**Minutes of the Regular**

**Meeting of the 2016 Council of the**

**City of Linden, held Tuesday**

**January 19, 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, January 19, 2016 at 7:15 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

Councilwoman Rhashonna Cosby- Hurling

Councilman Robert Sadowski

Councilman Ralph Strano

Councilwoman Michele Yamakaitis

Councilman Armando Medina

Councilwoman Gretchen Hickey

Council President Jorge Alvarez

Mayor Derek Armstead

**APPROVAL OF MINUTES**

Mrs. Hickey moved for the approval of the Regular Meeting Minutes of December 30, 2015 and January 5, 2016. The motion was seconded by Mr. Medina and was ordered approved by a roll call vote, with all voting in favor except Mrs. Ormon who abstained on the minutes of December 30, 2015.

**ORDINANCES ON HEARING**

There were no ordinances on hearing.

**CONSENT AGENDA**

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

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

2016 Taxes $380,669.44

2015 Taxes $813,198.42

2014 Taxes $500.00

Garbage Fee Payments $71,773.54

Garbage Fee Penalty $5,475.00

Municipal Lien Redemption $0.00

Duplicate Tax Sale Certificate $100.00

Tax Search $0.00

Lien Redemption Request Fee $0.00

Year End Penalty $0.00

Returned Check Fee Paid $20.00

Returned Check Fee Garbage Paid $20.00

Returned Check 2015 ($6,656.53)

Returned Check 2016 ($2.91)

Returned Check Interest ($93.17)

Returned Online Payment 2015 Taxes ($0.00)

Returned Online Interest ($0.00)

Returned Check Garbage Fee ($180.00)

Returned Check Garbage Fee Penalty ($5.00)

Arrears $0.00

Sewer Clean out charge $1,450.00

DPW Reso payments $0.00

Interest $34,969.34

Total $1,301,238.13

**Credit** Block 28 Lot 7, 519 Garfield Street

**Balance**

There now exists a credit balance on the above referenced block & lot due to an overpayment by old owners Mortgage Company on the 2015-3rd quarter. The overpayment amount is $1,871.28.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,871.28, payable to Core Logic Tax Services, Attention: Kathy Bishop, 92-16 220th Street, Queens Village, NY 11428 charging same to account #6-01-55-288-999-904..

**Credit** Block 45 Lot 15, 1005 Nora Drive

**Balance**

There now exists a credit balance on the above referenced block & lot due to an overpayment by old owners Mortgage Company on the 2015-4th quarter. The overpayment amount is $2,420.12.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $2,420.12, payable to Core Logic Tax Services, Attention: Kathy Bishop, 92-16 220th Street, Queens Village, NY 11428 charging same to account #6-01-55-288-999-904.

**Credit** Block 421 Lot 25, 415 Amon Terrace

**Balance** 2015 Special Petition

County Board Judgment refund

There now exists a credit balance on the above referenced block & lot due to a 2015 county tax board judgment- Special Petition on the 2015-4th quarter taxes in the amount of $1,406.05.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,406.05 payable to: Philip Candreva, 51 St. Lawrence Way, Marlboro, NJ 07746, charging same to account #-6-01-55-288-999-904.

**Credit** Block 223 Lot 15.02, 2616 Orchard Terrace

**Balance**

There now exists a credit balance on the above referenced block & lot due to an overpayment by owner paid towards the property taxes instead of the Sewer billing. The overpayment amount is $880.00.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $880.00, payable to Patricia Mannuzza, 2616 Orchard Terrace, Linden, NJ 07036 charging same to account #6-01-55-288-999-904..

**Refund** Block 450 Lot 15, Verizon New Jersey, Inc.

The above referenced property owners are entitled to a refund due to a Tax Court of New Jersey judgment reducing the assessment by 238,300 for 2015.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $14,958.09 payable to: Verizon New Jersey, Inc. Kevin H. Giordano, Assistant Counsel, One Verizon Way, VC54S230, Basking Ridge, NJ 07920, charging same to account #6-01-55-275-999-000.

**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**

5 24 12/15/15 14-00004 $1,000.00

16 16 12/30/15 14-00014 $900.00

29 14 12/29/15 14-00027 $1,200.00

59 10 12/15/15 14-00047 $900.00

134 10 12/16/15 14-00102 $1,000.00

173 19 12/29/15 14-00141 $900.00

231 16 1/8/16 14-00191 $900.00

279 19 12/15/15 14-00210 $900.00

354 20 12/29/15 14-00244 $900.00

393 24 12/29/15 14-00271 $900.00

399 10 12/29/15 14-00274 $900.00

480 2 12/29/15 14-00305 $900.00

537 17 12/15/15 14-00328 $900.00

567 8 12/30/15 14-00360 $1,000.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $13,200.00 payable to: 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 2012 tax sale on the following blocks & lots.

**Block Lot Redemption Date CTF# Amount**

6 27 12/29/15 11-00004 $13,100.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $13,100.00 payable to: US Bank Cust. For Tower DBW II, 50 South 16th Street, Suite 1950-TOW, Philadelphia, PA 19102, charging same to account #-6-01-55-276-999-956.

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

**Block Lot Redemption Date CTF# Amount**

17 16 12/17/15 13-00220 $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: Martella Investments, 71 Arthur Avenue, Carteret, NJ 07008 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**

42 13 1/4/16 13-00051 $2,700.00

46 2 12/29/15 14-00039 $8,400.00

64 3 12/15/15 14-00051 $1,500.00

121 8 1/6/16 14-00092 $1,500.00

151 17 12/15/15 14-00125 $3,000.00

171 17 1/7/16 14-00138 $2,500.00

191 5 12/15/15 14-00155 $3,500.00

200 52 12/29/15 13-00246 $5,900.00

526 11 12/29/15 14-00320 $2,600.00

527 18 12/15/15 14-00322 $1,700.00

563 21 12/15/15 14-00357 $2,800.00

575 15 12/15/15 14-00368 $1,800.00

577 17 12/29/15 14-00370 $1,400.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $39,300.00 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 2015 tax sale on the following blocks & lots.

**Block Lot Redemption Date CTF# Amount**

50 1 12/30/15 13-00053 $35,900.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $35,900.00 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 blocks & lots.

**Block Lot Redemption Date CTF# Amount**

148 4 1/8/16 14-00114 $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: Vivek Kalola, 2B Henry Street, Somerville, NJ, 08873 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**

227 1 1/7/16 14-00186 $4,900.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $4,900.00 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 the refund of the premium paid at the 2014 & 2015 tax sale on the following block & lot.

**Block Lot Redemption Date CTF# Amount**

232 13 1/4/16 14-00193 $200.00

366 10 12/29/15 13-00339 $100.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $300.00 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 2014 tax sale on the following block & lot.

**Block Lot Redemption Date CTF# Amount**

232 20 12/29/15 13-00271 $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: Trade Money, LLC, 29 Palisades Road, Old Bridge, NJ 08857, 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**

471 1 1/4/16 13-00413 $900.00

514 3 1/8/16 13-00444 $11,900.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $12,800.00 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**

525 19 12/16/15 14-00319 $200.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $200.00 payable to: Public Tax Investments, LLC, 575 Route 70, 2nd Floor, Brick, NJ, 08723, charging same to account #-6-1-55-276-999-956.

**(\*\*\*) CITY CLERK’S OFFICE:**

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

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

RA-1500 Kiwanis Club 50/50 $20.00

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

1. Advising that he is re-appointing the following individuals to serve on the Linden Library Board:

Joan Konrad to serve a five (5) year term commencing June 17, 2015 and expiring June 15, 2020.

Joanna Colucci to serve a five (5) year term commencing January 1, 2016 and expiring December 31, 2020.

Advising that he is appointing the following individual to serve on the Linden Library Board:

Dorota Kotowski to serve a five (5) year term commencing January 1, 2016 and expiring December 31, 2020.

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

1. Advising that the following City of Linden employee has filed for retirement:

Department Employee Title Date

Police Keith Aslin Police Lieutenant Feb 1, 2016

Mrs. Ormon moved for approval of Consent items #1 through #4. The motion was seconded by Mr. Beyer and was unanimously ordered approved by a roll call vote. Mr. Medina congratulated Lt. Aslin on his retirement.

**COMMITTEE REPORTS**

First Ward

Mrs. Ormon did not have a report.

Second Ward

Mr. Beyer gave the report of the Construction Code Department. During the month of December they processed 191 permits, issued 105 Certificates and collected $59,912.00 in fees.

Third Ward

Mr. Brown wished a happy birthday to his oldest son. He noted that his birthday was on the day of the last council meeting and that is why he missed the meeting.

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

1. The payment of bills totaling $1,950,543.65. The bills have been signed by the Mayor, Council President and Finance Chairman and a detailed check register and vouchers are on file in the Clerk’s Office.

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

Mr. Brown stated that he did not get a chance to discuss the installation of a street light in the Third Ward. He explained the need for this light. Mr. Brown moved for approval of a street light on poll 63670LD. The motion was seconded by Mr. Beyer and was unanimously ordered approved by a roll call vote.

Mr. Brown spoke about the hiring of a firm, ETI, to do a survey of the Public Works Department, and the reasons why. He noted some of the conclusions of the study, including the warning that if nothing was done this place would fall apart, and noted the fifteen recommendations that Council should ask on in the next few months. He quoted from the report and encouraged residents, once the report becomes public, to read the report.

Mr. Brown stated that the Mayor had asked him to make a motion tonight. He stated that he was honored that he was asked to make the motion. Mr. Brown went to say that the Business Administrator, is by right, his appointment. Mr. Brown moved, as per the Mayor’s recommendation, to hire Gary Manuzza as Business Administrator. The motion was seconded by Mrs. Yamakaitis. President Alvarez stated that he was making a motion to table the matter indefinitely, as the Council had not discussed it. The motion was seconded by Mr. Medina. The motion to table was approved with Mr. Beyer, Mr. Brooks, Mrs. Cosby-Hurling, Mr. Medina, Mrs. Hickey and President Alvarez voting in favor. Mrs. Cosby-Hurling stated, during her vote, that she did not like “indefinitely.” The matter was explained to her.

Mr. Brown explained the reason that he had made that motion, had to do with item 4 in the report regarding proceeding with the appointment of a business administrator. He noted other statements, in the report, that support this recommendation. He again encouraged residents to read the report and explained why.

Fourth Ward

Mr. Brooks gave the report of the Division of Transportation and Parking for the year. A total of $763,482.66 was collected from all sources. He then gave the report for the month of December 2015. A total of $87,307.65 was collected from all sources.

Mr. Brooks informed all that the flashing light on the corner of Henry St. and Bower St. that was damaged in an accident has since been replaced. Also the handicapped sign that was also damaged in an accident, on the corner of Dill and Lincoln has been replaced.

Fifth Ward

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 #100317) intermittent FMLA 1/1/16-12/31/16

(employee #106509) intermittent FMLA 12/7/15-12/01/16

(employee #908938) FMLA 11/10/15-12/13/15

(employee #009076) FMLA 12/11/15-3/4/16

(employee #000978) FMLA 12/27/15-2/21/16

2. In the Fire department the promotion of Brian Majewski to Fire Lieutenant as the annual starting salary of $104,382.00 effective February 1, 2016 and the promotion of Glenn Curtain to Fire Captain at the starting annual salary of $113,829.00 effective February 1, 2016 to fill the existing vacancy which was created due to a retirement.

3. Permission is granted for the posting of a Clerk 1 bi-lingual Spanish for the Office of the City Clerk. Internal and external candidates shall be considered simultaneously and be subject to entry level clerical exam and other pre-employment screenings.

4. Permission is granted for the Labor Relations Specialist to conduct citywide desk audits by Department’s.

5. In the Law Department, Dana Tristao title change to Legal Secretary 1 at her present salary of $55,948.00 effective retroactive to July 11, 2015 per the Civil Service Commission’s ruling. The title of Legal Secretary 1 will be categorized in the grade 2 of the clerical contract and this individual salary will be red-lined.

6. Amending the city's hiring policy to include:

1. Requiring a High School Diploma or equivalent for all employees and evidence of the same.
2. Multiple forms of residency verification.

7. Grant permission to carry over vacation days which must be used before April 1, 2016:

In the Mayor’s Office, Rebecca Tattoli  3 days

In the City Clerk’s Office, Joseph Bodek 5.5 days

In the City Clerk’s Office, Paula Salerno 1 day

In the Department of Social Services, Mary Ellen Tango 5 days

In the Construction Code Department, Albert Certroni 3 days

In the Construction Code Department, Arthur Figueiredo 5 days

In the Board of Health, Nancy Koblis 3 days

In the Board of Health, Stephanie Chrobak 4 days

8. In the Police Department the following promotions to replace existing vacancies created by retirements, effective February 1, 2016:

Sergeants: Airan Fernandez, Brian Fech, Christopher Guenther to the rank of Police Lieutenant at the starting annual salary of $113,831.00

Police Officers: Michael Cataline, Scott Salerno, Gavin Sheehan,

and Detective Joseph Birch to the rank of Police Sergeant at the starting annual salary of $104,059.00

Mrs. Cosby-Hurling moved for approval of the Personnel Report. The motion was seconded by Mrs. Yamakaitis and was unanimously ordered approved by a roll call vote.

Mrs. Cosby-Hurling congratulated the police and fire personnel and thanked them for their service. She asked they stand and be recognized.

Mrs. Cosby-Hurling commented that she wanted the City to have the best possible management that it can. She stated that she was encouraging the Mayor and Council President to get it done, to have a conversation. She spoke about creating the position of assistant business administrator and put in place the management that we need to help us. She felt that Council and the Mayor was going back and forth for no reason.

Mrs. Cosby-Hurling gave a report for the Fifth Ward. She noted that she was raffling off a pair of tickets for the Housing Authority’s Casino night. She had Mrs. Hickey pull the winners. Next she announced the holding of Family Fun Night in the Fifth Ward, and provided details on the event.

Mrs. Cosby-Hurling reminded all about the new garbage schedule, and to be aware of it. She provided her

contact information.

Sixth Ward

Mr. Sadowski gave the report of the City Clerk’s office. For the month of December, 2015 a total of $5,642.12 was collected from all sources and turned over to the Treasurer. He gave a report of the City Clerk for the year 2015. A total of $70,137.50 was collected for the year.

Mr. Sadowski spoke about the Linden Retired Men’s Club and provided information on their meetings and other activities. Next he reported about the need of the Gas Company and Water Company to clean up from the work they did in the Sixth Ward. Next he spoke about the anticipated snow storm for the upcoming weekend and that, if it is a blizzard, snow rules for parking would go into effect. He asked Sixth Ward residents, if possible, to get their cars off the road so that they can be plowed.

Mr. Sadowski noted that in a few minutes, two representatives of the electric company would give a report, on the new program and residents could make a decision on whether to keep it or not. He concluded by providing his contact information.

Seventh Ward

Mr. Strano noted that the Committees he was recently made chair of have yet to meet, so he had no report on their activities. He then called on Chief Dooley to report on the Quite Zone Application to the Federal Railroad authorities. Chief Dooley spoke about Mr. Strano concerns for the residents of the area. He then outlined the process for the establishment of the Quite Zone, and noted where the City stood in the process. He noted the possible need to install additional equipment, at the railroad crossing, for the Quite Zone. Chief Dooley also spoke about a grant from the refinery that would help pay for any work required. In the Chief’s opinion he did not think this process would take too much longer.

Eighth Ward

Mrs. Yamakaitis reported that the Fire Prevention Bureau collected a total of $4,231.56 in fees for the month of December, 2015. The ambulance reimbursement system collected a total of $59,838.44 for the month of December, bringing the year to date total to $683,589.56.

Mrs. Yamakaitis reported that the Linden Traffic Bureau ordered the solar blinking traffic signs for the intersection of Urbanowitz and Ashton Avenues. These signs should be installed in the near future. Next she spoke about a pre-construction meeting the gas company had regarding the replacement of gas mains in Linden. She noted the streets, in the Eighth Ward, that would be involved in the construction. Mrs. Yamakaitis then reported on the replacement of water mains, in the Eighth Ward, that would be done by the water company. She identified the streets where this work would be done.

Mrs. Yamakaitis announced that applications are being taken, in the City Clerk’s office, for residents are interested in working in the Public Works Department as seasonal employees. Applications are only taken from January to June. Next she reported that the presentation, by the City Planner, to the Planning Board, regarding the redevelopment of the old Park Plastics building has been postponed to the February 9th meeting of the Planning Board. She will have more information after that meeting.

Mrs. Yamakaitis announced that she was in the process of planning a community meeting. She then spoke about the predicted snow storm for the weekend, and asked Eighth Ward residents, if they have a driveway, to move their cars off the street. She noted the snow emergency routes and stated that the removal of cars from these streets is mandatory. She provided her contact information.

Ninth Ward

Mr. Medina first talked about the energy program that the residents had received a letter on. He noted that representatives of the company were here to speak about the program later in the meeting. Mr. Medina thought it was an honorable thing that was being done to try and save the residents some money on their energy bill. He added that personally he does not believe in the process. He noted his concerns. He thought the program does have a value.

Mr. Medina informed Ninth Ward residents that the gas company would be doing main replacement in the Ninth Ward. He noted the streets that would be worked on, in the Ninth Ward, and cautioned all to be careful regarding parking in the area. Mr. Medina stated that in the last six weeks he had experienced six accidents, in the Ninth Ward, where texting was involved. All sixth involved young drivers who were texting. He encouraged all to talk to their kids about this issue.

Mr. Medina next talked about the prediction of snow for this weekend. He added that the kids he had that were willing to shovel snow for residents had moved on and he was seeking replacements. Mr. Medina stated that he was shocked by the motion earlier. He noted we are all here to do the right thing for all 40,000 residents of the City. He added that no one here had any experience in hiring a BA, so a firm was hired to help the process. He express his thoughts on the process and what is needed.

Mr. Medina gave a report of the Library. He provided information on various fundraisers and events that the Friends of the Linden Library would be conducting.

Tenth Ward

Mrs. Hickey congratulated all of the firemen and policemen on their promotions. She spoke about the work done by these individuals and spoke about a tragic fire that occurred in her ward. Mrs. Hickey noted that she does have kids who are willing to shovel snow, and provided a phone number for those in need to get in touch with the snow shovelers.

Mrs. Hickey spoke about the need for OEM volunteers. She noted that those interested will have to go through a background check, just as if they were being hired for the police or fire department. She spoke about the work these people do. Next Mrs. Hickey thanked First Baptist Church for the amazing and wonderful ceremony that they did for Martin Luther King Day. Next she spoke about the possibility of a snow storm and urged Tenth Ward residents to move their cars off of the street.

Mrs. Hickey offered congratulations to Lt. Aslin on his retirement. She spoke about the negotiations committee and work done by her and the other members. She noted the contract that have been completed and that the issue of fairness regarding tier two employees being addressed. She provided highlights of the agreement and noted that tonight three MOU’s were being approved settling the terms of those contracts. She provided details and issued addressed by those MOU’s. She thanked Mr. Roth, Mrs. Zack and Mrs. Cosby-Hurling for their ideas and helps.

**MAYOR’S REPORT**

Mayor Armstead congratulated all of the police and firemen being promoted. He spoke about the great job they were going to do for the City. Next the Mayor spoke about the energy aggregation company and the letters from them that residents of the City received. He noted that at the conclusion of his report two gentlemen, from the Company, Nick Reynolds and Rudy Garcia would explain what it was all about.

Mayor Armstead spoke about the need for the City to have a Business Administrator to better organize and steer the ship. He stated that Council should have taken a vote on appointing his selection and not on a vote to table the motion. He noted that the matter had been discussed before, and it is his recommendation. He then turned the floor over to Mr. Reynolds and Mr. Garcia.

Mr. Reynolds explained the history of the program, and that it is a Board of Public Utilities Program. He then explained how a supplier of energy is currently selected and how a supplier is chosen, by the City of Linden, to get a cheaper rate for their customers. Mr. Reynolds noted that the program is “opt out” and what that meant. He informed all that with the rate that was procured there would be $500,000.00 in savings to all of the residents of Linden. He informed all about the educational sessions that have scheduled, in Linden, to provide residents with more information on the program. Mr. Garcia also spoke about the program, and how its rules are set by the Board of Public Utilities (BPU), including the requirement to opt out. He also explained why the savings are produced and that numerous municipalities in the State have offered this program. He noted the advantage of this program over choosing your own third party supplier. Mr. Garcia spoke about the efforts to make this an open and transparent program.

President Alvarez asked if there were any questions from those in attendance.

Judy Miller had two questions. She noted that the literature says that the savings are not guaranteed. Mr. Garcia stated that refers to the actual savings because it is affected by usage, but the rate is guaranteed. Next Ms. Miller asked about the company, Constellation, if it was a subsidiary of Excellon, which tried a few years ago to take over PSE&G. Mr. Garcia responded that his firm was hired, by the City, to conduct the auction, and they have no association with the provider. He noted that this firm and Constellation are licensed by the BPU. Mr. Reynolds noted that Constellation are also currently supplying to PSE&G. He explained why the contract was for six months. If the program does not extend beyond that, all will go back to PSE&G.

Virginia Malik spoke about the savings. Mr. Garcia noted that the rate is guaranteed, but the amount of savings is determined by the actual usage. They discussed the matter further.

President Alvarez gave the report of the Engineering Committee.

**PS&G is applying to the New Jersey Department of Environmental Protection for a Treatment Works Approval Permit to install a mobile treatment unit that will treat groundwater associated with construction dewatering activities. They are upgrading their substation located east of the Turnpike.**

**The estimated 180,000 gallons per day of groundwater will be discharged to the Arthur Kill or adjacent wetlands in accordance with the other NJDEP permits.**

**The City Engineer has reviewed the application and requests authorization to sign the permit on behalf of the city. There is no fee for the city.**

President Alvarez moved for approval of the above item. The motion was seconded by Mr. Medina and was unanimously ordered approved by a roll call vote.

President Alvarez stated that it has been brought to his attention that there are many homes that have their sump pumps hooked up to the sewer lines. This should not be happening as it is illegal and explained what happens when there is hook up like this. Next he spoke about street cleaning, urged residents to move their cars for street cleaning, and if the street cleaner does not come around to please report it to him and he will talk to DPW about it.

President Alvarez stated that any resident making a call to any City Department, from the top to the bottom, they should be treated with respect. He asked residents, if they do not get that respect, to call him and he will address it. President Alvarez stated that he works for the residents, as does everyone else that is employed in the City.

**RESOLUTIONS**

President Alvarez referred all to resolution 2016-64. He noted a correction to the amount, which should be $22,320.00.

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

**Virginia Malik asked to remove #2016-27, 29, 35, 42, 45, 60, 62, 65, 68, 69, 72, 74, 76, 77 and 82.**

**Mr. Brown moved for approval of resolutions 2016-27 through 2016-84 with the exception of 2016-27, 29, 35, 42, 45, 60, 62, 65, 68, 69, 72, 74, 76, 77 and 82. The motion was seconded by Mr. Brooks and was ordered approved with all voting in favor except Mrs. Cosby-Hurling who voted no to 2016-27 and 2016-75 and abstained on 2016-69 and 2016-81. Mrs. Cosby-Hurling stated that, regarding 2016-75, she could not vote for the exempt titles.**

**RESOLUTION: 2016-27**

**RESOLUTION AWARDING A CONTRACT TO**

**PASCACK DATA SERVICES FOR**

**COMPUTER CONSULTING SERVICES**

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

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

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

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

Non Public Safety 6-01-20-131-113-207 in the amount of $40,000.00, Public Safety 5-01-25-250-314-273 $59,000.00; and

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

**NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN**, that the contract for professional services be and hereby awarded to Pascack Data Services, 200 Central Avenue Suite 100 Hawthorne, NJ 07506 in accordance with their qualifications, in an amount not to exceed $32,000.00 for non public safety departments and $59,000.00 for public safety departments for the period of January 1, 2016 through December 31, 2016;

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

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

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

Virginia Malik, 1633 Lenape Road. Mrs. Malik asked what was included in these expenses. Mrs. Zack explained the type of work done by Pascack Data, they are on as needed basis, and the amounts are a not to exceed amounts that the actual work usually doesn’t come close to.

See resolution 2016-82 for the vote.

**RESOLUTION: 2016-28**

**RESOLUTION AUTHORIZING THE CITY OF LINDEN TO ENTER AN AGREEMENT WITH THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL(MCCPC) FOR THE PURCHASE OF WORK, MATERIALS AND SUPPLIES**

**WHEREAS, N.J.S.A. 40A:11 - et seq authorizes contracting units to enter into cooperative pricing agreements; and**

**WHEREAS, The County of Morris has established a voluntary cooperative pricing system for the purchase of work, materials and supplies; and**

**WHEREAS, N.J.A.C. 5:34-7.1 et seq regulates the manner in which cooperative purchasing and more specifically, cooperative pricing systems are operated and conducted; and**

**WHEREAS, The City of Linden desires to become a member of the Morris County Cooperative Pricing Council (MCCPC), effective January 20, 2016 for an annual fee of $1,100.00; and**

**NOW THEREFORE BE IT RESOLVED, that the City Council authorizes the City of Linden to participate in the Morris County Cooperative Pricing Council and hereby authorizes the Mayor and City Clerk to sign, seal and execute a Cooperative Pricing Agreement with the County of Morris upon its approval by the Division of Local Government Services;**

**NOW THEREFORE BE IT FURTHER RESOLVED, that the City Council authorizes the Purchasing Agent to determine the work, materials, or supplies that the City of Linden will purchase through the Morris County Cooperative Purchasing Council; and**

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

**RESOLUTION: 2016-29**

**A RESOLUTION INCREASING THE BID THRESHOLD AND APPOINTING A QUALIFIED PURCHASING AGENT FOR 2016**

**WHEREAS,** pursuant to N.J.S.A. 40A:11-3 (c) and 18A:18A-3 (b), Governor Chris Christie has exercised his authority to adjust the bid thresholds for awarding contracts by various contracting units; and

**WHEREAS,** local units can appoint a Qualified Purchasing Agent pursuant to N.J.S.A. 40A:11-9 (b) and take advantage of a higher bid threshold pursuant to N.J.S.A. 40A:11-3 (a) and 18A:18A-3 (b), have their maximum bid threshold increased from $36,000.00 to 40,000.00; and

**WHEREAS,** N.J.S.A. 40A: 11-3 (a), permits an increase in the bid threshold if a Qualified Purchasing Agent is appointed as well as granted the authorization to negotiate and award such contracts below the bid threshold; and

**WHEREAS,** N.J.A.C. 5:34-5 et seq. establishes the criteria for qualifying as a Qualified Purchasing Agent; and

**WHEREAS,** Ann Marie Whelan possesses the designation of Qualified Purchasing Agent as issued by the Director of the Division of Local Government Services in accordance with N.J.A.C 5:34-5 et seq; and

**WHEREAS,** the City of Linden desires to take advantage of the increase bid threshold;

**NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LINDEN**, in the County of Union in the State of New Jersey hereby increases its bid threshold to $40,000.00, and the quotation threshold to $6,000.00; and

**BE IT FURTHER RESOLVED,** that the Governing Body hereby appoints Ann Marie Whelan as the Qualified Purchasing Agent to exercise the duties of a Purchasing Agent pursuant to N.J.S.A. 40A:11-2 (30), with specific relevance to the authority, responsibility, and accountability of the purchasing activity of the contracting units; and

**BE IT FURTHER RESOLVED,** that the City Council of the City of Linden designates to the Purchasing Agent and delegates to her the authority to act on behalf of the City of Linden and make, negotiate, and award all contracts and goods and services which do not exceed the bid threshold of $40,000.00 as provided for in N.J.S.A. 40:a 11-1 et seq.; and

**BE IT FURTHER RESOLVED,** that in accordance with N.J.A.C. 5:34-5.2 the local unit Clerk is hereby authorized and directed to forward a certified copy of this resolution and a copy of Ann Marie Whelan’s certification to the Director of the Division of Local Government Services.

Virginia Malik, 1633 Lenape Road. Mrs. Malik asked if we have one individual to do all this bidding and asked what roll Joe Bodek plays in it. Mrs. Zack responded explaining that Mr. Bodek is now the City Clerks and explaining the structure of the Purchasing Division and the division of duties.

See resolution 2016-82 for the vote.

**RESOLUTION: 2016-30**

**RESOLUTION AUTHORIZING THE CITY OF LINDEN TO ENTER AN AGREEMENT WITH THE COUNTY OF SOMERSET COOPERATIVE PRICING SYSTEM FOR THE PURCHASE OF WORK, MATERIALS AND SUPPLIES**

**WHEREAS, N.J.S.A. 40A:11 - et seq authorizes contracting units to enter into cooperative pricing agreements; and**

**WHEREAS, The County of Somerset has established a voluntary cooperative pricing system for the purchase of work, materials and supplies; and**

**WHEREAS, N.J.A.C. 5:34-7.1 et seq regulates the manner in which cooperative purchasing and more specifically, cooperative pricing systems are operated and conducted; and**

**WHEREAS, The City of Linden desires to become a member of the Somerset County Cooperative Pricing System #2-SCOOP, effective January, 2016 and each renewal at no cost to the City of Linden, thereafter of the system, unless The City of Linden elects to formally withdraw from the system; and**

**NOW THEREFORE BE IT RESOLVED, that the City Council authorizes the City of Linden to participate in the Somerset County Cooperative Pricing Agreement and hereby authorizes the Mayor and City Clerk to sign, seal and execute a Cooperative Pricing Agreement with the County of Somerset upon its approval by the Division of Local Government Services;**

**NOW THEREFORE BE IT FURTHER RESOLVED, that the City Council authorizes the Purchasing Agent to determine the work, materials, or supplies that the City of Linden will purchase through the Somerset County Cooperative Purchasing Agreement; and**

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

**RESOLUTION: 2016-31**

**RESOLUTION AUTHORIZING THE CITY OF LINDEN TO ENTER AN AGREEMENT WITH THE COUNTY OF UNION COOPERATIVE PRICING SYSTEM FOR THE PURCHASE OF WORK, MATERIALS AND SUPPLIES**

**WHEREAS, N.J.S.A. 40A:11 - et seq authorizes contracting units to enter into cooperative pricing agreements; and**

**WHEREAS, The County of Union has established a voluntary cooperative pricing system for the purchase of work, materials and supplies; and**

**WHEREAS, N.J.A.C. 5:34-7.1 et seq regulates the manner in which cooperative purchasing and more specifically, cooperative pricing systems are operated and conducted; and**

**WHEREAS, The City of Linden has previously participated in the County of Union’s voluntary cooperative pricing system and found it an effective method of purchasing; and**

**WHEREAS, The City of Linden in the County of Union, desires to participate in the Union County Cooperative Pricing Agreement for 2016 at no cost to the City of Linden.**

**NOW THEREFORE BE IT RESOLVED, that The City Council authorizes the City of Linden to participate in the Union County Cooperative Purchasing Agreement and hereby authorizes the Mayor and City Clerk to sign, seal and execute a Cooperative Pricing Agreement with the County of Union upon its approval by the Division of Local Government Services;**

**NOW THEREFORE BE IT FURTHER RESOLVED, that the City Council authorizes the Purchasing Agent to determine the work, materials, or supplies that the City of Linden will purchase through the Union County Cooperative Purchasing Agreement; and**

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

**RESOLUTION: 2016-32**

**RESOLUTION AUTHORIZING THE CITY OF LINDEN TO ENTER AN AGREEMENT WITH THE MIDDLESEX REGIONAL COOPERATIVE PRICING SYSTEM FOR THE PURCHASE OF WORK, MATERIALS AND SUPPLIES**

**WHEREAS, N.J.S.A. 40A:11 - et seq authorizes contracting units to enter into cooperative pricing agreements; and**

**WHEREAS, The Middlesex Regional Cooperative Pricing System has established a voluntary cooperative pricing system for the purchase of work, materials and supplies; and**

**WHEREAS, N.J.A.C. 5:34-7.1 et seq regulates the manner in which cooperative purchasing and more specifically, cooperative pricing systems are operated and conducted; and**

**WHEREAS, The City of Linden desires to become a member of the Middlesex Regional Cooperative Pricing System (MRCPS) “65MCESCCPS” , effective 2016, and each renewal at no cost to the City of Linden, thereafter of the system, unless The City of Linden elects to formally withdraw from the system; and**

**NOW THEREFORE BE IT RESOLVED, that the City Council authorizes the City of Linden to participate in the Middlesex Regional Cooperative Pricing System (MRCPS) and hereby authorizes the Mayor and City Clerk to sign, seal and execute a Cooperative Pricing Agreement with Middlesex Regional Educational Services Commission upon its approval by the Division of Local Government Services;**

**NOW THEREFORE BE IT FURTHER RESOLVED, that the City Council authorizes the Purchasing Agent to determine the work, materials, or supplies that the City of Linden will purchase through the Middlesex Regional Cooperative Pricing System Purchasing Agreement; and**

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

**RESOLUTION: 2016-33**

**A Resolution AUTHORIZING THE CITY OF linden TO PARTICIPATE IN THE NATIONAL JOINT powers alliance (njpa) for 2016**

**WHEREAS,** P.L. 2011, c. 139 allows contracting units to enter into an agreements with state, regional, or single government agencies that award contracts for its own use and is authorized under its own laws to extend those contract to other government agencies; and

**WHEREAS,** N.J.S.A. 40A:11-1 et seq. authorizes contracting units to enter into cooperative pricing agreements; and

**WHEREAS**, the National Joint Powers Alliance (NJPA), hereafter referred to as the Lead Agency, has offered voluntary participation in a renewal of its Cooperative Pricing System for the purchase of work, materials and supplies; and

**WHEREAS**, the City of Linden in the County of Union desires to participate in the NJPA Cooperative Purchasing Program.

**NOW, THEREFORE, BE IT RESOLVED** that the NJPA, as Lead Agency, is expected to comply with the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) and all other provisions of the revised statutes of the State of New Jersey.

**BE IT FURTHER RESOLVED,** that the Mayor, Council President and City Clerk authorizes the City of Linden to participate in the NJPA Cooperative Purchasing Program and hereby authorizes the Mayor, Council President and City Clerk to sign, seal and execute a Cooperative Pricing Agreement with the NJPA upon its approval by the Division of Local Government Services

**PASSED:**

**RESOLUTION: 2016-34**

**Resolution Authorizing Contracts with Approved State Contract Vendors for Contracting Units Pursuant To N.J.S.A. 40A: 11-12a**

**WHEREAS,** the City of Linden, pursuant to N. J. S. A. 40A: 11-12a and N. J. A. C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of Treasury; and

**WHEREAS**, the City of Linden has the need on a timely basis to purchase goods or services utilizing State contracts; and

**WHEREAS**, the City of Linden intends to enter into contracts with any State Contract Vendors through this resolution and properly executed contracts, which shall be subject to all the conditions applicable to the current State contracts;

**NOW, THEREFORE, BE IT RESOLVED**, that the City of Linden authorizes the Purchasing Agent to purchase certain goods or services from those approved New Jersey State Contract Vendors on the attached list, pursuant to all conditions of the individual State contracts; and

**BE IT FURTHER RESOLVED**, that the governing body of the City of Linden pursuant to N. J. A. C. 50:30-5.5(b), the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Financial Officer; and

**BE IT FURTHER RESOLVED** that the duration of the contracts between the City of Linden and the State Contract Vendors shall be from January 1, 2016 – December 31, 2016

**RESOLUTION: 2015-35**

**RESOLUTION AUTHORIZING AN AWARD OF CONTRACT FOR SOFTWARE REQUIRED FOR THE RENEWAL AND MAINTENANCE OF TIME CLOCKS AND ATTENDANCE EQUIPMENT WITH VISUAL COMPUTER SOLUTIONS, INC.**

**WHEREAS**, the City of Linden has a need to renew required software necessary to renew and maintain the time clocks and attendance equipment with Visual Computer Solutions, Inc.; 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 one (1) year, commencing on January 1, 2016 through December 31, 2016 for software at the rate of $53,125.00; and

**WHEREAS**, Visual Computer Solutions, Inc. has submitted a proposal dated October 1, 2014 indicating they will provide the software required for the aforesaid price; and

**WHEREAS**, funds have been previously certified and will be charged to account/line item 6-01-20-130-120-202; 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.

Virginia Malik, 1633 Lenape Road. In response to Ms. Malik, Mr. Antonelli explained the Pay-to-Play law enacted by the State Legislature. Mrs. Zack explained the VCS time clock system for employees, and that it would be going live, on February 1, 2016 with payroll. She explained the further need for VCS to resolve several outstanding issues.

See resolution 2016-82 for the vote.

**RESOLUTION: 2016-36**

**RESOLUTION DECLARING SURPLUS SCRAP FOR**

**SALE OR DISPOSITION**

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

**WHEREAS,** the City of Linden desires to sell or dispose of certain surplus property; and **WHEREAS,** the item listed below is being declared surplus and not needed for municipal purpose;

|  |  |  |
| --- | --- | --- |
| **HP** | **LJCP1215** |  |
| **Epson** | **Stylus Photo** |  |
| **Dell** |  | **D9363** |
| **Dell** | **Optiplex** | **1C05D** |
| **Dell** | **Ultrium** | **BPP2QC1** |
| **Dell** | **Monitor** |  |
| **Dell** | **Optiplex** | **80045655874326** |
| **Jet Direct** | **300x** |  |
| **Smart UPS** | **1400** |  |
| **Smart UPS** | **2700** |  |
| **Swintec** | **Typewriter** | **7000** |
| **Swintec** | **Typewriter** | **7040** |

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** that pursuant to N.J.S.A. 40A:11-36 that the Purchasing Agent is hereby authorized to sell at public auction or dispose of, as appropriate, the attached items; and

**BE IT FURTHER RESOLVED** that the Purchasing Agent is hereby authorized to confirm the sale/disposal of said item as scrap.

**RESOLUTION: 2016-37**

**CITY OF LINDEN RESOLUTION**

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

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

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

**CURRENT**

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

160493 12/1/15 Linden Dr. Martin Luther King ad journal 25.00

12/2/15 Worker’s Comp. claims 7,494.47

12/3/15 Payroll FICA 57,864.53

12/3/15 Payroll payroll 1,514,393.98

160494 12/4/15 Tree Light supplies 373.99

160496 12/4/15 Court Transcripts claims 50.00

12/8/15 Worker’s Comp. claims 16,516.24

12/9/15 Medco claims 88,548.74

160502 12/9/15 Admin Fee claims 4,512.50

160503 12/9/15 Admin Fee claims 3,468.75

160504 12/9/15 Yearly Payment claims 4,807.68

160500 12/9/15 Police Department titles 180.00

12/10/15 Payroll FICA 86,883.68

12/11/15 Vision Service Plan claims 4,161.14

12/14/15 SHBP Retirees Dec. Health premium 519,020.85

12/14/15 SHBP Active Oct. Health premium 662,077.00

12/16/15 Workers Comp. claims 11,481.41

12/17/15 Payroll payroll 29,904.45

12/17/15 Payroll payroll 2,131,064.63

160997 12/22/15 Verizon NJ, Inc. tax appeal 12,310.00

161000 12/22/15 Blau & Blau tax appeals 144,551.88

161002 12/22/15 Linden Plaza tax appeals 590,825.00

161003 12/22/15 Group Liability Insurance DCRP 596.98

161004 12/22/15 ETI Management Dec. invoice 3,500.00

161005 12/22/15 Joan Moody REPLACEMENT CK 215.81

12/24/15 Payroll payroll 6,592.09

12/24/15 Payroll payroll 81,606.06

161009 12/28/15 Frank Leporino Medicare 1,296.00

161007 12/28/15 Eugene Brawn “ 1,723.20

161010 12/28/15 Leslie McDonald “ 524.50

161011 12/28/15 County of Union pilot payments 15,608.05

12/31/15 Payroll FICA 57,134.80

12/31/15 Payroll payroll 1,457,010.34

12/31/15 Worker’s Comp. claims 6,548.96

**CDBG**

160492 12/1/15 Linden Senior final payment 27,339.84

**RCA**

12/1/15 Housing payment 22,660.16

**TRUST**

12/3/15 Payroll payroll 2,880.70

160494 12/4/15 Tree Lighting supplies 373.99

160495 12/4/15 Tree Lighting gifts 923.00

160496 12/4/15 Tree Lighting gifts 500.00

160497 12/4/15 Tree Lighting gifts 500.00

160497 12/4/15 Tree Lighting gifts 920.00

160501 12/9/15 Tree Lighting gifts 506.28

12/10/15 Payroll payroll 71,769.50

12/17/15 Payroll payroll 2,745.88

160998 12/22/15 Unity Bank gift certificates 700.00

12/24/15 Payroll payroll 27,832.75

161008 12/28/15 Rahway Post Office 2016 schedules 2,689.02

12/31/15 Payroll payroll 3,110.53

12/31/15 Treas. State of N.J. training fees 16,968.00

**GRANT**

12/3/15 Payroll payroll 28,534.13

12/10/15 Payroll payroll 211.97

12/17/15 Payroll payroll 29,713.61

160999 12/22/15 Lee Nowak Electric OEM Generator 21,558.00

161001 12/22/15 E-Website, Inc. manager subscription 8,495.00

12/24/15 Payroll payroll 336.38

12/31/15 Payroll payroll 29,153.81

**SANITARY LANDFILL**

12/3/15 Payroll payroll 4,277.28

12/10/15 Payroll payroll 1,199.20

12/17/15 Payroll payroll 7,709.22

12/24/15 Payroll payroll 1,240.00

12/31/15 Payroll payroll 4,318.08

**CAPITAL**

12/3/15 Payroll payroll 1,038.24

12/10/15 Payroll payroll 359.76

12/17/15 Payroll payroll 1,903.73

12/24/15 Payroll payroll 60.06

12/31/15 Payroll payroll 1,564.94

**RESOLUTION: 2016-38**

|  |  |  |  |
| --- | --- | --- | --- |
| **CITY OF LINDEN** | | | |
| **RESOLUTION TO TRANSFER 2015 APPROPRIATIONS** | | | |
| **BE IT RESOLVED,** by the City Council of the City of Linden, County of Union, New Jersey, that the following transfers of 2015 appropriations be made in accordance with the provisions of Revised Statute 40A: 4-58. | | | |
| **CURRENT BUDGET** | | | |
| From: | Social Security System - Other Expenses | $ 3,600.00 |  |
| To: | Office of Emergency Management - Salaries & Wages |  | $ 3,600.00 |
| From: | Postage - Other Expenses | $ 9,000.00 |  |
| From: | Electric - Other Expenses | $ 6,000.00 |  |
| To: | Purchasing - Other Expenses |  | $ 15,000.00 |
|  | Total Transfers Needed: | $ 18,600.00 | $ 18,600.00 |

**RESOLUTION: 2016-39**

**RESOLUTION AUTHORIZING ACTING MUNICIPAL PROSECUTORS**

**FOR LINDEN MUNICIPAL COURT FOR 2016**

**WHEREAS,** pursuant to Chapter 349 of the Laws of 1999 (the “Municipal Prosecutor’s Act”) a municipality must designate a substitute Municipal Prosecutor to provide for representation of the State of New Jersey in Municipal Court matters where the regular Municipal Prosecutor is absent or unavailable; 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 professions, 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** Steven H. Merman, Esq., Moshood Muftau, Esq., Drew J. Bauman, Esq., Russell Huegel, Esq., and Norman W. Albert, Esq. submitted qualifications to the City and has qualified for the aforesaid services for 2016; and 

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that Steven H. Merman, Esq., Moshood Muftau, Esq., Drew J. Bauman, Esq., Russell Huegel, Esq., and Norman W. Albert, Esq. be and hereby are appointed, designated and empowered to serve as temporary Municipal Prosecutors for the Linden Municipal Court on an as needed basis, for 2016; and

**BE IT FURTHER RESOLVED** that said Law Firms/Attorneys shall be paid a fee of $300.00 per day for such matters as may be assigned; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents, if needed, between each Law Firm/Attorney 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 such contracts, if needed, with each of the Law Firms/Attorneys to effectuate the foregoing;

**BE IT FURTHER RESOLVED** that this Resolution shall take effect in accordance with applicable law.

**RESOLUTION: 2016-40**

**RESOLUTION APPOINTING ACTING**

**PUBLIC DEFENDERS FOR 2016**

**WHEREAS,** the City of Linden has appointed a Municipal Public Defender pursuant to N.J.S.A. 2B:12-28a; and

**WHEREAS,** there are instances where the Municipal Public Defender has a conflict of interest due to, inter alia, the need to represent multiple defendants in the same matter, and/or a temporary Municipal Public Defender is needed; and

**WHEREAS**, in such instances, ethical rules require that a separate attorney be appointed as Public Defender for said individual; and

**WHEREAS,** the Governing Body of the City of Linden has determined it to be in its best interest to have agreements with several attorneys for the purposes herein expressed; 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**, Afonso & Afonso, LLC; Edward S. Cooper, Esq., Thomas J. Koehl, Esq., Charney & Roberts, LLC., submitted qualifications 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

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LINDEN** that the following Law Firms/Attorneys,   Afonso & Afonso, LLC; Edward S. Cooper, Esq., Thomas J. Koehl, Esq., Charney & Roberts, LLC., be and are hereby each appointed to serve as Public Defenders, on an as needed basis, in the event of a conflict of interest of the part of the Municipal Public Defender and/or as temporary Municipal Public Defender for the year 2016.

**BE IT FURTHER RESOLVED** that for said services, each Law Firm/Attorney shall receive a fee of $300.00 per court appearance for conflict of interest matters, and $300.00 per Municipal Court session as acting as temporary Municipal Public Defender for such matters as may be assigned, with a total fee of not to exceed $5,000.00 for each Law Firm/Attorney and 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; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents, if needed, between each Law Firm/Attorney 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 such contracts, if needed, with each of the Law Firms/Attorney to effectuate the foregoing; and

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

**RESOLUTION: 2016-41**

**RESOLUTION APPROVING THE AWARD OF A CONTRACT TO APPRAISAL CONSULTANTS CORP. FOR APPRAISAL WORK IN DEFENSE OF ALL TAX COURT APPEALS FOR 2016**

**WHEREAS**, it is necessary to hire a real estate appraiser who is a member of the Appraisal Institute (M.A.I.) in order to defend the City of Linden on all industrial and commercial tax appeals filed before the Union County Board of Taxation for 2016 and also new and pending cases before the Tax Court of New Jersey; 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 Consultants 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**, the Chief Financial Officer or his designee has certified to the availability of funds for this purpose, to be charged to Account No. 6-01-20-156-117-272;

**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 Consultants Corp., Real Estate Appraisers and Consultants, Presidential Center, 293 Eisenhower Parkway, Suite 200, Livingston, New Jersey 07039; and

**BE IT FURTHER RESOLVED** the terms of said agreement shall be for a period of one year at a fee not to exceed $15,000.00; and

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

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

**RESOLUTION: 2016-42**

**A RESOLUTION APPOINTING MAYOR DEREK ARMSTEAD TO THE UNION COUNTY COMMUNITY DEVELOPMENT REVENUE SHARING COMMITTEE AS AN ALTERNATE MEMBER**

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

Section 1. That the City of Linden hereby appoints Mayor Derek Armstead **,** residing in the City of Linden, New Jersey an alternate member of the Union County Development Revenue Sharing Committee for a (1) one year term commencing January 1, 2016 and terminating December 31, 2016 until his successor has been appointed and qualifies. Said appointment is without any monetary stipend.

Section 2. That the City Clerk of the City of Linden shall certify a copy of this Resolution and cause it to be filed with Tom Connell, Department of Economic Development, Bureau of Community Development, Administration Building, 3rd Floor, Elizabethtown Plaza, Elizabeth, New Jersey 07207.

**Virginia Malik, 1633 Lenape Road. Mr. Vircik responded to Ms. Malik questions as to what the Union County Community Revenue Sharing Committee does. He noted the amount of money, and how the committee is structured.**

See resolution 2016-82 for the vote.

**RESOLUTION: 2016-43**

**RESOLUTION APPOINTING A MEMBER TO THE ZONING**

**BOARD OF ADJUSTMENT**

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

That **THOMAS BOLAND,** residingin the City of Linden, County of Union, and State of New Jersey, holding no elective office or position in the City of Linden, be and he hereby is appointed a member of the Zoning Board of Adjustment of the City of Linden, pursuant to N.J.S.A. 40:55D-69 et seq., to serve for a term of four (4) years commencing January 1, 2016 and terminating December 31, 2018, and until his successor is duly appointed and qualifies.

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

This Resolution shall take effect immediately.

**RESOLUTION: 2016-44**

**RESOLUTION APPROVING A MEMBER TO THE**

**ZONING BOARD OF ADJUSTMENT**

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

That **RICHARD GUERRA,** residingin the City of Linden, County of Union, and State of New Jersey, holding no elective office or position in the City of Linden, be and he hereby is appointed a member of the Zoning Board of Adjustment of the City of Linden, pursuant to N.J.S.A. 40:55D-69 et seq., to serve for a term of four (4) years commencing January 1, 2016 and terminating December 31, 2018, and until his successor is duly appointed and qualifies.

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

This Resolution shall take effect immediately.

**RESOLUTION: 2016-45**

**RESOLUTION APPOINTING JOSEPH BODEK A COMMISSIONER**

**OF THE INSURANCE FUND COMMISSION**

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

That **JOSEPH BODEK,** residing in the City of Linden, County of Union and State of New Jersey, be and he hereby is appointed a Commissioner of the Insurance Fund Commission of the City of Linden according to a Resolution entitled “A RESOLUTION APPOINTING INSURANCE FUND COMMISSIONERS IN THE CITY OF LINDEN, PASSED FEBRUARY 7, 1984 AND APPROVED FEBRUARY 8, 1984", for a period of two years commencing February 7, 2016 and terminating February 6, 2018, and until his successor is appointed and qualifies.

Virginia Malik, 1633 Lenape Road. Ms. Malik stated that there are quite a few individuals who are named as Commissioners of the Insurance Fund Commission. Mr. Bodek responded that there are three commissioners and explained what the Insurance Fund Commission does.

See resolution 2016-82 for the vote.

**RESOLUTION: 2016-46**

**A RESOLUTION APPOINTING JOSEPH CHROBAK TO THE UNION COUNTY COMMUNITY DEVELOPMENT REVENUE SHARING COMMITTEE**

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

Section 1. That the City of Linden hereby appoints **JOSEPH CHROBAK,** residing in the City of Linden, New Jersey a member of the Union County Development Revenue Sharing Committee for a (1) one year term commencing January 1, 2016 and terminating December 31, 2016 until his successor has been appointed and qualifies. Said appointment shall be with a $2,500.00 stipend.

Section 2. That the City Clerk of the City of Linden shall certify a copy of this Resolution and cause it to be filed with Tom Connell, Director of Planning and Community Development, Department of Parks and Community Renewal, Elizabethtown Plaza, Elizabeth, New Jersey 07207.

**RESOLUTION: 2016-47**

**RESOLUTION** **APPOINTING JOSEPH DOOLEY A COMMISSIONER**

**OF THE INSURANCE FUND COMMISSION**

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

That **JOSEPH DOOLEY,** residing in the City of Linden, County of Union and State of New Jersey, be and she hereby is appointed a Commissioner of the Insurance Fund Commission of the City of Linden according to a Resolution entitled “A RESOLUTION APPOINTING INSURANCE FUND COMMISSIONERS IN THE CITY OF LINDEN, PASSED FEBRUARY 7, 1984 AND APPROVED FEBRUARY 8, 1984", for a period of two years commencing February 7, 2016 and terminating February 6, 2018, and until her successor is appointed and qualifies.

**RESOLUTION: 2016-48**

**A RESOLUTION APPOINTING CHRISTINE FIGUIEREDO TO THE UNION COUNTY COMMUNITY DEVELOPMENT REVENUE SHARING COMMITTEE AS AN ALTERNATE MEMBER**

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

Section 1. That the City of Linden hereby appoints Christine Figuieredo **,** residing in the City of Linden, New Jersey an alternate member of the Union County Development Revenue Sharing Committee for a (1) one year term commencing January 1, 2016 and terminating December 31, 2016 until his successor has been appointed and qualifies. Said appointment is without any monetary stipend.

Section 2. That the City Clerk of the City of Linden shall certify a copy of this Resolution and cause it to be filed with Tom Connell, Department of Economic Development, Bureau of Community Development, Administration Building, 3rd Floor, Elizabethtown Plaza, Elizabeth, New Jersey 07207.

**RESOLUTION: 2016-49**

**RESOLUTION APPROVING THE AWARD OF A CONTRACT TO INTEGRA REALTY RESOURCES AS AN EXPERT WITNESS FOR DEFENSE OF THE PSE&G TAX COURT APPEALS FOR 2016**

**WHEREAS**, the City Council of the City of Linden has determined that it would be advisable and in the best interests of the City to retain the services of an expert witness to provide testimony and assist in the defense of State Tax Court appeals; and

**WHEREAS,** in accordance with the provisions of N.J.S.A. 19:44A-1 et seq., same is awarded through a fair and open process; and

**WHEREAS**, Integra Realty Resources 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 the Account No. 6-01-20-156-117-272;

**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 Integra Realty Resources, 1415 Hooper Avenue, Suite 202, Toms River, New Jersey 08753, expert witness, at a fee not to exceed $5,000.00.

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

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

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

**RESOLUTION: 2016-50**

**RESOLUTION** **APPOINTING NANCY KOBLIS A COMMISSIONER**

**OF THE INSURANCE FUND COMMISSION**

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

That **NANCY KOBLIS,** residing in the City of Linden, County of Union and State of New Jersey, be and she hereby is appointed a Commissioner of the Insurance Fund Commission of the City of Linden according to a Resolution entitled “A RESOLUTION APPOINTING INSURANCE FUND COMMISSIONERS IN THE CITY OF LINDEN, PASSED FEBRUARY 7, 1984 AND APPROVED FEBRUARY 8, 1984", for a period of two years commencing February 7, 2016 and terminating February 6, 2018, and until her successor is appointed and qualifies.

**RESOLUTION: ­\_2016-51**

**RESOLUTION ACCEPTING THE RESIGNATION OF JOHN HREHA, COMMISSIONER OF THE LINDEN/ROSELLE SEWERAGE AUTHORITY**

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

That **JOHN HREHA,** previously residing in, Linden, New Jersey, has tendered his resignation as Commissioner of the Linden/Roselle Sewage Authority, and said resignation is hereby accepted effective as of January 1, 2016.

**RESOLUTION: 2016-52**

**A RESOLUTION APPOINTING EDWARD MIKOLAJCZYK 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, **EDWARD MIKOLAJCZYK,** residing in Linden, New Jersey, be and he hereby is appointed a member of the Linden Roselle Sewerage Authority to serve the unexpired term of John Hreha, which term commenced May 1, 2015 and terminates April 30, 2020 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: 2016-53**

**A RESOLUTION APPOINTING GEORGE VIRCIK AS AN ALTERNATE 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, **George Vircik,** residing in Linden, New Jersey, be and he hereby is appointed a member of the Linden Roselle Sewerage Authority to serve the unexpired term of Edward Mikolajczyk, as an alternate board member, which term commenced May 1, 2012 and terminates April 30, 2017 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: 2016-54**

**A RESOLUTION APPOINTING DONALD BEYE A**

**MEMBER OF THE GOVERNING BODY, AS CLASS III**

**MEMBER OF THE PLANNING BOARD FOR THE TERM OF**

**ONE YEAR EXPIRING DECEMBER 31, 2016.**

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

Section 1. Donald Beyer, Councilman of the Second Ward of the City of Linden, be and he hereby is appointed to serve as Class III member of the Planning Board of the City of Linden for a term commencing January 1, 2016 and terminating December 31, 2016.

**RESOLUTION**: **2016-55**

**RESOLUTION APPOINTING PETER BROWN AS A MEMBER OF THE LINDEN DISTRICT MANAGEMENT CORPORATION (SID)**

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

That **Peter Brown, Councilperson of the Third Ward,** 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 Trustees of the City of Linden District Management Corporation according to an ordinance entitled, "AN ORDINANCE TO CREATE A SPECIAL IMPROVEMENT DISTRICT WITHIN THE CITY OF LINDEN AND TO ESTABLISH THE CITY OF LINDEN DISTRICT MANAGEMENT CORPORATION PURSUANT TO N.J.S.A. 40:56-65, ET SEQ.", Ordinance No. 31-63, adopted on October 19, 1994, to serve a one (1) year term, commencing January 1, 2016 and expiring December 31, 2016, and until his successor is appointed and qualifies.

**RESOLUTION**: **2016-56**

**RESOLUTION APPOINTING THOMAS BOROWSKI AS A REAL ESTATE MEMBER OF THE LINDEN DISTRICT MANAGEMENT CORPORATION (SID)**

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

That **THOMAS BOROWSKI,** resident in the City of Linden, County of Union and State of New Jersey, be and he hereby is appointed a real estate member of the Board of Trustees of the City of Linden District Management Corporation according to an ordinance entitled, "AN ORDINANCE TO CREATE A SPECIAL IMPROVEMENT DISTRICT WITHIN THE CITY OF LINDEN AND TO ESTABLISH THE CITY OF LINDEN DISTRICT MANAGEMENT CORPORATION PURSUANT TO N.J.S.A. 40:56-65, ET SEQ.", Ordinance No. 31-63, adopted on October 19, 1994, to serve a three (3) year term, commencing January 1, 2016 and expiring December 31, 2018, and until his successor is appointed and qualifies.

**RESOLUTION**: **2016-57**

**RESOLUTION APPOINTING JOANNA COLUCCI AS A RESIDENT MEMBER OF THE LINDEN DISTRICT MANAGEMENT CORPORATION (SID)**

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

That **JOANNA COLUCCI,** resident in the City of Linden, County of Union and State of New Jersey, be and he hereby is appointed a Resident member of the Board of Trustees of the City of Linden District Management Corporation according to an ordinance entitled, "AN ORDINANCE TO CREATE A SPECIAL IMPROVEMENT DISTRICT WITHIN THE CITY OF LINDEN AND TO ESTABLISH THE CITY OF LINDEN DISTRICT MANAGEMENT CORPORATION PURSUANT TO N.J.S.A. 40:56-65, ET SEQ.", Ordinance No. 31-63, adopted on October 19, 1994, to serve a two (2) year term, commencing January 1, 2016 and expiring December 31, 2017, and until her successor is appointed and qualifies.

**RESOLUTION**: **2016-58**

**RESOLUTION APPOINTING ALAIN JULIEN AS A MERCHANT MEMBER OF THE LINDEN DISTRICT MANAGEMENT CORPORATION (SID)**

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

That **ALAIN JULIEN,** resident in the City of Linden, County of Union and State of New Jersey, be and he hereby is appointed a merchant member of the Board of Trustees of the City of Linden District Management Corporation according to an ordinance entitled, "AN ORDINANCE TO CREATE A SPECIAL IMPROVEMENT DISTRICT WITHIN THE CITY OF LINDEN AND TO ESTABLISH THE CITY OF LINDEN DISTRICT MANAGEMENT CORPORATION PURSUANT TO N.J.S.A. 40:56-65, ET SEQ.", Ordinance No. 31-63, adopted on October 19, 1994, to serve a three (3) year term, commencing January 1, 2016 and expiring December 31, 2018, and until his successor is appointed and qualifies.

**RESOLUTION: 2016-59**

**RESOLUTION APPOINTING BRYAN TOMKO AS CHAIRPERSON**

**OF THE LINDEN DISTRICT MANAGEMENT CORPORATION (SID)**

**WHEREAS**, the Municipal Code of the City of Linden, 27-7.2, provides for the organization of the Linden District Management Corporation (SID); and

**WHEREAS**, Section 27-7.2(d) provides that the Chairperson of the Board of Trustees shall be appointed by the City annually; and

**WHEREAS**, BRYAN TOMKO has previously been appointed a member of the Board of Trustees of the Linden District Management Corporation; and

**WHEREAS**, the City Council of the City of Linden wishes to appoint BRYAN TOMKO as chairman of the Board of Trustees of the Linden District Management Corporation;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** that they do hereby designate BRYAN TOMKO as Chairperson of the Board of Trustees of the Linden District Management Corporation for a term of one year commencing January 1, 2016 and terminating December 31, 2016, and until his successor is appointed and qualifies.

**Resolution: 2016-60**

**RESOLUTION ENGAGING SPECIAL TAX COUNSEL**

**WHEREAS**, the City Council of the City of Linden has determined that it would be advisable and in the best interests of the City to continue to retain the services of Special Tax Counsel to represent the City of Linden in defense of real property tax assessment appeals concerning the assessment of commercial, industrial and multi-family residential properties in the city for the year 2016, and to render legal advice and assistance to the city and to the Tax Assessor in preparing the trials of such proceedings; 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**, Skoloff & Wolfe, P.C. submitted a qualification to the City and has qualified for the aforesaid services: and

**WHEREAS,** since professional legal services are rendered or performed by persons authorized by law to practice a recognized profession and whose practice is regulated by the laws of the State of New Jersey; the Local Public Contracts Law (N.J.S. 40A:11-1 et seq.) permits the award of a contract therefore as a Professional Service without competitive bidding; and

**WHEREAS**, the Finance Director has certified to the availability of funds for this purpose, to be charged to Account No. 6-01-20-156-117-271;

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

1. That the law firm of Skoloff & Wolfe, P.C., Attorneys at Law of the State of New Jersey be and is hereby retained as Special Tax Counsel to the City for all matters in the Tax Court, and related forums, and as set forth in an agreement to be executed between Skoloff & Wolfe, P.C. and the City of Linden.

2. The Mayor and City Clerk are hereby authorized and directed to execute an Agreement with Skoloff & Wolfe, P.C. setting forth the terms and conditions of the legal services to be rendered.

3. This contract is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law as a contract for professional services may be awarded without competitive bidding, pursuant to N.J.S. 40A:11-5 (1) (a).

4. For the services hereinabove described as Skoloff & Wolfe, P.C. shall be awarded an agreement in the amount of $170,000.00 for the calendar year 2016 and certifying funds of $35,000.00 pursuant to the temporary budget with the balance subject to the adoption of the permanent budget. The City shall not be liable for payment of any monies exceeding the contract price stated herein unless additional funds are approved by the governing body and the contract amended in accordance with applicable law.

5. A notice of this action shall be published in accordance with applicable law.

Virginia Malik, 1633 Lenape Road. Ms. Malik this was quite a bit of money, and do we have a lot of challenges to our assessments. Mr. Antonelli responded, noted the number of appeals, last year that were handled, spoke about the process for the appeals, and noted what a fantastic job this law firm does for the City. He also noted this is a not to exceed amount, which may not be reached.

See resolution 2016-82 for the vote.

**RESOLUTION: 2016-61**

**RESOLUTION APPROVING THE AWARD OF A CONTRACT TO SOCKLER REALTY GROUP FOR REAL ESTATE APPRAISER SERVICES FOR STATE COURT TAX APPEALS FOR 2016**

**WHEREAS**, it is necessary to hire a real estate appraiser who is a member of the Appraisal Institute (M.A.I.) in order to defend the City of Linden on all industrial and commercial tax appeals filed before the Union County Board of Taxation for 2016 and also new and pending cases before the Tax Court of New Jersey; and

**WHEREAS**, Sockler Realty Group 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. 6-01-20-156-117-272;

**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 Sockler Realty Group, 299 Ward Street, Suite C, Hightstown, New Jersey 08520; and

**BE IT FURTHER RESOLVED** the terms of said agreement shall be for a period of one year at a fee not to exceed $5,000.00; and

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

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

**RESOLUTION: 2016-62**

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

**TRENK, DIPASQUALE, DELLA FERA & SODONO FOR SPECIAL BANKRUPTCY COUNSEL SERVICES FOR 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 Special Counsel to represent the City in connection with certain bankruptcy issues; 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,** Trenk, DiPasquale, Della Fera & Sodono, P.C. submitted a qualification to the City and has qualified for the aforesaid services for 2016; 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 an agreement for Professional Services be and hereby is awarded to the firm of Trenk, DiPasquale, Della Fera & Sodono, P.C., 347 Mt. Pleasant Avenue, Suite 300, West Orange, New Jersey 07052 at a fee not to exceed $9,000.00 at the rate of $125.00 to $150.00 per hour; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents between Trenk, DiPasquale, Della Fera & Sodono, P.C. 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 Trenk, DiPasquale, Della Fera & Sodono, P.C. to effectuate the foregoing; and

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

Virginia Malik, 1633 Lenape Road. In response to Ms. Malik, Mr. Antonelli explained why the City needs a special bankruptcy counsel and the services that they provide.

See resolution 2016-82 for the vote.

**RESOLUTION: 2016-63**

**A RESOLUTION APPOINTING GEORGE VIRCIK TO THE UNION COUNTY COMMUNITY DEVELOPMENT REVENUE SHARING COMMITTEE AS A MEMBER**

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

Section 1. That the City of Linden hereby appoints **GEORGE VIRCIK,** residing in the City of Linden, New Jersey an member of the Union County Development Revenue Sharing Committee for a (1) one year term commencing January 1, 2016 and terminating December 31, 2016 until his successor has been appointed and qualifies. Said appointment is without any monetary stipend.

Section 2. That the City Clerk of the City of Linden shall certify a copy of this Resolution and cause it to be filed with Tom Connell, Director of Planning and Community Development, Department of Parks and Community Renewal, Elizabethtown Plaza, Elizabeth, New Jersey 07207.

**RESOLUTION: 2016-**64

**RESOLUTION APPROVING A CONTRACT TO BOSWELL ENGINEERING FOR LANDSCAPE DESIGN ENGINEERING FOR THE WOOD AVENUE SAFE ROUTES TO SCHOOL PROJECT**

**WHEREAS**, there exists a need for landscape design engineering for the Wood Avenue Safe Routes to School Project: and

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

**WHEREAS**, Boswell Engineering, 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-04-55-901-636-919;

**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 Boswell Engineering, 330 Phillips Avenue, P.O. Box 3152, South Hackensack, New Jersey 07606, at a fee not to exceed $22,000.00 in accordance with their proposal dated January 8, 2016 be subject to all state and federal regulations; and

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

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk be and hereby are empowered and directed to execute a contract with Boswell Engineering to effectuate the foregoing, in accordance with all state and federal regulations; and

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

**RESOLUTION: 2016-65**

**RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE CITY OF ELIZABETH FOR LICENSE INSPECTORS FOR TAXICABS AND LIMOUSINE ENFORCEMENT**

**WHEREAS,** the City of Linden wishes to enter into a Shared Services Agreement with the City of Elizabeth to provide the City of Elizabeth’s License Inspectors, on a part time basis, to assist in the enforcement of the City of Linden’s taxicab and limousine codes; and

**WHEREAS,** the City of Linden has no license inspectors and has a need for the expertise of the City of Elizabeth’s license inspectors; and

**WHEREAS,** it is not anticipated that the duties of any license inspectors operating in the City of Linden will interfere with the fulfillment of said inspectors’ duties within the City of Elizabeth, and all costs associated with same shall be reimbursed to the City of Elizabeth; and

**WHEREAS,** based upon the cost savings benefit received by the City of Elizabeth under this Agreement, the Business Administrator recommends that it is in the best interests of the City of Elizabeth to enter into this Shared Services Agreement with the City of Linden; and

**WHEREAS,** the cost to the City of Linden for said services will be $10,000.00 for the period of December 15, 2015 through December 14, 2016; and

**WHEREAS,** the Chief Financial Officer or her designee has certified as to the availability of funds for this purpose, as attached hereto, which will be charged to account/line item No. ?-01-20-120-103-275;

**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 any and all necessary documents in order to effectuate the foregoing, as approved by the Law Department.

2. Said Agreement shall be for the period of December 15, 2015 through December 14, 2016, at a fee of $10,000.00.

3. This Resolution shall take effect pursuant to law.

Virginia Malik, 1633 Lenape Road. In response to Ms. Malik, Mr. Bodek explained that for at least the last five years, the City of Linden has entered into a shared services agreement, with the City of Elizabeth, to provide this service. He explained the need, and why this is in Linden’s best interest.

See resolution 2016-82 for the vote.

**RESOLUTION: 2016-66**

**A RESOLUTION AUTHORIZING THE CITY OF LINDEN TO ENTER INTO A COOPERATIVE PRICING SYSTEM FOR THE YEAR 2016**

**WHEREAS,** N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

**WHEREAS,** the Cranford Police Cooperative Pricing System (ID#47-CPCPS),

hereinafter referred to as the “Lead Agency” has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services; and

**WHEREAS,** the Governing Body of the City of Linden, County of Union, State of

New Jersey wishes to participate in a Cooperative Pricing System for the provision and performance of goods and services as set forth herein;

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

**CITY OF LINDEN** as follows:

1. This Resolution shall be known and may be cited as the Cooperative Pricing Resolution of the City of Linden.

2. This Resolution is adopted pursuant to the provisions of N.J.S.A. 40A:11- 11(5), the Mayor is hereby authorized to execute a Cooperative Pricing Agreement with the Lead Agency, in the terms as approved by the City Law Department.

3. The Lead Agency shall be responsible for complying with the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) and all other provisions of the revised statutes of the State of New Jersey.

4. This Resolution shall take effect immediately upon passage.

**RESOLUTION: 2016-67**

**RESOLUTION OF THE SPECIAL IMPROVEMENT DISTRICT ENCOURAGING THE PUBLIC OFFICER OF THE CITY OF LINDEN TO ENFORCE THE PROVISIONS OF CHAPTER 12 OF THE CITY OF LINDEN CODE**

**WHEREAS**, in an attempt to encourage and promote economic development in the City of Linden and particularly the Special Improvement District; and

**WHEREAS**, it has come to the attention of the Special Improvement District that commercial businesses within the Special Improvement District are not maintaining their properties in good repair; and

**WHEREAS**, commercial and economic growth within the City of Linden and particularly the Special Improvement District can improve if commercial property owners are encouraged to maintain their properties in good repair and are aesthetically attractive to potential consumers; and

**WHEREAS**, while Chapter 12 of the City of Linden’s Ordinances pertain to “property Maintenance of Nonresidential Properties,” this Chapter is lawfully equipped to force commercial property owners to maintain their properties in good repair and to prevent disrepair of such properties; and

**WHEREAS***,* The City of Linden employs a Public Officer to enforce the provisions of Chapter 12 of the City’s Code.

**NOW, THEREFORE, BE IT RESOLVED** that the Special Improvement District hereby strongly encourages the Public Officer of the City of Linden to effectively and vigorously enforce the provisions of Chapter 12 of the Code in order to compel commercial business owners to maintain their properties in good repair for potential consumers.

**RESOLUTION: 2016-68**

**RESOLUTION AUTHORIZING SUBMISSION OF AN APPLICATION**

**FOR THE MUNICIPAL ALLIANCE GRANT FOR THE CALENDAR**

**YEAR 2016 - 2017**

**WHEREAS,** the City Council of the City of Linden, County of Union, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and

**WHEREAS,** the City Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

**WHEREAS,** the City Council has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Union;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN,** County of Union, State of New Jersey hereby recognizes the following:

1. The City Council does hereby authorize submission of an application for the Linden Municipal Alliance grant for calendar year 2016-2017 in the amount of $32,200.00 and commits to the 25% cash match in the amount of $8,050.00 and the 75% in-kind match in the amount of $24,150.00

2. The City Council acknowledges the terms and conditions for administering the Municipal Alliance Grant, including the administrative compliance and audit requirements

Virginia Malik, 1633 Lenape Road. Mrs. Zack explained to Ms. Malik what this grant program addresses, and how the City’s contributions are done.

See resolution 2016-82 for the vote.

**RESOLUTION: 2016-69**

**A RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING**

**BETWEEN THE CITY OF LINDEN AND CWA 1032**

WHEREAS, the Collective Negotiations Agreement by and between the City of Linden and CWA Local 1032 has expired; and

WHEREAS, new terms and conditions have been negotiated by and between the City and CWA 1032 and a Memorandum of Understanding has been agreed upon.

NOW THEREFORE BE IT RESOLVED, that the Memorandum of Understanding by and between the City and CWA Local 1032 for the term through December 31, 2017 is hereby approved, subject to ratification by CWA Local 1032; and

BE IT FURTHER RESOLVED that the Mayor is authorized to execute the Memorandum of Understanding on behalf of the City of Linden.

Virginia Malik, 1633 Lenape Road. In response to Ms. Malik, Mr. Roth explained what Memorandum of Understanding was, and the terms of the agreement with the various unions.

**RESOLUTION: 2016-70**

**RESOLUTION APPROVING AN ALTERNATE MEMBER TO THE**

**ZONING BOARD OF ADJUSTMENT**

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

That **BARRY E. JAVICK,** residing in the City of Linden, New Jersey, be and he hereby is appointed as Alternate Member No. 2 of the Zoning Board of Adjustment of the City of Linden to serve for a term of one (1) year commencing January 1, 2016 and terminating December 31, 2016, and 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. 2 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.

**RESOLUTION: 2015-71**

**RESOLUTION AMENDING A RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE LINDEN BOARD OF EDUCATION FOR NURSING SERVICES FOR THE YEAR 2015-2016**

**WHEREAS**, the City of Linden passed Resolution, No. 2015-336 at the September 15, 2015 Council meeting authorizing a shared services agreement with the Linden Board of Education for nursing services for the year 2015-2016; and

**WHEREAS**, said amount of agreement was incorrect; and

**WHEREAS**, an amended resolution is needed for said purpose;

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

1. A change in the total amount of agreement to reflect $9,990.00.
2. This Resolution shall take effect pursuant to law.

**RESOLUTION: 2016-72**

**RESOLUTION OFFERING EMPLOYEE INDUCEMENT**

**TO WAIVE HEALTH BENEFITS FOR 2016**

**WHEREAS,** pursuant to Chapter 259, P.L.1995 and Chapter 3, P.L.2003 and per P.L. 2010,c.2,s.11,s.18, a municipality is empowered by law to permit employees who are eligible to receive health care benefits for other health care coverage, to waive coverage and receive an incentive under the municipal plan; and

**WHEREAS,** an employee who has waived coverage under the provisions of this law is permitted to immediately resume health coverage if they lose their coverage under another plan; and

**WHEREAS,** Chapter 2, P.L. 2010 certain aspects of Chapter 259, P.L.1995 and Chapter 3, P.L.2003 and per P.L. 2010,c.2,s.11,s.18, specifically, amending the amount of any waiver reimbursement, an amount of 25% of the cost of the coverage or $5,000.00, whichever is less, of the amount saved by the employer; and

**WHEREAS,** the City will continue to offer $5,000.00 as the limit of any health benefit waiver reimbursement in accordance with Chapter 2, P.L. 2010**;** and

**WHEREAS,** Chapter2, P.L. 2010 also prohibits employees from being dually enrolled into the NJSHBP; and

**WHEREAS,** Chapter 2, P.L. 2010 also prohibits employees whose alternative health insurance coverage is with the NJSHBP from qualifying for any waiver reimbursement.

**WHEREAS,** the City of Linden maintains the right to change, modify, or cancel this program as it shall determine in the City’s best interest and this program shall operate on a calendar year basis;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that it hereby approves, in accordance with the provisions of Chapter 2, P.L. 2010, the City’s offering of an inducement to waive health benefit coverage to employees.

**BE IT FURTHER RESOLVED** that the City will not offer this health benefit waiver incentive to employees who, if they waived the City’s offered insurance, would be covered under the NJSHBP through their spouse or domestic partner; and

**BE IT FURTHER RESOLVED** that the City reserves and maintains the right to change, terminate or modify this program as it shall determine in its best interest.

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

Virginia Malik, 1633 Lenape Road. Ms. Malik, stated that after last year, she thought this was going to be changing or be done away with. Mr. Roth explained the provisions of Chapter 78 and that the amount comes from there. Ms. Malik asked what this was costing the City. Mrs. Zack responded that last year it was $55,000.00

See resolution 2016-82 for the vote.

**RESOLUTION: 2016-73**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDEN**

**AUTHORIZING THE IMPLEMENTATION OF A FLEXIBLE**

**SPENDING ACCOUNT EFFECTIVE JANUARY 1, 2015**

**WHEREAS**, PL 2011, c. 78, was adopted on June 28, 2011 and provides for major reform for pension and health benefits for public workers in the State of NJ; and

**WHEREAS**, this law requires the City of Linden to provide our employees with a Section 125 flexible spending account; and

**WHEREAS**, the flexible spending account allows an employee to voluntarily set aside a portion of their earnings to pay for qualified medical expenses thereby reducing their tax liability as well as reducing the Social Security/Medicare liability of the City; and

**WHEREAS**, the City’s Broker, BGIA/Accrusiure has obtained quotes for this service and has determined that O.C.A. Benefit Services, 37705 Quakerbridge Road, Suite 216, Mercerville, New Jersey 08619 will provide the best service to the City, in an amount not to exceed $15,000.00; and

**WHEREAS,** the Chief Financial Officer has certified to the availability of funds for this purpose to be charged to Account No. 6-01-23-220-141-274.

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

1. That the Mayor, City Clerk and/or any other City Official if necessary, are hereby authorized to implement the flexible spending accounts with O.C.A effective January 1, 2016 through December 31, 2016, and to prepare and sign all necessary Section 125 Plan documents.

2. This Resolution shall take effect pursuant to law.

**RESOLUTION: 2016-74**

**RESOLUTION ENGAGING THIRD PARTY**

**ADMINISTRATOR FOR INSURANCE FUND COMMISSION**

**WHEREAS**, there exists a need for a Third Party Administrator for the Insurance Fund Commission to meet the requirements of the City of Linden; 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**, Inservco Insurance Services submitted a qualification to the City and has qualified for the aforesaid services for 2016; and

**WHEREAS**, the Chief Financial Officer or his designee has certified as to the availability of funds for this purpose in account entitled, "Claims Administrator", as attached hereto, which will be charged to account/line item No.: 6-01-23-215-140-272; and

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

**WHEREAS**, the Chairman of the Insurance Commission has certified that this meets the statute and regulations governing the award of said contracts;

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

1. Inservco Insurance Services, Inc., 3150 Brunswick Pike, Lawrenceville, New Jersey 08648 in accordance with their proposal submitted on January 6, 2016, providing Third Party Claims Administration Services for all coverage to be self-insured by the City of Linden at a base fee of $72,000.00 per year, for one year, effective January 1, 2016 through December 31, 2016.

2. This contract is awarded without competitive bidding as an "Extraordinary, Unspecifiable Service" in accordance with N.J.S.A. 40A:11-5 (1) (a) (m) of the Local Public Contracts Law because the firms listed herein offer the City of Linden extensive experience in the field of insurance and risk management. The quotations offered for services and/or coverage were the most competitive and were in the best interests of the City of Linden.

3. A notice of this action shall be published in accordance with applicable law.

Virginia Malik, 1633 Lenape Road. Mr. Bodek responded to Ms. Malik’s questions and explained what the vital services that Inservco provides to the City.

See resolution 2016-82 for the vote.

**RESOLUTION: 2016-75**

**RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF LINDEN**

**AND TEAMSTERS LOCAL 125 AND 125A**

WHEREAS, the Collective Negotiations Agreement by and between the City of Linden and Teamsters Local 125 and 125A has expired; and

WHEREAS, new terms and conditions have been negotiated by and between the City and Teamsters Local 125 and 125A and a Memorandum of Understanding has been agreed upon.

NOW THEREFORE BE IT RESOLVED, that the Memorandum of Understanding by and between the City and Teamsters Local 125 and 125A for the term through December 31, 2017 is hereby approved; and

BE IT FURTHER RESOLVED that the Mayor is authorized to execute the Memorandum of Understanding on behalf of the City of Linden.

**RESOLUTION: 2016-76**

RESOLUTION AUTHORIZING A VOLUNTARY FURLOUGH PROGRAM

TO THE CITY OF LINDEN EMPLOYEES

WHEREAS, the City is under budgetary restraints for the period January 1, 2016 through December 31, 2016; and

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

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

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

NOW THEREFORE BE IT RESOLVED, that the City Council authorizes the City’s Division of Personnel to draft and submit a voluntary furlough plan to the Civil Service Commission in the interest of economy for the period January 1, 2016 through December 31, 2016. Said plan is to be drafted for each City department, with the exception of non-emergency services personnel.

Virginia Malik, 1633 Lenape Road. Mr. Roth noted that this resolution was passed every year. That the program was permitted by the State, and its purpose. Ms. Malik asked if the City anticipated doing any mandatory furloughs. Mr. Roth responded that none are anticipated.

See resolution 2016-82 for the vote.

**RESOLUTION: 2016-77**

**RESOLUTION FOR STATE CONTRACT FOR PROVISION OF AN E-TICKETING TURNKEY SYSTEM FOR THE POLICE DEPT. FROM GOLD TYPE BUSINESS MACHINES**

**WHEREAS**, the City of Linden wishes to obtain services from an authorized vendor under the State of New Jersey Cooperative Purchasing Program 1-NJCP; police vehicles equipment and supplies from Gold Type Business Machines, an authorized vendor under the State of New Jersey Cooperative Purchasing Program 1-NJCP; and,

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

**WHEREAS**, Gold Type Business Machines, Gold, Inc., 351 Paterson Avenue, East Rutherford, New Jersey 07065, has been awarded New Jersey State Contract No. A81341 for the provision of an E-Ticketing Turnkey System; and,

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

**WHEREAS**, the amount of the service is not to exceed $60,000.00 (subject to the 2016 budget); and,

**WHEREAS**, the Chief Finance Officer has certified the availability of funds for this contract, which will be charged to account number 6-01-25-240-160-201; and,

**NOW THEREFORE BE IT RESOLVED** by the City of Linden that GTBM, be awarded a contract for a term of one year starting January 1, 2016 or until new awards are made; and,

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

Virginia Malik, 1633 Lenape Road. In response to Mr. Malik, Mr. Bodek explained that the $60,000.00 was the anticipated cost of the program and what the E-Ticketing Turnkey System does and how it saves the City money. He noted what the cost included.

See resolution 2016-82 for the vote.

**RESOLUTION:** **2016-78**

**RESOLUTION AWARDING A CONTRACT FOR ALTERNATE**

**SPECIAL TAX COUNSEL TO DEFEND THE CITY IN STATE TAX COURT APPEALS**

**WHEREAS,** due to a conflict of interest with Linden’s Tax Counsel, the City Council of the City of Linden has determined that it is necessary retain the services of Special Counsel to assist the City relative to the defense of State Tax Court Appeals

**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 2013; 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. 6-01-20-156-117-271;

**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 $10,000.00, based upon an hourly billing rate of $160.00 per hour;

**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 the Robert Renaud, Esq. of the firm Palumbo & Renaud to effectuate the foregoing; and

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

**RESOLUTION: 2016-79**

**RESOLUTION AMENDING A RESOLUTION AWARDING A CONTRACT TO VOYA FINANCIAL SERVICES FOR RETIREMENT PLANNING SPECIALIST SERVICES FOR 2016**

**WHEREAS**, the City of Linden passed Resolution, No. 2016-16 at the January 5, 2016 Council meeting awarding a contract to Voya Financial Services for retirement planning specialist services for 2016; and

**WHEREAS**, the address listed for Voya Financial Services was incorrect; and

**WHEREAS**, an amended resolution is needed for said purpose;

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

* + - 1. A change in the address of Voya Financial Services to reflect 408 E. 4th Street, Suite #3, Bridgeport, Pennsylvania 19405.
      2. This Resolution shall take effect pursuant to law.

**RESOLUTION: 2016-80**

**RESOLUTION OF THE CITY OF LINDEN DEFERRED COMPENSATION PLAN ADMINISTRATOR**

**WHEREAS,** the City of Linden desires to attract and retain qualified employees; and

**WHEREAS,** the City offers two Deferred Compensation Plans, which can be a tax benefit to employees as established pursuant to Section 457 of the Federal Internal Revenue Code; and

**WHEREAS,** the CFO and/or Accounting Procedures Analyst are hereby designated as the Plan Administrator, for the administration and the current Voya Financial Services Plan;

**WHEREAS,**, the City of Linden is adopting an additional deferred compensation plan substantially similar to one on which a favorable Private Letter Ruling has been previously obtained from the Federal Internal Revenue Service except for provisions added by reason of the Small Business Job Protection Act of 1996 (United States Public Law No, 104-188) : and the Economic Growth and Tax Relief Reconciliation Act of 2001 (United States Public Law No. 107-16); and all such provisions are stated in the plan in terms substantially similar to the test of those provisions in the Internal Revenue Code Section 457. The use of the Ruling is for guidance only and acknowledges that for Internal Revenue Service purposes, the Ruling of another employer is not to be considered precedent.

**WHEREAS,** a request for proposals for an additional Deferred Compensation Plan and Service Agreements were prepared and made available to providers of deferred compensation services.

**WHEREAS,** the vendors responding to the requestor proposals were,

1. Mass Mutual
2. Voya Financial Services

**WHEREAS,** there has been no collusion, or evidence or appearance of collusion, between any local official and a representative of the contractor in the selection of a contractor for the administration of a service agreement pursuant to N.J.A.C. 5:37-5.7.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** hereby adopts an additional deferred compensation plan provided by Mass Mutual and Voya Financial Services and the Mayor is authorized to execute a Service Agreement with Mass Mutual and to submit all necessary documents to the director of the Division of Local Government Services within the state Department of Community Affairs for approval.

**RESOLUTION: 2016-81**

**A RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING**

**BEWTEEN THE CITY OF LINDEN AND LOCAL 469**

Whereas the Council of the City of Linden has a collective negotiations agreement with Local 469, White Collar Clerks; and

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

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

Now therefore be it resolved that this Council approves Local 469, White Collar Clerks, collective negotiations agreement effective January 1, 2014 through December 31, 2017.

Be it further resolved that Local 469, White Collar Clerks has executed the collective negotiations memorandum of agreement.

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

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

**RESOLUTION: 2016-82**

**RESOLUTION OFFERING LIFE INSURANCE TO**

**CITY OF LINDEN EMPLOYEES**

**WHEREAS**, the City of Linden elects to provide a benefit program to its employees in the area of Life Insurance for a three year contract/rate lock commencing February 1, 2016 to January 31, 2019 with the option to terminate with each twelve month anniversary; and

**WHEREAS**, the Chief Financial Officer or his designee has certified as to the availability of funds for this purpose, which will be charged to account/line item No. 6-01-23-221-138-271 as attached hereto for 2016; 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**, Acrisure/BGIA submitted a qualification to the City and has qualified for the aforesaid services; and

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

**WHEREAS**, the Chief Financial Officer has certified that this meets the statute and regulations governing the award of said contracts;

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

1. Acrisure/BGIA 460 Rt. 9 North, Suite 310, Woodbridge, NJ 07095 is authorized to place the City of Linden’s Life Insurance Program through Metlife Insurance Company in accordance with the following:

(a) $.24 per $1,000.00 of Life Insurance per employee, per month.

(b) $.035 per $1,000.00 of Accidental Death and Dismemberment coverage per employee, per month.

(c) Not to exceed $79, 5000.00 from February 1, 2016 to January 31, 2019.

2. This contract is awarded without competitive bidding as an “Extraordinary, Unspecifiable Service” in accordance with N.J.S.A. 40A:11-5 (1) (m) of the Local Public Contracts Law because the firm of Acrisure/BGIA offers the City of Linden extensive administrative experience in the field of life insurance programs. The quotations offered for services were the most favorable quotations affording the most coverage and lowest administrative fee for the best interests of the City of Linden.

3. A notice of this action shall be published in accordance with applicable law.

Virginia Malik, 1633 Lenape Road. In response to Ms. Malik, Mr. Antonelli explained why there was a cost to this program.

Mr. Brown moved for approval of resolutions #2016-27, 29, 35, 42, 45, 60, 62, 65, 68, 69, 72, 74, 76, 77 and 82. The motion was seconded by Mr. Brooks and was ordered approved with all voting in favor except Mr. Brown who abstained on #2016-82, Mrs. Cosby-Hurling who abstained on #2016-69 and Mrs. Cosby-Hurling voted no to #2016-27.

**ORDINANCE – FIRST READING**

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

**An Ordinance entitled:**

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

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

Ordinance #60-1 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:**

**#60-2 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 Alvarez asked if there were any comments from the public. There were none.

Ordinance #60-2 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:**

**#60-3 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 Alvarez asked if there were any comments from the public. There were none.

Ordinance #60-3 was introduced by Mr. Brown and was read on first reading by the Deputy Clerk.

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

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

Ordinance #60-4 was introduced by Mr. Brown and was read on first reading by the Deputy Clerk.

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

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

Ordinance #60-5 was introduced by Mr. Brown and was read on first reading by the Deputy Clerk.

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

**PUBLIC COMMENT**

**PRESIDENT ALVAREZ ANNOUNCED COMMENTS FROM MEMBERS OF THE PUBLIC IN ATTENDANCE - ON CITY BUSINESS ONLY NO PERSONAL, POLITICAL OR DEROGATORY COMMENTS (not to exceed 5 minutes). He *asked if there is anyone who did not get a chance to sign the sign in sheets to speak at this time to please come up and sign in. President Alvarez stress that he would strictly adhere to 5 minute rule.***

Richard Gerbounka, 617 Princeton Road. Mr. Gerbounka stated that he was not going to speak today, after the B.A. motion was tabled, however when it was mentioned that he had dragged his feet when he had the opportunity to make the appointment, he felt that he had to react. He noted that all are aware that he is not in favor of the Mayor’s appointment and that they have agreed to disagree. He spoke about the intelligence of the individual, but felt that the individual does not have the qualifications and experience necessary to run this City, noting his lack of government experience. Mr. Gerbounka spoke about the year in which he did not make the appointment and the work he, and a committee, he appointed, did during that year. He spoke about the hiring of an individual to help solicited and screen applications for the position of BA. Mr. Gerbounka reviewed the results of that process, and how each of the applicants were classified. It was his interpretation of the list that the Mayor’s appointment was 34 out of 39 applicants. He stated his reasons for having an interest in matter.

Gary Manuzza, Fly Bowling Dr, Forked River. Mr. Manuzza stated that he goes back a long time with Mayor Gerbounka, and he is entitled to his opinion. He noted that Mr. Gerbounka is no longer Mayor, but he had the opportunity to appoint a business administrator, while he was Mayor, and he did not do it. Mr. Manuzza asked how Mr. Gerbounka was getting information as to who was on the list of applicants and what number Mr. Manuzza son was on the list. He asked the Council President who is feeding Mr. Gerbounka this information and that it was the job of the Council President to look into the matter, noting that Mr. Gerbounka was no longer mayor, but a citizen. Mr. Manuzza spoke about the qualifications his son had for the job, and Mr. Gerbounka actions trying to stop Mayor Armstead’s appointment from going through. Mr. Manuzza and members of Council had an exchange regarding statements that had been made.

Diane Wilverding, 150 E. Morris Ave. Ms. Wilverding told about two good encounters that she had with DPW employees. She did not feel that DPW gets enough credit. Ms. Wilverding spoke about the study for the BA, and that Mayor Armstead should have followed the recommendations of that study. She spoke of her love for the town, that we should not waste taxpayer monies and go with the recommendations of the study. She suggested that the candidate be one of the top five. Ms. Wilverding spoke about what other towns do, with regard to the BA.

Henry Mack, Linden. Mr. Mack stated that the peoples told him that he had the right to say what is reasonable and logical. He then addressed comments to Ms. Ormon. Mr. Mack spoke about conversations he had with the Mayor and the former Mayor. He next thanked the Chief of Police for the fine job he was doing. He next thanked the Council members for what they are doing. He noted that he told all, a few months ago, that there is one Linden. That there is a variety of cupcakes in the City of Linden that look good but they don’t taste good. He spoke about the peoples did with sitting Council up there. The peoples made Mr. Armstead the Mayor of the City of Linden. He spoke about Mayor Armstead and it being his term to run the City.

Mr. Sadowski moved to close the Public Comment section of the meeting. The motion was seconded by Mrs. Yamakaitis and was unanimously ordered approved by a roll call vote.

**COMMENTS FROM MEMBERS OF THE GOVERNING BODY**

Mrs. Ormon stated that she has been involved in politics, with the Board of Education, for over nine years and that she never witnessed a change in power, where a former superintendent does not show respect to the new person in charge. When there is a change in administration the old administration should step down and let the new person do their job. She spoke about it being basic respect and decency. She termed it sour grapes.

Mr. Beyer stated that he had forgotten to provide his contact information, and provided it.

Mr. Brown spoke about the BA position and compared it to the appointment of a judge a couple of years ago. He noted the discussions on the qualifications of the person being appointment, his lack of experience, and that person turned out fine. The appointment of the BA is similar. Mr. Brown then spoke about information getting out from the Council Conference meeting, and that the listing of the BA candidates, has nothing to do with a ranking or qualifications. He stated that the way it is being discussed is very misleading. Mr. Brown spoke again, about the leaks, and that he himself, if the Council or the Council President will not put a stop to it, will contact the prosecutor or the attorney general to address the issue.

Mr. Brooks spoke about the comments that were made, and that it is everyone’s right to speak, as long it is what you believe in. He noted that he will vote and do what he believes to be right regardless of the family or anyone else.

Mr. Strano noted that the whole process of vetting a business administrator occurred during his absence from the Council, so he obtained a copy of the BA ordinance and read it thoroughly before making his decision. He explained his reasons. He appointed out the section, in the ordinance, regarding the residency of the BA. Mr. Strano said he did not see a problem with picking someone who was already in the City of Linden.

Mrs. Yamakaitis she noted that her and Mr. Sadowski had sat on the BA Committee that former Mayor Gerbounka spoke about. She noted the classifications and charts of the candidates and that she did not know where the ranking of 34 comes from. She spoke about the detrimental effect it was having on the individual’s reputation. Mrs. Yamakaitis stated that she would like to know how some of the information on this study leaked out from this Council. She requested that the Council President do an investigation to start this process. She then spoke about some of the possible reasons that Mayor Armstead may have had for his decision.

Mrs. Hickey stated that she had forgotten to speak about the Linden Housing Authority’s Casino Night fundraiser. She provided details on the event. She spoke about the comments regarding upbringing and that she thought she had a wonderful upbringing in Linden. She spoke about Gary Manuzza, Mayor Armstead and the wonderful job he is doing in Linden. Mrs. Hickey thought the matter should have been discussed in caucus last night, so that it could have been handled better here.

Mayor Armstead thanked all for their comments. He then noted that the bottom line is that it is his choice. It is his decision as to the amount of experience the person has, or needs to do the job. He spoke about his believe that a young person may bringing new ideas and energy to the table. The Mayor stated that he believes this young man would do a good job. He questioned the Council’s decision to table the motion, and his believe that there should have been a straight up or down vote on the appointment. Mayor Armstead cautioned those that don’t want to work with him that he can do a lot of walking in the City of Linden.

Mrs. Cosby-Hurling stated that what she was trying to avoid, the threats. She related her conversations, with former Mayor Gerbounka, earlier today and now the comments from Mayor Armstead. She then noted the deficiencies in the motion, by Mr. Brown, earlier for the appointment of a BA. She noted the ordinance does not require any specific degree for the BA. There was no conversation about the appointment. Mrs. Cosby-Hurling then made a motion to hire Mr. Gary Manuzza, Jr. as the BA, with a starting salary of $85,000.00, and a starting date of April 4th. The motion was seconded by Mr. Brown. President Alvarez asked if the motion was in order. Mr. Antonelli stated that it can be made. Mr. Brown noted how it differed from the one that was tabled earlier. The motion was approved, by a roll call vote, with all voting in favor except Mr. Beyer, Mr. Brooks, Mr. Medina, Mrs. Hickey and President Alvarez.

Mr. Brooks spoke about the loss of a resident in the Fourth Ward, Janet Burns. He spoke about her and expressed best wishes to the family in this difficult time.

**ANNOUNCEMENTS**

President Alvarez made the following announcement regarding meeting of the 2016 Council**:**

**\*Council Conference meeting:**

**Monday, February 15, 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, January February 16, 2016 at 6:00 pm in the Council Conference Room, City Hall, 301 N. Wood Ave.**

**\*Council Meeting: Tuesday, February 16, 2016 at 7:00 p.m. in the Council Chambers, City Hall, 301 N. Wood Ave.**

**ADJOURNMENT**

There being no further business to come before the Governing Body, Mrs. Cosby-Hurling moved to adjourn the meeting. The motion was seconded by Mr. Strano and was unanimously ordered approved by a roll call vote. The meeting was adjourned at 9:37 p.m.

Respectfully submitted,

Joseph C. Bodek

City Clerk