his successor, is hereby authorized as the representative of the City of Linden to fulfill all requirements of the application.

**BE IT FURTHER RESOLVED** that all applications shall be reported to the Engineering Committee and shall require no funds to be expended by the City.

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| **CITY OF LINDEN** | | |
| **RESOLUTION: 2016-95** | | |
| **TO CLOSE BUILDERS/DEVELOPERS ESCROW ACCOUNTS** | | |
| **WHEREAS**, the City of Linden hereby authorizes the cancellation of various builders/developers | | |
| escrow accounts, | | |
| **WHEREAS**, there remains builders/developers balances which can now be cancelled, | | |
| **NOW, THEREFORE, BE IT RESOLVED** that the following balances are hereby cancelled | | |
| as set forth herein: | | |
| **Escrow Account** | **Appropriation** | **Appropriation Balance** |
| Thomas Tropeano #043-09 | T-17-55-800-999-043 | 750.00 |
| The Bobby Corp. #712 | T-17-55-800-999-112 | 1,250.00 |
| J & N Szostak #575 | T-17-55-800-999-575 | 160.00 |
| J & M Coelho #596-01 | T-17-55-800-999-596 | 250.00 |
| Vasco Cruz #597 | T-17-55-800-999-597 | 250.00 |
| Exxon Mobil Corporation #615-03 | T-17-55-800-999-615 | 250.00 |
| Bayway Lumber #617-03 | T-17-55-800-999-617 | 138.00 |
| SP Construction & Sons #627-04 | T-17-55-800-999-627 | 250.00 |
| David Snyder #645-05 | T-17-55-800-999-645 | 112.00 |
| T/A Fishkin Construction #649-05 | T-17-55-800-999-649 | 137.00 |
| Gennardo/Schaffer #651-05 | T-17-55-800-999-651 | 207.00 |
| PD Homes #655-06 | T-17-55-800-999-655 | 207.00 |
| Edwin Gergich #659-06 | T-17-55-800-999-659 | 275.00 |
| Roman Fasman #660-06 | T-17-55-800-999-660 | 275.00 |
| Jakub Hadjuk #661-06 | T-17-55-800-999-661 | 275.00 |
| Phillip Principato #664-07 | T-17-55-800-999-664 | 175.00 |
| Boguslaw Jamroz #667-07 | T-17-55-800-999-667 | 125.00 |
| Pippin Enter. LTD #668-07 | T-17-55-800-999-668 | 200.00 |
| Letini & Sons #669-07 | T-17-55-800-999-669 | 200.00 |
| K&J Niemczyk #671-07 | T-17-55-800-999-671 | 300.00 |
| K&J Niemczyk #672-07 | T-17-55-800-999-672 | 200.00 |
| PD Homes St. Pauls Church #673-07 | T-17-55-800-999-673 | 150.00 |
| Helen Szuba #674-07 | T-17-55-800-999-674 | 300.00 |
| Thomas Krutis #678-08 | T-17-55-800-999-678 | 300.00 |
| Edyta Bosak #679-08 | T-17-55-800-999-679 | 30.00 |
| Peter Matlosz #682-08 | T-17-55-800-999-682 | 525.00 |
| Earth Care Systems Inc #743-97 | T-17-55-800-999-743 | 750.00 |
| U-Haul International #758-97 | T-17-55-800-999-758 | 17.50 |
| Exxon #759-98 | T-17-55-800-999-759 | 1,000.00 |
| McDonalds #761-97 | T-17-55-800-999-761 | 1,000.00 |
| Starwood Ceruzzi #802-00 | T-17-55-800-999-802 | 1,001.00 |
| Tremley Point Marine Terminals #813-99 | T-17-55-800-999-813 | 1,000.00 |
| Constore LLC #826 | T-17-55-800-999-826 | 982.00 |
| AMS Transfer Station #851 | T-17-55-800-999-851 | 1,000.00 |
| AT&T Wireless #853 | T-17-55-800-999-853 | 1,000.00 |
| TAT Enterprises #861-03 | T-17-55-800-999-861 | 775.00 |
| Paul Sanchez #865-03 | T-17-55-800-999-865 | 775.00 |
| Good Life & Sons #867-03 | T-17-55-800-999-867 | 1,000.00 |
| Hartz Mountain #869-03 | T-17-55-800-999-869 | 725.00 |
| Home Depot #871 | T-17-55-800-999-871 | 1,000.00 |
| Andy's Cycle Shop #876-04 | T-17-55-800-999-876 | 138.00 |
| T-mobile Communications #877-04 | T-17-55-800-999-877 | 750.00 |
| K & K Developers #879-04 | T-17-55-800-999-879 | 24.00 |
| Linden Route One Assoc #885-05 | T-17-55-800-999-885 | 1,424.75 |
| Merck & Company #886-04 | T-17-55-800-999-886 | 1,000.00 |
| Starwood Ceruzzi #888 | T-17-55-800-999-888 | 500.00 |
| Car Stop Inc. #890-04 | T-17-55-800-999-890 | 1,000.00 |
| Morris Company #894-05 | T-17-55-800-999-894 | 8.00 |

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| --- | --- | --- |
| Sprint Spectrum #895-05 | T-17-55-800-999-895 | 839.00 |
| Omnipoint Communications #896-05 | T-17-55-800-999-896 | 1,000.00 |
| Sprint /Sector #898-05 | T-17-55-800-999-898 | 1,000.00 |
| Merek & Maria Lewandowski #899-05 | T-17-55-800-999-899 | 908.00 |
| Sprint Spectrum #900-05 | T-17-55-800-999-900 | 1,000.00 |
| Nobel Equipment #901-05 | T-17-55-800-999-901 | 909.00 |
| Peter Matlosz #902-05 | T-17-55-800-999-902 | 908.00 |
| Starwood Ceruzzi #904-05 | T-17-55-800-999-904 | 1,000.00 |
| General Magnaplate #906-05 | T-17-55-800-999-906 | 863.00 |
| Dupont #907-05 | T-17-55-800-999-907 | 725.00 |
| Habibram Cajuste #911-05 | T-17-55-800-999-911 | 863.00 |
| Principle Management #912-05 | T-17-55-800-999-912 | 1,000.00 |
| Blancke Realty Associates #913-05 | T-17-55-800-999-913 | 361.00 |
| Legend Enterprises #916-05 | T-17-55-800-999-916 | 1,000.00 |
| The Morgan Development Corp #921-06 | T-17-55-800-999-921 | 909.00 |
| Michael Percario #923-06 | T-17-55-800-999-923 | 909.00 |
| Carmine & Maria Cianfano #924-08 | T-17-55-800-999-924 | 1,000.00 |
| Linden Yellow Cab #928-08 | T-17-55-800-999-928 | 500.00 |
| Rt 1 Associates (K&K) #935 | T-17-55-800-999-935 | 259.25 |
| John Principato #943-07 | T-17-55-800-999-943 | 300.00 |
| IJAS LLC J. Pogorzelski #945 | T-17-55-800-999-945 | 700.00 |
| West Blancke LLC #948-07 | T-17-55-800-999-948 | 1,224.05 |
| John Urda #951-07 | T-17-55-800-999-951 | 1,000.00 |
| Banquet Hall #955-08 | T-17-55-800-999-955 | 609.00 |
| Ziu Mei Zheng #961-08 | T-17-55-800-999-961 | 3,400.00 |
| Linden Development (Bohler) #967-09 | T-17-55-800-999-967 | 99.26 |
| Sarah Cobb #976 | T-17-55-800-999-976 | 300.00 |
| Park Avenue At Linden #982-09 | T-17-55-800-999-982 | 927.00 |
| Linden Transload #986-09 | T-17-55-800-999-986 | 4,425.00 |
| Route 1 PW LLC #988-09 | T-17-55-800-999-988 | 5,400.50 |
| Marine Oil Services #989-09 | T-17-55-800-999-989 | 150.00 |
| Linden Development #992-09 | T-17-55-800-999-992 | 10.00 |
| Advanced Solar Products #993-09 | T-17-55-800-999-993 | 8,195.00 |
| Linden Development #995-10 | T-17-55-800-999-995 | 2,492.25 |
| Avi & Ruth Mazor #996-10 | T-17-55-800-999-996 | 2.50 |
| Deephet Enterprizes #998-10 | T-17-55-800-999-998 | 425.00 |
|  | **TOTAL** | **$ 69,774.06** |
| **NOW, THEREFORE, BE IT RESOLVED** that the City of Linden performance bond | | |
| appropriations are to be cancelled. | | |

**RESOLUTION: 2016-96**

**RESOLUTION APPROVING AN ALTERNATE MEMBER TO THE**

**ZONING BOARD OF ADJUSTMENT**

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

That **JOHN FRANCIS ROMAN,** residing in the City of Linden, New Jersey, be and he hereby is appointed as Alternate Member No. 1 of the Zoning Board of Adjustment of the City of Linden, which commences January 1, 2016 and terminates December 31, 2017, until his successor is duly appointed and qualifies.

Alternate members may participate in discussions of the proceedings but may not vote except in the absence or disqualification of a regular member. A vote shall not be delayed in order that a regular member may vote instead of an alternate member. In the event that a choice must be made as to which alternate member is to vote, Alternate No. 1 shall vote.

No member or alternate member shall be permitted to act on any matter in which he has directly or indirectly any personal or financial interest.

These appointments are made in accordance with Chapter 216, Laws of New Jersey, 1979 (N.J.S.A. 40:55D-69).

All resolutions or ordinances or parts thereof which are inconsistent with the provisions of this resolution are hereby repealed to the extent of such inconsistency.

This resolution shall take effect immediately.

John Francis Roman, 15 W. Linden Ave., Unit 2. Mr. Roman thanked the members of Council for allowing him to serve on the Zoning Board, for the last year, and re-appointing him this evening. He noted the service is very rewarding and satisfying.

Mr. Brown moved for approval of resolution #2016-96. The motion was seconded by Mr. Brooks and was unanimously ordered approved by a roll call vote.

**RESOLUTION: 2016-97**

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

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

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

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

**WHEREAS**, Ricci Planning submitted a qualification to the City and has qualified for the aforesaid services for 2016; and

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

**WHEREAS,** the Chief Financial Officer has certified to the availability of funds for this purpose, to be charged to Account No. 6-01-20-155-123-255;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that a contract for Professional Services be and hereby is awarded to RicciPlanning, 10 Georgian Drive, at a fee not to exceed $17,500.00, in accordance with their proposal dated November 5, 2015 ; and

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

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk be and hereby are empowered and directed to execute a contract with RicciPlanning to effectuate the foregoing; and

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

Virginia Malik, 1633 Lenape Rd. In response to Ms. Malik, Mr. Antonelli explained what the on call planning services were and why it was needed. (See vote after Resolution 2016-128)

**RESOLUTION: 2016-98**

**RESOLUTION APPROVING A CONTRACT WITH KEY TECH FOR TESTING AND INSPECTION OF MATERIALS FOR ANNUAL CONSTRUCTION PROGRAM FOR 2016**

**WHEREAS,** there exists a need for the testing and inspection of materials, under the supervision of a professional engineer, relative to the City of Linden’s annual construction program for 2016; and

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

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

**WHEREAS**, Key Tech submitted a qualification to the City and has qualified for the aforesaid services for 2016; and

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

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that a contract for Professional Services be and hereby is awarded to Key Tech, 210 Maple Place, P.O. Box 48, Keyport, New Jersey 07735, at a fee not to exceed $10,000.00, in accordance with their proposal dated November 2, 2015, ; and

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

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

**RESOLUTION: 2016-99**

**RESOLUTION APPROVING A CONTRACT WITH REMINGTON & VERNICK & ARANGO ENGINEERS FOR MAINTAINING TAX MAPS FOR THE YEAR 2016**

**WHEREAS**, the City Council of the City of Linden has determined that it would be in the best interests of the City of Linden to retain the services of a licensed land surveyor to maintain and update the Tax Maps for 2016 in accordance with N.J.A.C. 18:23A-1.27; and

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

**WHEREAS**, Remington & Vernick & Arango Engineers submitted a qualification to the City and has qualified for the aforesaid services for 2016; and

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

**WHEREAS**, the Chief Financial Officer or his designee has certified to the availability of funds for this purpose, to be charged to Account No. 6-01-20-165-124-255;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that a contract for Professional Services be and hereby is awarded to Remington & Vernick & Arango Engineers, The Presidential Center, Lincoln Building, Suite 130, 101 Route 130, Cinnaminson, New Jersey 08077, in an amount not to exceed $2,000.00, in accordance with their proposal dated November 3, 2015; and

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

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

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

**RESOLUTION: 2016-100**

**RESOLUTION FOR APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH UNION COUNTY FOR MATCHING FUNDS FOR THE IMPROVEMENTS TO W. HENRY STREET**

**WHEREAS,** Union County has provided $1,500,000.00 in matching funds for the improvement of municipal infrastructure; and

**WHEREAS,** W. Henry Street, from Wood Avenue to Stiles Street has deteriorated to a point of being unsafe to the traveling public; and

**WHEREAS**, a cost for said improvement has been estimated at $350,000.00;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** formally approves the grant application for the above stated project in the amount of $175,000.00; and

**BE IT FURTHER RESOLVED** that the Mayor and City clerk are hereby authorized to submit an electronic grant application to Union County on behalf of the City of Linden; and

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

**RESOLUTION: 2016-101**

**A RESOLUTION APPROVING THE AGREEMENT**

**DATED JANUARY 1, 2016 BETWEEN THE CITY OF LINDEN**

**AND VISITING NURSE AND HEALTH SERVICES, AND**

**AUTHORIZING THE EXECUTION ON BEHALF OF THE CITY**

**OF LINDEN**

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

That the Agreement dated the First day of January, 2016 between the City of Linden as the first party and Visiting Nurse and Health Services as the second party submitted by the Department of Community Services with the request that same be executed and that same hereby is approved and authorized to be executed on behalf of the City of Linden in the usual manner.

**RESOLUTION: 2016-102**

**RESOLUTION**

**TEMPORARY CAPITAL BUDGET FOR 2016**

**WHEREAS,** the City of Linden desires to introduce the 2016 Temporary Capital budget of said municipality.

**NOW, THEREFORE, BE IT RESOLVED** that the Council of the City of Linden introduces the 2016 Temporary Capital Budget follows:

**Section 1.** The 2016 Temporary Capital Budget of the City of Linden is hereby introduced to read as follows:

**METHOD OF FINANCING**

**Est. Budget Capital Grant Debt**

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

Various Streets Resurfacing $2,640,000.00 $2,640,000.00 $ 132,000.00 $ 2,508,000.00

(Including 2 parking lots)

**Section 2.** The Clerk be and is authorized and directed to file a certified copy of this resolution with the Division of Local Government Services, Department of Community Affairs, State of New Jersey, within three days after the adoption of these projects for 2016 Capital Budget, to be included in the 2016 Capital Budget as adopted.

Virginia Malik, 1633 Lenape Rd. In response to Ms. Malik, Mr. Brown explained that it was debt authorized, not a grant in aide. (See vote after Resolution 2016-128)

**RESOLUTION: 2016-103**

**RESOLUTION APPROVING A SHARED SERVICES AGREEMENT FOR PURCHASING AGENT WITH THE LINDEN HOUSING AUTHORITY**

**WHEREAS,** the Linden Housing Authority is in need of a Purchasing Agent; and

**WHEREAS,** the City of Linden has the ability to provide said services to the Linden Housing Authority; and

**WHEREAS,** the Linden Housing Authority will reimburse the City the total amount of fees related to bids held for the Linden Housing Authority including but not limited to publishing and paper fees for said services;

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**

**CITY OF LINDEN** as follows:

1. That the Mayor and City Clerk be and hereby are directed and authorized

to execute a Shared Services Agreement with the Linden Housing Authority as aforesaid upon approval of the 1:,aw Department.

1. The Linden Housing Authority shall reimburse the City of Linden for the total amount of fees related to bids held for the Linden Housing Authority including but not limited to publishing and paper fees.
2. This agreement shall automatically renew unless either party terminates same given sixty (60) days notice.
3. This Resolution shall take effect immediately.

This Resolution shall be published as required by law.

**RESOLUTION:** **2016-104**

**RESOLUTION AWARDING A CONTRACT TO ROBERT RENAUD, ESQ. OF THE FIRM PALUMBO & RENAUD FOR SPECIAL TAX COUNSEL TO FORECLOSE ON THE TAX LIEN ON BLOCK 496, LOT 3, MORE COMMONLY KNOWN AS 940 S. PARK AVENUE**

**WHEREAS,** due to the hazardous dilapidation of Block 496, Lot 3, more commonly known as 940 S. Park Avenue, the City Council of the City of Linden has determined that it is necessary retain the services of Special Tax Counsel to assist with the foreclosure on the tax lien for the aforementioned property; and

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

**WHEREAS**, Robert Renaud, Esq. of the firm Palumbo & Renaud submitted a qualification to the City and has qualified for the aforesaid services for 2016; and

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

**WHEREAS,** the Chief Financial Officer or his designee has certified to the availability of funds for this purpose, to be charged to Account No. 6-01-20-155-123-255;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that a contract for Professional Services be and hereby is awarded to Robert Renaud, Esq. of the firm Palumbo & Renaud, 190 North Avenue East, Cranford, New Jersey 07016, at a fee not to exceed $3,500.00;

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

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk be and hereby are empowered and directed to execute said agreement with Palumbo & Renaud to effectuate the foregoing; and

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

**RESOLUTION:2016-105**

**RESOLUTION APPOINTING ALBERT CETRONI**

**A MEMBER OF THE HOUSING AUTHORITY OF**

**THE CITY OF LINDEN**

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

Section 1. That **ALBERT CETRONI** residing at 706 Exeter Road, in the City of Linden, shall be and he hereby is appointed a member of the Housing Authority of the City of Linden to serve a five year term beginning October 15, 2015, and terminating October 14, 2020 or until his successor shall have been appointed and shall have qualified.

Section 2. This appointment is made pursuant to the Ordinance of the City of Linden entitled, "An Ordinance Creating the Housing Authority of the City of Linden," approved May 7, 1965, and the said member shall have and exercise all powers and duties prescribed by said ordinance and the "Local Housing Authority's Law" (N.J.S.A. 55:14A‑1 et seq.)

**RESOLUTION:2016-106**

**RESOLUTION APPROVING A CONTRACT WITH ROK INDUSTRIES, INC. d/b/a NJTaxlieninvestor.com, for internet-based electronic tax sale processing for 2016**

**WHEREAS,** there exists a need for a vendor to administer tax lien services related to ELECTRONIC TAX SALE PILOT PROGRAM for the City of Linden’s annual tax sale to be held in June of 2016; and

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

**WHEREAS**, Pursuant to N.J.S.A. 54:5-19.1(c) **ROK INDUSTRIES, INC. d/b/a NJTaxlieninvestor.com** has qualified as an eligible vendor subject to the rules and regulations promulgated by the Director of Local Government Services.

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

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that a contract for Professional Services be and hereby is awarded to **ROK INDUSTRIES, INC. d/b/a NJTaxlieninvestor.com** 306 Harlingen Road, Belle Mead, NJ 08502, at a fee not to exceed $15.00 per item listed, in accordance with their proposed contract; and **BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents between **ROK INDUSTRIES, INC. d/b/a NJTaxlieninvestor.com** 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 **ROK INDUSTRIES, INC. d/b/a**

**NJTaxlieninvestor.com** to effectuate the foregoing;

**RESOLUTION: 2016-107**

**A RESOLUTION AUTHORIZING Stacey L. carron, TAX COLLECTOR, TO COMPLETE APPLICATION TO PARTICIPATE IN ELECTRONIC TAX SALE PROCESS**

**WHEREAS**, N.J.S.A. 54:5-19, authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Government Services; and

**WHEREAS**, the Director of the Division of Local Government Services has promulgated rules and regulations for pilot programs; and

**WHEREAS**, the Director of the Division of Local Government Services has approved NJ Tax Lien Investors/RealAuction.com to conduct pilot programs; and

**WHEREAS**, the rules and regulations authorize a municipality to submit an application for participation in the pilot program for an electronic tax sale; and

**WHEREAS**, Tax Collector, Stacey L. Carron has advised that an electronic tax sale is innovative and provides a greater pool of potential lien buyers, thus creating the environment for a more complete tax sale process; and

**WHEREAS**, It is recommended that Stacey L. Carron be authorized to complete the necessary application for the City of Linden to participate in the electronic tax sale program; and

**NOW, THEREFORE, BE IT RESOLVED** **BY THE GOVERNING BODY OF THE CITY OF LINDEN** that the City of Linden wishes to participate in the pilot program for an electronic tax sale; and

**BE IT FURTHER RESOLVED** that Stacey L. Carron, Tax Collector shall and hereby is authorized to complete an application to participate in the electronic tax sale program and submit same to the Director of the Division of Local Government Services.

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

**RESOLUTION: 2016-108**

**A RESOLUTION AUTHORIZING THE CANCELATION OF TAX SALE CERTIFICATE PREMIUM MONIES**

**WHEREAS**, a tax sale certificate #12-00069 on block 92, lot 4 was sold on June 14, 2013; and

**WHEREAS**, a premium of $ 14,700.00 was paid on this certificate; and

**WHEREAS**, Stacey L. Carron, Tax Collector has verified that no redemption has taken place and the lien holder, Us Bank Cust for Phoenix has foreclosed on January 13, 2016 and recommends said premium, totaling $14,700.00, be canceled and turned over the City Treasurer.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the City of Linden that it does hereby authorize the cancellation.

**BE IT FURTHER RESOLVED** that the Clerk forward a certified true copy of this resolution to the Tax Collector and the City Treasurer.

**RESOLUTION: 2016-109**

**A RESOLUTION AUTHORIZING THE CANCELATION OF TAX SALE CERTIFICATE PREMIUM MONIES**

**WHEREAS**, a tax sale certificate #11-00073 on block 129, lot 19 was sold on October 12, 2012; and

**WHEREAS**, a premium of $ 10,000.00 was paid on this certificate; and

**WHEREAS**, Stacey L. Carron, Tax Collector has verified that no redemption has taken place and the lien holder, Isaac Moradi has foreclosed on January 6, 2016 and recommends said premium, totaling $10,000.00, be canceled and turned over the City Treasurer.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the City of Linden that it does hereby authorize the cancellation.

**BE IT FURTHER RESOLVED** that the Clerk forward a certified true copy of this resolution to the Tax Collector and the City Treasurer.

**RESOLUTION: 2016-110**

**A RESOLUTION DECLARING THE MONTH OF**

**FEBRUARY 2016 AS “BLACK HISTORY MONTH”**

**AND RECOGNIZING THE ACCOMPLISHMENTS OF**

**MARSHALL PARKER, JR.**

**WHEREAS,** the history of our nation and State is inextricably linked to the heritage of our country’s Black Americans; and

**WHEREAS,** the history of Black Americans is the story of extraordinary individuals whose achievements have set examples for citizens of all races, who dedicated their lives to creating a nation where all people are created equal; and

**WHEREAS,** in 1926, Dr. Carter Woodson, an African-American who completed his PhD from Harvard started “Negro History Week” to focus people’s attention and to bring their notice to the role and contributions of African-Americans in American history which in 1976 was changed to a full month of celebration as “Black History Month;” and

**WHEREAS,** “Black History Month” is a celebration of the community to remember all African-American who made a great change in the life and outlook of all of our citizens; and

**WHEREAS,** the history of New Jersey has been enriched by Black New Jerseyans whose achievements have set the highest standards for people of all races and is also the story of countless nameless heroes; and

**WHEREAS,** MARSHALL PARKER, JR., a Linden resident is one such individual, who has risen from his humble beginnings as part of a share cropping tenant farming family in 1936 in rural Virginia to become a recognized member of the Linden Community for forty five (45) years; and

**WHEREAS,** his teenage parents separated early in his life, forcing him to live with a cadre of various relatives; and

**WHEREAS,** during Marshall Parker, Jr. formative years he suffered unspeakable physical and mental abuse, social isolation and educational neglect, finally, at the age of twelve Marshall Parker reunited with his parents and the three of them lived in a small house on a farm; and

**WHEREAS,** despite his lack of regular attendance, he excelled academically and also in athletics, becoming an all-star baseball and basketball player and in 1955 he graduated from the now defunct Nansemond Country Training School and went to work for the Planters Peanut Company; and

**WHEREAS,** in 1960 Marshall Parker joined the great migration north, moving to Jersey City, and obtaining employment with Industrial Petro Chemicals, in Newark, where he continued to work until his enlistment in the U.S. Army; and

**WHEREAS,** during his tour of service in the U.S. Army he was recognized by the Fort Jackson Commanding General as the Outstanding Non-Commissioned Officer of the year, and was urged by his superiors to attend Officers Candidate School; and

**WHEREAS,** Marshall made the difficult decision to leave the army and return to his job at Petro Chemicals and his fiancé, Dorothy Walker; and

**WHEREAS,** two years after returning Industrial Petro Chemicals he was made Operations Manager. In 1985, after a change in ownership he left Petro and went to work at TR Metro Chemical. One month later he was made Plant Manager.

**WHEREAS,** in 1964 he married his fiancé, Dorothy Walker, and in 1970 they purchased their home in Linden; and

**WHEREAS,** in 1995 he faced personal adversity when he was diagnosed with Prostate Cancer, thinking that his world had come to an end, however he was successfully treated at Sloan Kettering Hospital and his cancer is now in remission.

**NOW THEREFORE BE IT RESOLVED** that the Mayor and Council of the City of Linden do hereby acknowledge the accomplishments of Marshall Parker, Jr. and urge all of the citizens of the City of Linden to reflect upon the many contributions that he, and many other Black Americans have made to this City, State and Nation and to participate in the activities and programs that are held in observance of “Black History Month;” and

**BE IT FURTHER RESOLVED** that the Mayor and Council of the City of Linden pay tribute and acknowledges the bravery, sacrifices, and accomplishments of Black Americans by declaring the month of February, 2016 Black History Month; and

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

**RESOLUTION: 2016-111**

**A RESOLUTION DECLARING THE MONTH OF**

**FEBRUARY 2016 AS “BLACK HISTORY MONTH”**

**AND RECOGNIZING THE ACCOMPLISHMENTS OF**

**DEREK ARMSTEAD**

**WHEREAS,** the history of our nation and State is inextricably linked to the heritage of our country’s Black Americans; and

**WHEREAS,** the history of Black Americans is the story of extraordinary individuals whose achievements have set examples for citizens of all races, who dedicated their lives to creating a nation where all people are created equal; and

**WHEREAS,** in 1926, Dr. Carter Woodson, an African-American who completed his PhD from Harvard started “Negro History Week” to focus people’s attention and to bring their notice to the role and contributions of African-Americans in American history which in 1976 was changed to a full month of celebration as “Black History Month;” and

**WHEREAS,** “Black History Month” is a celebration of the community to remember all African-American who made a great change in the life and outlook of all of our citizens; and

**WHEREAS,** the history of New Jersey has been enriched by Black New Jerseyans whose achievements have set the highest standards for people of all races and is also the story of countless nameless heroes; and

**WHEREAS,** Derek Armstead was born in Linden into a family whose roots go back for almost 100 years in the Linden Community; and

**WHEREAS,** at an early age his grandparents and parents instilled into him the importance of leadership and community service through family ethics and values; and

**WHEREAS,** Derek attended Linden Public Schools, graduating from Linden High School in 1979, where he also excelled in athletics, winning a spot on the varsity football team as a “walk-on; and

**WHEREAS,** he went on to attend Union County College, where he studied Computer Science, and then started his career in technology at Prudential Insurance Company, moving on to become a programmer for the Union County Data Processing Department; and

**WHEREAS,** in 1990 he joined with John T. Gregorio’s team and ran for Councilman of the Fourth Ward, unsuccessfully. He worked hard over the next three years, and when he ran again, in 1993, he won. It was a position that he would hold for the next twenty years, until 2014; and

**WHEREAS,** in 2014 he ran successfully for the office of Mayor of Linden, becoming Linden’s first Black American Mayor; and

**WHEREAS,** during Derek Armstead’s career in public service he has always committed himself to being a strong advocate of fairness, equal education and economic opportunities for all Linden residents, particularly its youth, founding with his wife and sister, the Armstead Scholarship Fund for graduating Linden High School Seniors; and

**WHEREAS,** Derek is married to Danie Orelien, and they have five children, Erika, Brianna, Ryan, Ashton and Abigail; and

**WHEREAS,** the Council of the City of Linden wishes to recognize the accomplishment of Mayor Derek Armstead as a community leader, former Councilman, and as Linden’s first Black American Mayor.

**NOW THEREFORE BE IT RESOLVED** that the Council of the City of Linden do hereby acknowledge the accomplishments of Derek Armstead and urge all of the citizens of the City of Linden to reflect upon the many contributions that he, and many other Black Americans have made to this City, State and Nation and to participate in the activities and programs that are held in observance of “Black History Month;” and

**BE IT FURTHER RESOLVED** that the Council of the City of Linden pay tribute and acknowledges the bravery, sacrifices, and accomplishments of Black Americans by declaring the month of February, 2016 Black History Month; and

**BE IT FURTHER RESOLVED** that this Resolution be entered in the minutes of the Council of the City of Linden and that a copy hereof be appropriately presented to Mayor Derek Armstead in recognition of the foregoing.

**RESOLUTION: 2016-112**

**RESOLUTION APPOINTING PETER MATLOSZ AN ALTERNATE MEMBER**

**TO THE CONSTRUCTION BOARD OF APPEALS**

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

That, **PETER MATLOSZ,** residing in the Township of Warren, New Jersey, Journeyman (Building Alternate) be and he hereby is appointed a member of the Construction Board of Appeals of the City of Linden pursuant to N.J.S.A. 52:27D-127a and an ordinance entitled, "AN ORDINANCE OF THE CITY OF LINDEN ESTABLISHING A STATE UNIFORM CONSTRUCTION CODE ENFORCING AGENCY, A CONSTRUCTION FEE SCHEDULE, AND A CONSTRUCTION BOARD OF APPEALS PURSUANT TO CHAPTER 217, LAWS OF NEW JERSEY 1975 AND TITLE 5, CHAPTER 23 OF THE NEW JERSEY ADMINISTRATIVE CODE" passed December 21, 1976 and approved December 22, 1976, as amended, and A RESOLUTION APPOINTING MEMBERS TO THE CONSTRUCTION BOARD OF APPEALS PURSUANT TO CHAPTER 217, LAWS OF NEW JERSEY 1975 AND TITLE 5, CHAPTER 23 OF THE NEW JERSEY ADMINISTRATIVE CODE, passed November 8, 1978 and approved November 9, 1978, to serve a four (4) year term, commencing May 16, 2015 and expiring May 15, 2019, and until his successor is appointed and qualifies.

**RESOLUTION: 2016-113**

**RESOLUTION APPOINTING ZBIGNIEW SWIERSKI AN ALTERNATE MEMBER TO THE CONSTRUCTION BOARD OF APPEALS**

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

That, **ZBIGNIEW SWIERSKI**, residing in the City of Linden, New Jersey, Journeyman (Plumbing Alternate) be and he hereby is appointed a member of the Construction Board of Appeals of the City of Linden pursuant to N.J.S.A. 52:27D-127a and an ordinance entitled, "AN ORDINANCE OF THE CITY OF LINDEN ESTABLISHING A STATE UNIFORM CONSTRUCTION CODE ENFORCING AGENCY, A CONSTRUCTION FEE SCHEDULE, AND A CONSTRUCTION BOARD OF APPEALS PURSUANT TO CHAPTER 217, LAWS OF NEW JERSEY 1975 AND TITLE 5, CHAPTER 23 OF THE NEW JERSEY ADMINISTRATIVE CODE" passed December 21, 1976 and approved December 22, 1976, as amended, and A RESOLUTION APPOINTING MEMBERS TO THE CONSTRUCTION BOARD OF APPEALS PURSUANT TO CHAPTER 217, LAWS OF NEW JERSEY 1975 AND TITLE 5, CHAPTER 23 OF THE NEW JERSEY ADMINISTRATIVE CODE, passed November 8, 1978 and approved November 9, 1978, to serve a four (4) year term, commencing May 16, 2015 and expiring May 15, 2019, and until his successor is appointed and qualifies.

**RESOLUTION: 2016-114**

**RESOLUTION APPOINTING RICK ZACCARO AN ALTERNATE MEMBER**

**TO THE CONSTRUCTION BOARD OF APPEALS**

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

That, **RICK ZACCARO,** residing in the Borough of Flemington, New Jersey, Journeyman (Electric Alternate) be and he hereby is appointed a member of the Construction Board of Appeals of the City of Linden pursuant to N.J.S.A. 52:27D-127a and an ordinance entitled, "AN ORDINANCE OF THE CITY OF LINDEN ESTABLISHING A STATE UNIFORM CONSTRUCTION CODE ENFORCING AGENCY, A CONSTRUCTION FEE SCHEDULE, AND A CONSTRUCTION BOARD OF APPEALS PURSUANT TO CHAPTER 217, LAWS OF NEW JERSEY 1975 AND TITLE 5, CHAPTER 23 OF THE NEW JERSEY ADMINISTRATIVE CODE" passed December 21, 1976 and approved December 22, 1976, as amended, and A RESOLUTION APPOINTING MEMBERS TO THE CONSTRUCTION BOARD OF APPEALS PURSUANT TO CHAPTER 217, LAWS OF NEW JERSEY 1975 AND TITLE 5, CHAPTER 23 OF THE NEW JERSEY ADMINISTRATIVE CODE, passed November 8, 1978 and approved November 9, 1978, to serve a four (4) year term, commencing May 16, 2015 and expiring May 15, 2019, and until his successor is appointed and qualifies.

**RESOLUTION: 2016-115**

**RESOLUTION APPOINTING KAREN LUKENDA**

**A MEMBER OF THE BOARD OF HEALTH**

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

That **KAREN LUKENDA,** residing at 5 Furber Ave., in the City of Linden, County of Union and State of New Jersey, be and he hereby is appointed a member of the Board of Health of the City of Linden according to an ordinance entitled, "AN ORDINANCE REGULATING THE BOARD OF HEALTH OF THE CITY OF LINDEN", as amended, to serve the four (4) year term, commencing January 1, 2016 and expiring December 31, 2019, and until his successor is appointed and qualifies.

**RESOLUTION: 2016-116**

**RESOLUTION APPOINTING JACQUELINE PETRONE**

**A MEMBER OF THE BOARD OF HEALTH**

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

That **JACQUELINE PETRONE,** residing at 421 Lafayette St., in the City of Linden, County of Union and State of New Jersey, be and he hereby is appointed a member of the Board of Health of the City of Linden according to an ordinance entitled, "AN ORDINANCE REGULATING THE BOARD OF HEALTH OF THE CITY OF LINDEN", as amended, to serve the four (4) year term, commencing January 1, 2016 and expiring December 31, 2019, and until his successor is appointed and qualifies.

**RESOLUTION: 2016-117**

**Approval to submit a grant application and execute a grant agreement with the New Jersey Department of Justice for the Safe and Secure Communities Grant.**

WHEREAS, the City of Linden is requesting funding from the New Jersey Department of Justice.

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

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit a grant application identified as the “NJDOJ – Safe and Secure Communities Grant” to the New Jersey Department of Justice on behalf of the City of Linden.

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

**RESOLUTION: 2016-118**

**RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN VISITING NURSE AND HEALTH SERVICES, INC., D/B/A HOLY REDEEMER HOME CARE AND THE LINDEN BOARD OF HEALTH FOR 2016**

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

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

**WHEREAS,** funds are available for this purpose, to be charged to account/line item No. 6-01-27-330-183-255;

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

1. The City of Linden and the Linden Health Department hereby approve the 2016 Health Educator Agreement between the City of Linden and Visiting Nurse and Health Services, Inc., d/b/a Holy Redeemer Home Care-NJ North, attached hereto and made a part hereof, in the amount of $73.00 per hour, totaling $7,300.00, for a maximum amount of 100 hours, effective January 1, 2016 through December 31, 2016.

2. The Mayor and City Clerk be and hereby are directed, empowered and authorized to execute said 2016 Health Educator Agreement on behalf of the City of Linden.

3. This Resolution shall take effect pursuant to law.

**RESOLUTION: 2016-119**

**RESOLUTION AUTHORIZING LETTER OF AGREEMENT**

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

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

**2016 FOR STD CLINIC SERVICES**

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

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

**WHEREAS,** funds are available for this purpose, to be charged to account/line item No. 6-01-27-330-183-255;

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

1. The City of Linden and the Linden Health Department hereby approve the Letter of Agreement between the City of Linden and the City of Elizabeth, Department of Health and Human Services providing for STD testing, attached hereto and made a part hereof, in an amount of $150.00 per patient, not to exceed $6,000.00.

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

3. This Resolution shall take effect pursuant to law.

**RESOLUTION: 2016-120**

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

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

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

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

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

Block 43 Lot 5 1524 Essex Avenue

Block 65 Lot 9 1219 Monmouth Avenue

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

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

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

properties cleaned up by the Department of Public Property and Division of Public Works employees at the cost as follows:

Block 43 Lot 5 1524 Essex Avenue $500.00

Block 65 Lot 9 1219 Monmouth Avenue $550.00

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

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

**RESOLUTION: 2016-121**

**RESOLUTION RECOGNIZING LINDEN RESIDENT WALTER JOHN OLENICK FOR HIS**

**OUTSTANDING SERVICES TO THE CITY OF LINDEN AND TO THE**

**UNITED STATES SERVING OUR NATION AS A WORLD WAR II VETERAN**

**WHEREAS,** Walter John Olenick was born on February 2, 2917 to Michael and Agnes Olenick in then

Linden Township; and

**WHEREAS,** Walter and his family resided at their father’s barber shop located on St. Georges Avenue at Baltimore Avenue. After graduating from Linden High School, Walter and his brother Joseph graduated from barber school in Newark, New Jersey. This allowed them to help out in the barber shop while the women gardened and raised chickens in the back yard; and

**WHEREAS,** during World War II Walter volunteered for the Army and was assigned to the Signal Corps’ 305th Signal Operational Battalion. After completion of lineman training in England, he served in France, keeping the vital military phone lines intact, where he raised to the rank of Tech 4; and

**WHEREAS,** though jobs were hard to come by, Walter was hired as a Laboratory Technician at the General Aniline Corporation and when the war ended, he was able to resume his job there and Walter and his wife Alexandra Siwiec who were married on August 30, 1942 were able to purchase a two-family home at 1020 Baltimore Avenue; and

**WHEREAS,** Walter and his wife Alexandra had three children, Walter Brian, Karen Alexandra and James Michael. And in order to earn more money for his family, Walter put himself through night school at Seton Hall University in Newark, eventually receiving a B.S. in Chemistry; and

**WHEREAS,** in 1950 Walter and Alexandra purchased a few lots at 2721 Highland Avenue and began to self-build the family home, all while he continued to attend night school and earn a M.S. degree in chemistry and environmental science; and

**WHEREAS,** Walter Olenick was a lifelong communicant of St. Theresa’s Church, where he sang in the choir and served as an usher for decades. Walter still resides in the family house he built more than 60 years ago, and continues his interest in gardening.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and the Council of the City of Linden thank you Mr. Walter John Olenick for your selfless sacrifice, and those of countless others who paved the way for the continued freedom that we so richly enjoy in this country and to wish him a happy ninety-ninth birthday; and

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

**RESOLUTION**: **2016-122**

**RESOLUTION APPROVING ENTERING INTO A**

**HOLD HARMLESS AGREEMENT WITH SUNNY GARDENS OF LINDEN TO BUILD A GARDEN AT JAMES IOZZI PEACH ORCHARD PARK AND DESIGNATING THE DIRECTOR OF PUBLIC PROPERTY TO DIRECT THE APPROPRIATE LOCATION**

**WHEREAS**, the Sunny Gardens of Linden, a non-profit organization, wishes to build a garden at James Iozzi Peach Orchard Park; and

**WHEREAS,** said property is a City of Linden park; and

**WHEREAS,** the City requires Sunny Gardens of Linden to execute a Hold Harmless Agreement for the building of said garden.

**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 with Sunny Gardens of Linden for the building of a garden at the James Iozzi Peach Orchard Park, as approved by the Law Department.
2. The Director of Public Property be designated to direct the appropriate location of said garden.

3. This Resolution shall take effect pursuant to law.

**RESOLUTION: 2016-123**

**CITY OF LINDEN RESOLUTION**

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

12/17/15 Delta Dental corba claims Dec. 68.49

12/17/15 Delta Dental Library Jan. 816.30

12/17/15 Delta Dental Library Dec. 816.30

12/17/15 Delta Dental Housing Jan. 1,367.37

12/17/15 Delta Dental Housing Dec. 1,367.37

12/17/15 Delta Dental LRSA 2,870.73

12/17/15 Delta Dental LRSA 3,134.55

12/17/15 Delta Dental City – Jan. 39,272.92

12/17/15 Delta Dental City – Dec. 40,866.74

12/22/15 Delta Dental cobra – Jan. 68.49

1/6/16 Worker’s Comp. claims 29,646.32

1/6/16 Medco claims 80,320.07

1/6/16 Vision Service Plan claims 4,160.38

1/8/16 Payroll payroll 6,247.19

1/8/16 Payroll payroll 82,656.33

1/13/16 Worker’s Comp. claims 93,342.33

1/15/16 Payroll payroll 63,257.62

1/15/16 Payroll payroll 1,590,720.79

1/21/16 Worker’s Comp. claims 56,746.97

1/21/16 Medco claims 83,923.26

161258 1/21/16 Jeffrey Vitrano college reimb. 3,592.17

161259 1/27/16 Home Depot balance 154.03

1/27/16 Worker’s Comp. claims 8,050.08

1/28/16 Delta Dental City – Feb. 35,101.48

1/28/16 Delta Dental Sewerage- Feb. 3,202.07

1/28/16 Delta Dental Housing – Feb. 1,143.54

1/28/16 Delta Dental Library - Feb. 816.30

1/28/16 Delta Dental Corba – Feb. 68.49

1/29/16 Payroll payroll 62,753.66

1/29/16 Payroll payroll 1,554,486.40

**TRUST**

1/8/16 Payroll payroll 136.50

1/15/16 Payroll payroll 81,181.61

1/29/16 Payroll payroll 104,232.12

**GRANT**

1/8/16 Payroll payroll 263.25

1/15/16 Payroll payroll 27,450.72

1/29/16 Payroll payroll 29,028.51

**SANITARY LANDFILL**

1/8/16 Payroll payroll 1,240.00

1/15/16 Payroll payroll 5,850.08

1/29/16 Payroll payroll 5,598.08

**CAPITAL**

1/8/16 Payroll payroll 33.00

1/15/16 Payroll payroll 1,061.94

**RESOLUTION: 2016-124**

**RESOLUTION APPROVING AN MOU WITH**

**THE LINDEN POLICE SUPERIORS**

Whereas the Council of the City of Linden has a collective negotiations understanding with the Linden Police Superior Officers Association; and

Whereas, the prior agreement expired on December 31, 2014; and

Whereas the Council and the Union have negotiated a successor agreement for their employees.

Now therefore be it resolved that this Council approves the Linden Police Superior Officers Association collective negotiations agreement effective January 1, 2015 through December 31, 2017.

Be it further resolved that the Linden Superior Officers Association has executed the collective negotiations memorandum of understanding.

Be it further resolved that the Council hereby authorizes the Mayor of the City of Linden to execute the attached collective negotiations memorandum of understanding.

Be it further resolved that this Council authorizes the Mayor of the City of Linden to execute the new collective negotiations agreement, incorporating the terms of the instant collective negotiations memorandum of understanding.

Be it further resolved that this resolution is effective subject to the aforementioned provisions.

**RESOLUTION: 2016-125**

**RESOLUTION AUTHORIZING A RENEWAL OF CONTRACT WITH FACILITY DUDE FOR THE MAINTENANCEEDGE & CAPITAL FORECAST & PREVENTATIVE MAINTENANCE SCHEDULE PROGRAMS**

**WHEREAS**, the City of Linden has a need to renew required the MaintenanceEdge & Capital Forecast & Preventative Maintenance Schedule programs with Facility Dude; and

**WHEREAS**, N.J.SA. 40A:11-5(dd) provides for the support software maintenance, consultation services and training services of propriety computer hardware and software; and

**WHEREAS,** pursuant to the provisions of N.J.S.A. 19:44A20.4 or 20.5, said contract is renewed as a non-fair and open contract; and

**WHEREAS,** the anticipated term of this contract is nine (9) months, commencing on March 1, 2016 through December 31, 2016 for said programs at a prorated amount not to exceed of $27,534.50; and

**WHEREAS**, Facility Dude has submitted a proposal dated February 8, 2016 indicating they will provide the services required for the aforesaid price; and

**WHEREAS**, funds have been previously certified and will be charged to account/line item 6-01-20-131-113-272; and

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** that the Mayor, Council President, City Clerk and/or such other City Officials as is necessary and proper be authorized to execute such documents as necessary to implement this Resolution; and

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

**RESOLUTION: 2016-126**

**RESOLUTION AUTHORIZING THE CITY OF LINDEN TO ENTER INTO A SIDEBAR AGREEMENT WITH THE TEAMSTERS LOCAL 469**

**WHEREAS**, the City and Teamsters Local 469 have a collective negotiations agreement in effect; and

**WHEREAS**, the City and Teamsters Local 469 have determined to enter into a sidebar agreement regarding the requirements of a an employee who received his CDL Class B license in the Department of Public Property and Community Services.

**NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** that the City and the Teamsters Local 469 have agreed to enter into a sidebar agreement as attached amending the collective negotiations agreement language regarding the hourly increase for Ronald Feuerschwenger.

**BE IT FURTHER RESOLVE THAT** this Council authorizes the Mayor and the City Clerk to execute the attached sidebar agreement.

Virginia Malik, 1633 Lenape Rd. Mr. Roth explained the sidebar agreement to Ms. Malik and what it was accomplishing. (See vote after Resolution 2016-128)

**RESOLUTION: 2016-127**

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

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

Section 1. That pursuant to the Ordinance entitled “ORDINANCE CREATING THE LINDEN ROSELLE SEWERAGE AUTHORITY”, approved December 3, 1947, a certified copy whereof was duly filed by the City Clerk in the Office of the Secretary of the State of New Jersey, **ROBERT SADOWSKI,** residing in Linden, New Jersey, be and he hereby is appointed a member of the Linden Roselle Sewerage Authority to serve a five year term, which term commences February 2, 2016 and terminates February 1, 2021 and until his successor has been appointed and qualifies, to exercise and perform all the rights, powers and duties provided in the Ordinance hereinbefore mentioned, and in N.J.S.A. 40:14A-1 et seq., and the amendments and supplements thereto.

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

**RESOLUTION:** **2016-128**

**RESOLUTION ENGAGING APPRAISAL CONSULTANT CORP. TO CONDUCT AN**

**APPRAISAL ON BLOCK 91 LOT 9**

**WHEREAS**, there exists within the City of Linden the need for a consultant in order to conduct an appraisal on Block 91 Lot 9; and

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

**WHEREAS**, Appraisal Consultant Corp. submitted a qualification to the City and has qualified for the aforesaid services for 2016; and

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

**WHEREAS**, Appraisal Consultant Corp., having offices at 293 Eisenhower Parkway, Suite #200, Livingston, NJ., 07039 possesses the requisite professional certification and experience necessary to serve in said position; and

**WHEREAS**, funds will be made available for this purpose to be charged to Account No:6-01-20-155-123-255;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that a contract for Professional Services be and hereby is awarded to Appraisal Consultant Corp., at a fee not to exceed $3,500.00.

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk be and hereby are empowered and directed to execute a contract with Appraisal Consultant Corp. to effectuate the foregoing; and

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

Virginia Malik, 1633 Lenape Rd. Ms. Malik stated that she no longer wanted to question resolution 2016-128.

Mr. Brown moved for approval of resolutions #2016-87, 2016-93, 2016-97, 2016-102, 2016-126 and 2016-128. The motion was seconded by Mr. Brooks and was ordered approved by a roll call vote with all voting yes to all except Mrs. Yamakaitis who abstained on 2016-126.

**RESOLUTION: 2016-129**

**RESOLUTION AUTHORIZING THE 7TH WARD COUNCILMAN TO ACT AS LIAISON WITH ETI MANAGEMENT TO IMPLEMENT OPTION B OF THE REPORT DATED JULY 8, 2015 SUBMITTED BY ETI MANAGEMENT FOR THE ANALYSIS AND OPERATIONAL MANAGEMENT ASSESSMENT OF THE DIVISION OF PUBLIC WORKS**

**WHEREAS,** the City of Linden awarded a contract to ETI Management for the analysis and operational management assessment of the Division of Public Works in the City of Linden, pursuant to Resolution No. 2015-364, passed on July 21, 2015; and

**WHEREAS**, ETI Management submitted a report dated July 8, 2015 for the analysis and operational management assessment of the Division of Public Works in the City of Linden; and

**WHEREAS**, it is the best interests of the City of Linden to exercise Option B of said report, where ETI Management will assist the City in developing the position of Director of Public Works, ETI Management will advise the City on creating and filling the position, including review and recommendations on job descriptions and criteria, advertising/search materials, and candidate applications/resumes, and will issue a written summary of its recommendations; and

**WHEREAS**, the City of Linden feels this option works best by authorizing the 7th Ward Councilman to act as the liaison with ETI Management to implement said option; and

**WHEREAS**, funds will be made available for this purpose to be charged to Account No. 6-01-20-155-123-255.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** the City hereby authorizes the exercise of Option B of the report dated July 8, 2015 prepared by ETI Management for an additional flat fee of $1,700.00; and

**BE IT FURTHER RESOLVED** the City hereby authorizes the 7th Ward Councilman to act a liaison with ETI Management, LLC for the implementation of Option B of said report.

**RESOLUTION: \_2016-130**

**RESOLUTION REPEALING YEARLY SALARY INCREASES FOR NON-BARGAINING UNIT DEPARTMENT HEADS**

**WHEREAS**, the Governing Body (“Governing Body”) of the City of Linden (“City”) adopted a resolution on November 8, 1989, wherein the Governing Body provided that all Department Heads shall be entitled to and shall receive no less than the benefits, monetary or otherwise, which have been granted or will be granted to the Linden Supervisor’s Association (succeeded by Teamsters Local 125), which resolution authorized salary increases to non-bargaining unit Department Head employees including the Chief of Police and Chief of Fire, commensurate with the wage increases for Teamsters Local 125; and

**WHEREAS**, the City has also authorized yearly salary increases for non-bargaining unit Department Head employees including the Chief of Police and Chief of Fire pursuant to the yearly City salary ordinance; and

**WHEREAS**,the Governing Body of the City has determined it to be in the City’s best interests to amend and repeal such portions of said resolution granting yearly salary increases for non-bargaining unit Department Head employees including the Chief of Police and Chief of Fire, but not including the Mayor, pursuant to the yearly City salary ordinance, to eliminate such authorization.

**NOW THEREFORE BE IT RESOLVED** that the City hereby amends and repeals the provisions of the November 8, 1989 and other resolutions granting yearly salary increases and for non-bargaining unit Department Head employees including the Chief of Police and Chief of Fire, but not including the Mayor, pursuant to the yearly City salary ordinance.

**BE IT FURTHER RESOLVED** that all non-bargaining unit employees who have not reached their maximum wage including the Chief of Police and Chief of Fire, but not including the Mayor, pursuant to the yearly City salary ordinance, shall no longer be entitled to receive a salary increases.

**BE IT FURTHER** **RESOLVED** that this resolution shall be effective February 16, 2016.

**BE IT FURTHER RESOLVED** that all other resolutions inconsistent with this resolution are hereby amended to the extent necessary to make same consistent herewith.

**BE IT FURTHER RESOLVED** that if any section, subsection, provision, clause, or portion of this resolution is adjudged unconstitutional or invalid by a court of competent jurisdiction, such adjudication shall not affect the remaining sections, subsections, provisions, clauses, or portions, which shall be deemed severable therefrom.

**ORDINANCES FOR CONSIDERATION**

**FIRST READING**

**An Ordinance entitled:**

**#60-6** **Bond ordinance authorizing the resurfacing of various streets in and for the city of Linden and appropriating $2,640,000.00 therefore and authorizing the issuance of $2,508,000.00 in bonds or notes to finance part of the cost thereof.**

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

Ordinance #60-6 was introduced by Mr. Brown and was read on first reading by the Deputy Clerk.

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

**An Ordinance entitled:**

**#60-7** **An ordinance to amend and supplement Chapter VII, traffic, Section 7-10, Parking prohibited at all times on certain streets shall be and the same is hereby amended as follows:**

**DELETE Side Location**

**Linden Ave. East Between Carteret St and Park Ave.**

**ADD:**

**East Linden Ave. South Beginning at a point 400 feet east of**

**Carteret St and continuing to Park Ave.**

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

Ordinance #60-7 was introduced by Mrs. Yamakaitis and was read on first reading by the Deputy Clerk.

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

**An Ordinance entitled:**

**#60-8** **An ordinance to amend and supplement Chapter VII, Section 7-12, Parking Time Limited, shall be and the same is hereby amended as follows:**

**DELETE:**

***Street Side Hours Days Location***

**East Linden Avenue Both 6:00 am to 5:00 pm Mon-Fri From S. Wood Avenue to the 300 block of E. Linden Avenue**

**ADD:**

***Street Side Hours Days Location***

**East Linden Avenue Both 6:00 am to 5:00 pm Mon-Fri From S. Wood Avenue to a point 400 feet east of Carteret Street**

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

Ordinance #60-8 was introduced by Mr. Sadowski and was read on first reading by the Deputy Clerk.

On motion of Mr. Sadowski, seconded by Mr. Strano the foregoing Ordinance was on roll call vote was unanimously ordered approved.

**An Ordinance entitled:**

**#60-9 An ordinance to amend and supplement Chapter VII, Traffic, Section 7-26 Loading Zone, shall be and the same is hereby amended as follows:**

**AMEND SECTION 7-26.1**

**Name of Street Time Side Location**

**Spruce Street Monday-Friday West Beginning at a point 96 feet north of**

**7:00 a.m. to 9:00 a.m the northerly curb-line of W. Blancke St. and**

**2:30 p.m. to 4:00 p.m. extending to a point 270 feet north W. Blancke St.**

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

Ordinance #60-9 was introduced by Mr. Beyer and was read on first reading by the Deputy Clerk.

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

**An Ordinance entitled:**

**#60-10 An ordinance to amend and supplement Chapter VII, Traffic, Section 7-33.1A**

**Handicapped Parking On-street as follows: ADD:**

**Name of Street Spaces**

**119 E. Henry St 1**

**20 E. Curtis St. 1**

**513 Alexander Ave 1**

**500 W. Blancke St. 1**

**S. Wood Ave (3203 Tremley Point Rd) 1**

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

Ordinance #60-10 was introduced by Mr. Brown and was read on first reading by the Deputy Clerk.

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

**An Ordinance entitled:**

**#60-11 An ordinance to amend and supplement Chapter VII, Traffic, Section 7-33.1A Handicapped Parking on Street as follows: Delete:**

**Name of Street Spaces**

**119 E. Henry St. 1**

**4 Clinton St. 1**

**45 W. 12th St 1**

**513 Alexander Ave 1**

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

Ordinance #60-11 was introduced by Mr. Brown and was read on first reading by the Deputy Clerk.

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

**An Ordinance entitled:**

**#60-12 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 of Linden,” passed August 15, 1995 And approved August 16, 1995 by adding schedule 4-KK-1.**

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

Ordinance #60-12 was introduced by Mr. Brown and was read on first reading by the Deputy Clerk.

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

**An Ordinance entitled:**

#60-13 An Ordinance to amend and supplement a Chapter VII, Traffic. That Chapter VII, Traffic, Section 7-7.3, Temporary Parking Prohibition for Snow Plowing and Removal, shall be and the same is hereby amended.

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

Ordinance #60-13 was introduced by Mrs. Yamakaitis and was read on first reading by the Deputy Clerk.

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

**PUBLIC COMMENT**

President Alvarez announced that comments from members of the public, in attendance would be permitted, on City business only. No personal political or derogatory comments. Comments are limited to 5 minutes.

(Mr. Brown left the meeting)

Diane Wilvading, 150 E. Morris Ave. Ms. Wilvading stated that she thought the DPW did an excellent job. She noted the road conditions in other towns that she drove through. She thanked various members of Council for considering the town first by voting against the appointment of a CPA as the Business Administrator. She spoke to Mr. Strano about a sentence he had read, last month, from the BA ordinance, and though it important that the rest of the paragraph be read to put it in context. She then read the entire paragraph. She quoted from other sections of the ordinance regarding the residency and qualifications of the candidate. (Mr. Brooks left the meeting).

Sylvia Weisbrot, 429 Ainsworth St. Ms. Weisbrot spoke about the energy aggregation program and noted her objections as how it was handled. She noted her efforts to get further information, and that she found out that the energy being purchased is coming from a coal burning plant and why that was bad. She also spoke about her other concerns with Exelon Energy. Next she spoke about the issue of idling cars. Ms. Weisbrot noted that 28 states have laws against the idling of cars for longer than three minutes. She explained the requirements of those laws, and why it is important not to allow cars to idle for excessive periods of time.

Dr. M. Berghammer, 1827 Mildred Ave. Dr. Berghammer thanked Mayor Armstead for giving her the opportunity to work for the Linden Library Board. She thanked Mr. Medina for his support of the Library, President Alvarez for his visits, and all the members of Council for their support of the library. Dr. Berghammer noted that at one time she had run for office, and there was a consensus that the elderly could no longer afford their homes. She noted the number of homes, in Linden, in foreclosure, as proof. She then suggested that the elderly be allowed to rent their basements out so that they could save their homes. She provided details on her proposal.

Henry Mack. Mr. Mack spoke about issues concerning employees and CDL licenses. He noted that the peoples have stated that we dropped the ball. He then thanked a number of individuals who helped responded to help those who were snowed in, when the ball was dropped. He spoke about the things that humanity had said. He urged all to go forward with the City of Linden’s business and stop talking about club houses.

Travelle Jackson, 521 Bower St. Mr. Jackson spoke about being served with termination papers, from his job, as he was told that he did not live in Linden. He had presented his driver license, and it was accepted. He gave a history of the issue and details on his residency. He asked why he was terminated, if he still lives in Linden. Mr. Jackson asked to get this issue resolved as he was confused.

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

**COMMENTS BY MEMBERS OF THE GOVERNING BODY**

President Alvarez reminded all about making comments regarding personnel matters.

Mayor Armstead responded to the comments made by Ms. Wilvading regarding the BA, noting that she had left the meeting but he had wanted to ask her what kind of trouble Councilmembers would get into for not supporting the appointment of the BA. The Mayor stated that he was distributed by the sequence of events that involved Mr. Jackson. The Mayor thought Mr. Jackson to be a hard working employee of the City.

Mrs. Cosby-Hurling stated that for the record there are three sides to every story, what they were, and that she was not going to be subject to false allegations. She has a job to do, a very difficult job to do in the best interest of the City. She noted that she was not going to be bullied, and that we are grown folks and adults. She spoke about why she does this.

Mrs. Yamakaitis stated that she wanted to say thank you to the angels she had during the snow storm. She identified them, and detailed what they did to help residents of the Eighth Ward.

Mr. Medina announced the fundraiser that the Linden High School Baseball team was holding, provided details on the event, and asked residents to support it. He contact information for those who wanted to participate. Mr. Medina thanked the Mayor for helping to find the team some funding towards their goal.

Mr. Strano wished Mrs. Cosby-Hurling a happy birthday. Next he noted the hot button issue for the people of Tremely Point pertaining to the blowing of the train whistle at all hours of the day and night. He provided additional details to the report given by Chief Dooley. He noted the three items that needed to be addressed in order to establish a Quite Zone, and that they did not seem like large issues. Mr. Strano stated that it was his intent to keep this on the fast track. He thanked Chief Dooley for all of his help with this issue.

**ANNOUNCEMENTS**

President Alvarez announced the following Council Meetings:

\*Council Conference meeting:

Monday, March 14, 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, March 15, 2016 at 6:00 pm in the Council Conference Room, City Hall, 301 N. Wood Ave.

\*Council Meeting: Tuesday, March 15, 2016 at 7:00 p.m. in the Council Chambers, City Hall, 301 N. Wood Ave.

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 10:05 pm.

Respectfully submitted,

Joseph C. Bodek

City Clerk