**Minutes of the Regular**

**Meeting of the 2016 Council of the**

**City of Linden, held Tuesday**

**June 21, 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, June 21, 2016 at 7:00 pm., prevailing time.

The meeting was called to order by Council President Pro- Tempore Michele Yamakaitis 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 Pro-Tempore Michele Yamakaitis informed those present of the proper procedures for exiting the room in the event of an emergency.

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

A roll call showed the following members were present:

**ROLL CALL**

Councilwoman Lisa Ormon

Councilman Donald Beyer

“ Peter Brown

“ Monty Brooks

Councilwoman Rhashonna Cosby-Hurling

Councilman Robert Sadowski

Councilman Ralph Strano

Councilman Armando Medina

Councilwoman Gretchen Hickey

Council President Pro-Tempore Michele Yamakaitis

Mayor Derek Armstead

Council President Jorge Alvarez was excused from the meeting.

**APPROVAL OF MINUTES**

Mrs. Cosby-Hurling moved for approval of the minutes of the Scout Council meeting of April 26, 2016 and the Regular meeting minutes of May 17, 2016. The motion was seconded by Mr. Brooks and was ordered approved by a roll call vote, with all voting in favor except Mrs. Cosby-Hurling who abstained on the minutes of April 26, 2016 and yes to May 17, 2016.

**SHADE TREE PRESENTATION**

Mrs. Yamakaitis called upon Mayor Armstead and Mr. Beyer to receive a presentation from the Shade Tree Commission Chairman Jeff Tandul. Mr. Tandul noted that the City of Linden had received a national award as a Tree City USA, and that this was the tenth year in a row that Linden has received this award. He noted the criteria to be eligible to receive this award, and presented the award to the Mayor. Mayor Armstead thanked Mr. Tandul for all his efforts.

**ORDINANCE – HEARING**

Council President Pro- Tempore Yamakaitis announced that this is the date designated for the hearing and

further consideration respecting an ordinance entitled:

**#60-41 A bond ordinance providing an appropriation of $121,000.00 for the acquisition of firearms and associated equipment for the Police Department and authorizing the issuance of $114,950.00 bonds or notes of the City for financing part of the appropriation.**

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

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

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

Council President Pro- Tempore Yamakaitis announced that this is the date designated for the hearing

and further consideration respecting an ordinance entitled:

**#60-42 A bond ordinance providing an appropriation of $1,177,700.00 for the Engineering Department and authorizing the issuance of $1,118,150.00 bonds or notes to finance part of the cost thereof.**

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

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

Diane Wilverding 150 East Morris Ave. Ms. Wilverding noted that $1,177,000.00 was a lot of money and it was not clear what it would be spent on. Mr. Vircik provided an explanation on the use of the funds, and the projects that would be addressed.

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

Council President Pro- Tempore Yamakaitis announced that this is the date designated for the hearing

and further consideration respecting an ordinance entitled:

**#60-43 An ordinance to amend and supplement Chapter X, Building and Housing:**

**Delete - Section 10-30, vacant and abandoned property management and registration.**

**Add – New section 10-30, vacant and abandoned property management and registration.**

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

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

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

Council President Pro- Tempore Yamakaitis announced that this is the date designated for the hearing

and further consideration respecting an ordinance entitled:

**#60-44 An ordinance to amend and supplement Chapter VII, Traffic, as follows:**

**Add:**

**Street Side Hours Days Location**

**Exeter Road South 7:00 am to 11:00 am Mon From Princeton Rd to**

**Princeton Rd.**

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

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

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

Council President Pro- Tempore Yamakaitis announced that this is the date designated for the hearing

and further consideration respecting an ordinance entitled:

**#60-45 An ordinance to amend and supplement Chapter VII, Traffic as follows:**

**Add to 7-15.1d Teacher Permit Parking only:**

**Street Side Hours Days Location**

**Orchard Terrace West 7:00 am to 5:00 pm Monday – From a point 45 feet**

**Friday north of W. St. Georges**

**Avenue to a point 670**

**Feet north of W. St. Georges Avenue**

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

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

There being no persons to be heard, Mr. Medina moved that the hearing be closed and the ordinance be adopted. The motion was seconded by Mrs. Hickey and on a roll call vote the foregoing ordinance was ordered approved with all voting yes with the exception of Mrs. Cosby- Hurling who voted no.

Council President Pro- Tempore Yamakaitis announced that this is the date designated for the hearing

and further consideration respecting an ordinance entitled:

**#60-46 An ordinance to amend and supplement Chapter VII, Traffic as follows:**

**Add 7-33.1A Handicapped Parking On-Street;**

**7-33.1A Handicapped Parking On-Street**

***No. of***

***Name of Street Spaces Location***

**ADD:**

**837 Seymour Avenue 1 On the southwesterly sideline of Seymour Avenue, 71 feet more or less northwesterly from the projection of the northwesterly curbline of Rose Parkway, in front of 837 Seymour Avenue for a length of 22 feet. The aforesaid space is specifically reserved and designated for a vehicle for Dianna Dertinger identified by license plate number and a placard to be issued by the City, and no other vehicle bearing or displaying handicapped license plates and/or placards, or not, shall be permitted to park in such space.**

**823 Middlesex St. 1 On the northwesterly sideline of Middlesex Street, 236 feet more or less northeasterly from the projection of the northeasterly curbline of McCandless Street in front of 823 Middlesex Street for a length of 22 feet. The aforesaid space is specifically reserved and designated for a vehicle for Alfonzo Copes to be identified by license plate number and a placard to be issued by the City, and no other vehicle bearing or displaying handicapped license plates and/or placards, or not, shall be permitted to park in such space.**

**719 Bacheller Ave 1 On the northeasterly sideline of Bacheller Avenue, 198 feet more or less northwesterly from the projection of the northwesterly curbline of Grier Avenue in front of 719 Bacheller Avenue for a length of 22 feet. The aforesaid space is specifically reserved and designated for a vehicle for Mieczyslaw Dziadosz to be identified by license plate number and a placard to be issued by the City, and no other vehicle bearing or displaying handicapped license plates and/or placards, or not, shall be permitted to park in such space.**

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

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

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

Council President Pro- Tempore Yamakaitis announced that this is the date designated for the hearing

and further consideration respecting an ordinance entitled:

**#60-47 An ordinance adopting a redevelopment plan for Block 496, Lot 3 Pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq.**

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

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

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

Council President Pro- Tempore Yamakaitis announced that this is the date designated for the hearing

and further consideration respecting an ordinance entitled:

**#60-48 An ordinance to amend an ordinance entitled, “an ordinance establishing a schedule of titles, salary ranges and regulations for maintaining the classification and salary standardization plan of all employees of the City of Linden, amending Schedule 4-KK-3.**

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

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

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

Council President Pro- Tempore Yamakaitis announced that this is the date designated for the hearing

And further consideration respecting an ordinance entitled:

**#60-49 An ordinance to amend and supplement Chapter 7-15.1 entitled, “Parking By Permit only in designated residential areas” as follows:**

**ADD: 7-15.1(c) Parking Decals**

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

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

There being no persons to be heard, Mr. Medina moved that the hearing be closed and the ordinance be adopted. The motion was seconded by Mr. Sadowski and on a roll call vote the foregoing ordinance was ordered approved by all voting yes with the exception of Mrs. Cosby-Hurling who voted no.

**CONSENT AGENDA**

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

**(1)** treasurer’s office is as follows:

2016 Taxes $26,564,265.50

2015 Taxes $271,253.34

2014 Taxes $250.00

Garbage Fee Payments $75,449.05

Garbage Fee Penalty $4,915.00

Municipal Lien Redemption $0.00

Duplicate Tax Sale Certificate $0.00

Tax Search $0.00

Lien Redemption Request Fee $0.00

Year End Penalty $3,545.69

Returned Check Fee Paid $80.00

Returned Check Fee Garbage Paid $20.00

Returned Check 2015 ($0.00)

Returned Check 2016 ($4,586.70)

Returned Check Interest ($0.00)

Returned Online Payment 2016 Taxes ($7,311.57)

Returned Online Interest ($14.06)

Returned Check Garbage Fee ($0.00)

Returned Check Garbage Fee Penalty ($0.00)

Adv. Before Tax Sale $19,137.69

Sewer Clean out charge $2,600.00

DPW Reso payments $0.00

Interest $45,132.05

Total $26,974,735.99

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

Block Lot Redemption Date CTF# Amount

34 21 6/10/16 15-00020 $1,100.00

180 43 6/13/16 15-00121 $800.00

454 9 6/9/16 15-00257 $900.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $2,800.00 payable to: US Bank Cust for PC6, LLC Sterling National, 50 South 16th Street, Suite #2050, Philadelphia, PA 19102, charging same to account #-6-01-55-276-999-956.

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

Block Lot Cert# Premium

60 2 13-00070 $10,800.00

62 8 15-00034 $10,700.00

64 8 15-00038 $1,600.00

88 5 15-00056 $1,300.00

137 14.01 15-00092 $1,000.00

241 22 15-00166 $18,800.00

255 6 15-00170 $1,600.00

371 8 15-00215 $1,200.00

381 3 15-00220 $800.00

478 20 15-00279 $1,400.00

479 18 15-00281 $2,200.00

487 3 15-00285 $1,500.00

540 10 15-00313 $12,100.00

553 2 15-00326 $5,500.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $70,500.00 payable to: MTAG Cust Fig Cap Invest NJ, 13, P.O. Box 54472, New Orleans, LA 70154, charging same to account #6-01-55-276-999-956.

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

Block Lot Redemption Date CTF# Amount

53 2 6/10/16 14-00044 $1,200.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,200.00 payable to: US Bank Cust for PC5 Sterling National, 50 South 16th Street, Suite #2050, Philadelphia, PA 19102, charging same to account #-6-01-55-276-999-956.

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

Block Lot Redemption Date CTF# Amount

197 27 C015 5/24/16 14-00162 $100.00

218 20 6/9/16 15-00154 $1,100.00

299 2 6/13/16 15-00184 $43,600.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $44,800.00 payable to: FWDSL & Associates, LP, Attention: Jared Cucci, 17 W. Cliff Street, Somerville, NJ 08876 charging same to account #-6-01-55-276-999-956.

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

lot.

Block Lot Redemption Date CTF# Amount

197 27 c023 6/9/16 15-00132 $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: Treystone Capital Assets, LLC, 575 Route #70, 2nd Floor, P.O. Box 1030, Brick, NJ 08723 charging same to account #-6-01-55-276-999-956.

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

Block Lot Redemption Date CTF# Amount

212 24.05 5/27/16 12-00146 $49,900.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $49,900.00 payable to: US Bank Cust-Pro Cap III, LLC, 50 South 16th Street-Suite 2050, Philadelphia, PA 19102 charging same to account #5-01-55-276-999-956.

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

**Block Lot Redemption Date CTF# Amount**

247 19 5/26/16 14-00200 $2,200.00

354 9 6/9/16 13-00329 $26,900.00

477 11 6/9/16 14-00300 $1,600.00

555 5 5/13/16 14-00346 $3,100.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $33,800.00 payable to: TTLBL, LLC, Attention: John Lemkey, 4747 Executive Drive, Suite 1, San Diego, CA 92121 charging same to account #-6-01-55-276-999-956.

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

**Block Lot Redemption Date CTF# Amount**

285 15 6/9/16 13-00294 $900.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $900.00 payable to: US Bank Cust for Pro Cap 4 & Crdtrs, 50 South 16th Street, Suite #2050, Philadelphia, PA 19102, charging same to account #-6-01-55-276-999-956.

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

block & lot.

Block Lot Redemption Date CTF# Amount

319 13 5/24/16 12-00183 $9,400.00

347 10 5/24/16 14-00240 $3,500.00

381 1 5/11/16 11-00159 $16,100.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $10,700.00 payable to US Bank Cust BV Trst 2015-1, 50 South 16th Street, Suite #19, Philadelphia, PA 19102, charging same to account #-6-01-55-276-999-956.

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

Block Lot Redemption Date CTF# Amount

413 15 6/9/16 15-00239 $27,900.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $27,900.00 payable to: US Bank Cust. for Phoenix, 2 Liberty Place-TLSG 50 South 16th Street-Ste 1950, Philadelphia, PA 19102 charging same to account #-6-01-55-276-999-956.

**Refund** Block 421 Lot 49.02, West Blancke Associates

The above referenced property owners are entitled to a refund due to a Tax Court of New Jersey judgment reducing the assessment by 550,000 for 2011, 327,100 for 2012, 327,100 for 2013 ( Freeze Act), 327100 for 2014 & 375200 for 2015.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $112,170.48, payable to: Blau & Blau, C/O West Blancke Associates, 223 Mountain Ave, P.O. Box 50, Springfield, NJ 07081, charging same to account # 6-01-55-300-055-000.

**Refund of Overpayment** Due to Homestead Benefit Credit, Block 536 Lot 10

Estate of Lillian Lott, 21 E. 16th Street

There now exists a credit balance on the above referenced block & lot due to the payment of the 2016 2nd taxes prior to the Homestead Benefit Credit being issued by the State of New Jersey. Required the Homestead Benefit Credit was applied to the 2016 2nd quarter.

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

in the amount of $462.14payable: Estate of Lillian Lott, 21 E. 16th Street, Linden, NJ 07036 refunds charging same to account # 6-01-55-288-999-904.

**(\*\*\*) CITY CLERK’S OFFICE:**

**(2)** Requesting approval of the follow bingo/raffle applications which were submitted to the

Clerk’s Office:

Application Number Applicant Game Fees Collected

RA-1515 School #9 PTA 50/50 $20.00

RA-1516 School #9 PTA Tricky Tray $20.00

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

**(3)** Requesting a refund for the following services:

1. Horizon BC BS NJ is entitled to a refund in the amount of $207.18 for service that was provided on 1/15/2015.

Therefore, it would be in order for the council to authorize the treasurer to issue a check payable to: Horizon BC BS NJ, PO Box 1301, Neptune, NJ 07754-1301 charging same to 6-01-08-629-011.

1. Melissa Grier is entitled to a refund in the amount of $300.28 for service that was provided on 11/21/2014.

Therefore, it would be in order for the council to authorize the treasurer to issue a check payable to Melissa Grier, 1204 Bower Street, Linden, NJ 07036 charging same to 6-01-08-629-011.

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

**(4)** Requesting approval to reimburse retired employees who paid for Medicare

coverage in accordance with Chapters 88, 54 & 436 for the period of January 1, 2016 to June 30, 2016 for a total amount of $212,776.60. The list is on file in the City Clerk’s Office.

Mr. Sadowski moved for approval of Consent Items 1 through 4. The motion was seconded by Mr. Strano and was unanimously ordered approved on a roll call vote.

**COMMITTEE REPORTS AND COMMENTS FROM THE MEMBERS**

**OF THE GOVERNING BODY**

First Ward

Mrs. Ormon provided updates on a number of the redevelopment projects, Duke, JTG, Park Plastics, the expansion of the Transit Village area, St Georges Ave, and the DuPont site. Next she spoke about a study into the feasibility of creating a parking authority.

Mrs. Ormon began her First Ward report by noting that school is officially over on Thursday, and reminded all to be watchful of the children. She all encouraged all to slow down. She then gave a reminder about the garbage pickups, and that parts of the First Ward are in the automated garbage pickup area. Mrs. Ormon next addressed the issue of special trash pickups, in the First Ward. Special pickups are limited to an emergency, like the selling of a home or a death in the family. The City cannot go out and do a special pickup.

Mrs. Ormon noted that mosquito season is in full swing, and spoke about the issue of stagnant water and the health issues it creates. Next she gave a shout out and thank you to Jeff Tandul and the Shade Tree Commission for all the hard work they are doing in the First Ward. Next she thanked the SID for its first Wine Dine and Painting. She provided details on the event and how wonderful it was. She then reported on the joint First/Third Ward Community picnic and the success it was. She provided thank you’s to a number of individuals for their help with the picnic.

Mrs. Ormon spoke about the special needs camps that had been planned, how there was not a large sign up for it and how the issue of the needs of special needs children were going to be addressed. She then thanked Lt. Babulski for the blinking stop sign on the corner of Gibbons St. and Lindegar St. She then spoke about the problems with the former Pathmark site and how they were being addressed.

Second Ward

Mr. Beyer reported that Construction Code department. During the month of May they collected $70,070.00 for various permits and certificates they issued. He then reported on the siting of a bear in the Second Ward. Next he asked Second Ward residents, who want a tree planted, to contact him. Next he spoke about the various paving and sidewalk replace projects that would be going on this summer in the Second Ward.

Mr. Beyer noted that with the beginning of summer, everyone wants to enjoy their backyard, but he asked all to be courteous of their neighbors when playing music.

Third Ward

Mr. Brown began by wishing Mrs. Yamakaitis a happy birthday. He then gave the following report of the Budget Review and Finance Committee:

1. The payment of bills totaling $2,966,721.34. The bills have been signed by the Mayor, Council President and Finance Chairman and a detailed check register and vouchers are on file in the Clerk’s Office.
2. We are in receipt of the investments made by the City Treasurer for the month of May at the rate of .15%
3. The appointment of William Bizub as a police Sergeant at the salary commensurate with the collective negotiations agreement between the City and the LSOA of $108,000.00 effective July 1, 2016, as a replacement for William Turbett, III.

Mr. Brown moved for approval of the report. The motion was seconded by Mrs. Hickey and was unanimously ordered approved by a roll call vote. Next Mr. Brown called upon Mrs. Zack to explain the resolution on the agenda regarding the Audit. Mrs. Zack did and noted that this is the first time that they auditors have no recommendations for the City relative to the audit.

Mr. Brown gave a report from the Law Committee and the posting of signs, on polls, etc, around town, the removal of the signs and the possible prosecution of those responsible for placing them. He provided updates on paving projects that are taking place in the Third Ward. He noted that it is planned for all of Maple Ave to be paved next year. He thanked the traffic bureau for the placement of the latest four-way stop sign in the Third Ward. He noted his request for a study for another location in the ward.

Mr. Brown informed all that the City had recently entered into a contract for the installation of camera systems throughout the City. He noted some of the locations, including various parks, stating that the first park to receive one would be in Dobson Park in the Third Ward. He then spoke about the First/Third Ward Community picnic, and thanked a number of the Council people for their help.

Mr. Brown reported on the first Wine and Dine event that was sponsored by the SID. He noted the purpose and how individuals were chosen to participate.

Fourth Ward

Mr. Brooks gave the report of the Fire Committee. The Fire Prevention Bureau collected a total of $4302.96 for the month of May, 2016. The Fire Department Ambulance billing collected a total of $57,501.63 for the month of May, bringing the year to date total to $307,768.50.

Mr. Brooks then gave the report of the Division of Transportation and Parking for the month of May, 2016. A total of $51,492.65 was collected from all sources. Mr. Brooks then thanked the Fire Department, Red Cross and all members of the First Baptist Church for their assistance in the free give away, and installation, in the Fourth Ward, of carbon monoxide and smoke detectors. He provided contact information for anyone whose home was missed.

Mr. Brooks noted that free Red Cross training had been offered, at the Linden Multi-Purpose Center, on the use of defibrillators, for all those interested. He again thanked the Fire Department for the training program. Staff at the JTG and Multi-purpose center were targeted.

Mr. Brooks spoke about the recent cleanup of the Fourth Ward Park, and urged those using the park to put their trash in the cans. He next asked Fourth Ward residents, wanting trees to contact him. Next he noted that the kids will soon be out of school, lots of kids, and asked drivers to be extra careful when driving. He also repeated Mr. Beyer’s request for individuals to have respect for their neighbors, when outdoors.

Mr. Brooks concluded by announcing a picnic he would be hosting at MLK Park, in August, and that school supplies would be given out to the children, at the event. He provided details on the event.

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 #006134) intermittent FMLA/NJFLA from 6/1/16 to 5/31/17

(employee #001009) intermittent FMLA/NJFLA 5/2/16 to 5/13/16

(employee #0000085) intermittent FMLA/NJFLA from 4/26/16 to 5/13/16

(employee #006017) FMLA from 6/11/16 to 7/22/16

2. The hiring of the following as seasonal Laborers for the Division of Public Works at the hourly rate of $10.00 effective , 2016; subject to the successful completion of the City’s pre-employment requirements:

1. Tyree Frazier

2. Erik Frazier

3. Ron Starey

4. Barton Hodge

3. The following names were submitted as seasonal for the Recreation Division programs; subject to the successful completion of the City’s pre-employment requirements:

1. Abdul – Wahlid, Ismail

2. Adelson, Yvens

3. Ahern, Gina

4. Andrews, Destinee

5. Candia, Keon

6. Cunningham, Jessica

7. Cureton, Brittany

8. Cylek, Joseph

9. Eason, William

10. Exume, Rudy

11. Felix, Joshua

12.Forston, Nekhena

13. Hooper, Arsola

14. Ismail, Jabriel

15. Jaros, Natalie

16. Leak, Marcus

17. McGhee, Zoe

18. Mitchell, Shaquille

19. Monaco, Alyssa

20. Murphy, Shannon

21.Ogafor, Ogachukwa

22. Pierre, Maslin

23. Pinchiat, Valerie

24. Royster, Joslyn

25. Vega, Sara

26. West, Tyler

27. Williams, Amanda

28. Williams, Candice

29. Wright, Tyseannah

30. Wronski, Andrew

31. Bourke, Maria

4. The following names were submitted for the summer help program to work in the Department of Public Property, effective June 22, 2016 term period to not exceed 10 weeks:

1. Finey, Jsmine

2. Gain, Ahalil

3. Saldana, Damian

4. Araujo, Stephanie

5. Sauer, Shaquille

6. Green, Jamar

7. Wade, Makiya

8. McNeill, Jaylin

9. Canty, Yasmeen

5. The following names were submitted for Clean Communities program:

1. Needham, Ryan

2. Gordilo, Jalil

3. Gordilo, Jayla

4. Carr, Brandon

5. Rekatsinas, Sean

6. Orcutt, Jake

7. Pochopin, Chyanne

8. Gargata, Kevin

9. Legion, Kyree

10. Estrada, Antonio

11. Sully, Rashawn

12. Sporer, Stephanie

13. Lepanto, Gianna

14. Brant, Anthony

15. Jones, Trevon

16. Brown, Ahmad

6. In the Police Department the hiring of eight (8) police officers effective July 5, 2016, subject to the successful completion of all of the City’s pre-employment requirements. Chief to furnish names by Monday, June 20, 2016 for Council Consideration.

7. April 19, 2016 the City Council voted to accept the MOU for the Operating Engineers 825 and the City of Linden for various work needed to be performed as required under the NJDEP Administrative Consent Order. The Operating Engineers will be hired as temporary seasonal help when needed. The selection of operators will be chosen off their membership list, which is on file in the Treasurer’s Office, at their prevailing wage effective June 22, 2016.

8. Accepting the resignation of Parking Enforcement Officer Andrew Ortiz effective May 24, 2016.

9. The appointment of William Artley as a Mechanic with the City of Linden retroactive to March 10, 2016.

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

Mrs. Cosby-Hurling then detailed a number of initiatives that the Personnel Committee has implemented, including employee satisfaction surveys, Employee of the year, and an employee intranet, among others.

Mrs. Cosby-Hurling then reported on Fifth Ward matters. She noted the installation of speed humps, fall tree planting, a speed study for Hagel and Alexander Aves, street paving projects and pothole patching. Next she reported on the recent Fifth Ward Community meeting. The topic was disaster preparedness, and topics discuss include being prepared for the upcoming hurricane season, and the azika virus. Mrs. Cosby-Hurling announced that she would be bringing back “Wellness Wednesdays” probably starting in August. In the past it was funded through the civic association or by her. She stated that her plan was to provide a program that was free to the residents.

Mrs. Cosby-Hurling next spoke about the Hooked on Fishing, not Drugs youth challenge. She spoke about her involvement in starting the program, and this program was the only one, in Union County to participate in the challenge. She thanked Buffalo Wild Wings, the Linden Fire Department, and several individuals for their help.

Mrs. Cosby-Hurling announced the annual Fifth Ward Picnic on August 21. She provided details on the event, noting that school supplies would also be given out, and provided the locations for collection boxes for those that wished to donate supplies. Mrs. Cosby-Hurling thanked ‘Tracy” who she termed the Charles St. Park czar, for all her help in keeping the park clean. She thanked everyone who helped in the Primary election, noted that she did not have opposition in November, but that it was still an important election and all should go out and vote. She began to thank those that helped, Mr. Antonelli was called upon to rule as to whether or not she could. He stayed that members of Council cannot advocate for themselves. Mrs. Cosby-Hurling said the elections are over and it is time to get back to doing the City’s business. She asked anyone with comments or concerns to call her or email her. She asked all members of the Council to be professional.

Sixth Ward

Mr. Sadowski gave the report of the City Clerk’s office for the month of May. A total of $4,009.08 was collected from all sources. Next he gave the report of the City Clerk’s Licensing Division. A total of $10,001.00 was collected for the month of May.

Mr. Sadowski reported on a problem with eighteen wheel trucks, coming off of Routes 1&9, and traveling through the residential streets of the Sixth Ward. He stated that he is looking into what can be done, as the people driving do seem able to read the signs.

Mr. Sadowski noted that school was out, and for all too please watch for the children, when driving. He also announced that repairs to curbs and sidewalks, in the Sixth Ward, would be beginning in a few weeks. He asked for anyone with sidewalk or curb issue to please reach out to him so that they can be addressed. Next he spoke about the overpass on Wood Ave, the sign painted on both sides of it, and how nice one side was and how bad the other side looked. The repairs to the bad side of the side are in the works and should be done soon.

Mr. Sadowski informed all that the parking enforcement officers are telling him that people have been stealing street signs in the Sixth Ward. He noted his observations and that what can be done is being looked into. Mr. Sadowski also spoke about abandoned houses around town, and that neighbors, who observe high grass, should call and report it to the Board of Health. Mr. Sadowski spoke about the cancelation of the Traffic Committee meeting, and that it would be re-scheduled in the near future.

Seventh Ward

Mr. Strano reported the Department of Public Works is continuing the process of automating garbage collection across the City. The new truck, for collecting in the Third and Fourth Wards is in, and the garbage cans should be delivered soon. The new collection method should be implemented, in those wards, at the end of July, beginning of August. He provided an update on the implementation schedule for the rest of the City. When this occurs it should free up labors, in this department, for other duties. He noted a few minor problems, with the new cans, and they are looking into it.

Mr. Strano announced that the Chairman of the Shade Tree Commission, did a presentation before the Tremely Point Civic Association, the useful information that was provided, and urged other groups, looking for a speaker, to invite Mr. Tandul. He also spoke about Mr. Tandul, and his working with the DPW to trim trees throughout the City. Next Mr. Strano provided an update, on the Quite Zone. He noted a setback in his efforts due to Conrail now requiring the channelization of traffic. He explained the problem this created and the efforts to deal with it. He noted other problems with the operation of the trains by not having them clear the intersection. He wished all a safe and happy summer.

Ninth Ward

Mr. Medina thanked Mr. Tandul for the job he was doing. He urged Mr. Tandul to keep doing a great job. He acknowledge the presence of former Mayor Gerbounka and former Councilman Adam Kuczynski in the audience. Mr. Medina gave a report on a criminal incident that occurred in the library. The individual was caught and is being prosecuted. The City will be adding camera’s to library for future assistance to the police. He urged all, when they see something, to call it in so that it can be dealt with.

Mr. Medina reported on the efforts of DPW to trim trees, and remove dead trees, in the Ninth Ward. He noted that he was also reviewing the sidewalk list, with the engineer, and he hopes to have it completed this year. He asked all to be patient. He stated that with summer upon us, that all be safe and drive safe to protect our children.

Tenth Ward

Mrs. Hickey noted that the gas company is doing work in the Tenth Ward, and they will be closing roads. She also spoke about the complaints she was getting regarding the ground conditions at McManus School, and her efforts to address the matter. The situation will be monitored. Next she thanked the Landmark Condos, on St. Georges Ave., for inviting her to a community meeting with the building residents. The resident had expressed concern over some issues and the Linden Police are already addressing them.

Mrs. Hickey asked residents who are planning parties to be considerate of their neighbors, especially with noise issues. She then noted that McManus School would be graduating this Thursday, and she thanked the PTA leadership for all of the work they did with the kids. Next she reported on a number of projects being done in the Ward this summer.

Mrs. Hickey informed all that OEM is still looking for volunteers. A background check is necessary, and anyone interested, could contact the Chief of Police’s office. She also congratulated Sgt. Bizup on his promotion. She wished all a safe and happy summer and 4th of July.

**MAYOR’S REPORT**

Mayor Armstead jokingly stated that he did not have a lot to report on this evening as Mrs. Ormon beat him to a lot of it. He then offered his congratulations to Sgt. Bizup on his promotion. Next he spoke about the efforts of Mr. Strano and Chief Dooley to deal with the train issue in the Seventh Ward, and the disruption it was causing to residents lives. The Mayor provided a status report on his discussions with George Capodaglia, of Meridia, regarding a better design for phase two of the South Wood Ave redevelopment project. He noted the inquire, of Mr. Capodaglia, to purchase old firehouse #1.

Mayor Armstead provided information on the upcoming Mayor’s Super Hero 5k run/walk. He noted that proceeds from the event would be donated to the ROTC. Next he noted the High School graduation, and the holding of Project Graduation to help the graduates celebrate in a drug and alcohol free atmosphere. He thanked Sandy Vasquez, head of the Mayor’s youth Commission, for her diligence in putting the project together. Lastly Mayor Armstead spoke about the development of the former JTG scaffolding site and provided an update on the project.

Eighth Ward

Mrs. Yamakaitis reported on the upcoming celebration of the Fire Departments 100th anniversary celebration. The event would be held on July 16, 2016, and would involve a parade and street celebration.

Mrs. Yamakaitis next announced her upcoming community meeting, and that the subject would be “Planning for an Emergency.” She noted some of the topics that would be addressed. She then announced that Friday’s would be hosting a fundraising event for a Linden family. She provided details on the event and how residents could participate. She announced that she would be holding the Eighth Ward Community picnic at Dorothy Ford Park, and provided details on the event.

Mrs. Yamakaitis spoke about the upcoming paving of Linden Avenue and the approximate time frame for the work. She asked residents to clean up after their dogs, and not dump the waste into catch basins, noting that she would not tolerate this behavior. She concluded by thanking Mr. Brown and Mayor Armstead for helping SID host the recent Wine Dine and Paint event.

**RESOLUTIONS**

**Council President Pro-Tempore Yamakaitis statedpublic 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.**

**Resolutions #2016-234, #2016-236, #2016-238, #2016-240, #2016-243, #2016-247, #2016-251, #2016-254 and #2016-257 were removed at the request of Ms. Malik.**

**Mr. Medina moved for approval of Resolutions #2016-227 through #2016-257 with the exception of Resolutions #2016-234, #2016-236, #2016-238, #2016-240, #2016-243, #2016-247, #2016-251, #2016-254 and #2016-257. The motion was seconded by Mrs. Hickey and was ordered approved on a roll call vote with all voting yes with the exception of Mrs. Cosby-Hurling who voted no on Resolution #2016-235 and Mr. Medina who voted no on Resolution 2016-245.**

**RESOLUTION: 2016-227**

**A RESOLUTION APPOINTING MEMBERS OF THE**

**RENT LEVELING BOARD OF THE CITY OF LINDEN, NEW JERSEY**

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

Section 1. That, pursuant to the provisions of an Ordinance entitled, "AN ORDINANCE TO REGULATE, CONTROL AND STABILIZE RENTS AND CREATE A RENT CONTROL BOARD WITHIN THE CITY OF LINDEN," passed October 3, 1972 and approved October 4, 1972, and as amended and supplemented, there shall be and hereby are appointed as members of the Rent Leveling Board of the City of Linden the following persons:

Citizens

Pauline Blahuta

1314 Winans Avenue, Linden, New Jersey

Joan Konrad

2400 Old Grove Rd., Linden, New Jersey

Vacant

Landlords

Thomas Boland

10 North Wood Avenue, Linden, New Jersey

Barry Javick

345 Lafayette Street, Linden, New Jersey

Tenants

Mark MacDonald

115 W. Blancke Street, Linden, New Jersey

Danielle Cratice

834 Gilchrist Avenue, Linden, New Jersey

Alternate No. 1

Joanne Gareis

843 Laurita Street, Linden, New Jersey

Alternate No. 2

Vacant

Section 2. The above named persons shall serve as members of the Rent Leveling Board of the City of Linden for a term of one year effective July 1, 2016 and until their successors shall have been appointed and shall have qualified.

**RESOLUTION: 2016-228**

**CITY OF LINDEN RESOLUTION**

**GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT**

**WHEREAS,** N.J.S.A. 40A:5-4 requires the Governing Body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

**WHEREAS,** the Annual Report of Audit for the year 2015 has been filed by a Registered Municipal Accountant with the City of Linden’s Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the Governing Body; and

**WHEREAS,** R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

**WHEREAS,** the Local Finance Board has promulgated N.J.A.C. 5:50-6.5, a regulation requiring that the Governing Body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the Governing Body have reviewed, as a minimum, the sections of the annual audit entitled “Comments and Recommendations”; and

**WHEREAS,** the members of the Governing Body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled “Comments and Recommendations”; and

**WHEREAS,** such Resolution and Certification shall be adopted by the Governing Body no later than forty-five (45) days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

**WHEREAS,** all members of the Governing Body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

**WHEREAS,** failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local Governing Body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52-27BB52: A local officer or member of a local governing body who,

after a date fixed for compliance, fails or refuses to obey an order of the

director (Director of Local Government Services), under the provisions of

this Article, shall be guilty of a misdemeanor and, upon conviction, may be

fined not more that one thousand dollars ($1,000.00) or imprisoned for not

more than one year, or both, in addition shall forfeit his office.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this Resolution and the required affidavit to said Board to show evidence of said compliance.

**I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE RESOLUTION PASSED AT THE MEETING HELD ON JUNE 21, 2016.**

**RESOLUTION: 2016-229**

**RESOLUTION TO AMEND**

**THE 2016 CAPITAL BUDGET**

**WHEREAS,** the City of Linden, New Jersey desires to amend the 2016 Capital Budget of said municipality by inserting thereon or correcting and deleting the items therein as shown in such budget.

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

**Section 1.** The 2016 Capital Budget of the City of Linden is hereby amended by adding thereto a Schedule to read as follows:

**AMEND THE**

**CAPITAL BUDGET OF THE**

**CITY OF LINDEN, NEW JERSEY**

**Projects Schedules for 2016**

**Method of Financing**

**Est. Budget Capital Grants General**

**Project Cost Approp. Imp. Fund In Aid Bonds**

(2) 2 Yard Mason Dump Trucks $121,000.00 $121,000.00 $ 6,050.00 $ 114,950.00

With plows

**RESOLUTION: 2016-230**

**CITY OF LINDEN RESOLUTION**

**WHEREAS,** there were certain payments made by the Municipal Treasurer during the month of May, 2016 which do not appear on the Claims list,

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

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

**CURRENT**

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

5/3/16 Worker’s Comp. claims 23,699.16

162019 5/4/16 U.S. Bank admin fees 7,232.50

162018 5/4/16 N.J. Transit qtr. Payment 57,753.60

5/10/16 Medco claims 117,241.10

5/10/16 Worker’s Comp. claims 54,546.11

5/10/16 Dental Claims city 39,187.31

5/10/16 Dental Claims sewerage 3,023.23

5/10/16 Dental Claims housing 1,347.45

5/10/16 Dental Claims library 858.06

5/10/16 Dental Claims cobra 68.49

5/11/16 Worker’s Comp. claims 1,456.00

5/13/16 County of Union open space 183,244.86

5/13/16 County of Union County taxes 6,363,084.95

5/13/16 SHBP Retirees May health premium 579,414.65

5/13/16 SHBP Active March health premium 664,071.72

5/17/16 Worker’s Comp. claims 35,000.00

5/17/16 Worker’s Comp. claims 131,029.24

5/19/16 Vision Service Plan claims 4,115.00

5/19/16 Vision Service Plan claims 4,100.80

5/20/16 Payroll payroll 61,915.37

5/20/16 Payroll payroll 1,546,616.01

5/24/16 Worker’s Comp. claims 52,153.00

5/24/16 Medco claims 68,543.25

162272 5/27/16 Insurance Commission claims 28,536.36

162273 5/27/16 Muller Bohlin April Fee 9,087.50

162271 5/27/16 GSMJIF JIF 5,398.08

162274 5/27/16 Det./Lt. Williams informant money 500.00

**TRUST**

5/20/16 Payroll payroll 91,293.11

**GRANT**

5/20/16 Payroll payroll 24,320.85

**SANITARY LANDFILL** 5/20/16 Payroll payroll 2,575.00

**CAPITAL**

5/20/16 Payroll payroll 374.92

**RESOLUTION: 2016-231**

**RESOLUTION RECOGNIZING ROSE BUSSICULO OF EPICOR, INC.**

**AND MICHAEL POWERS OF MERCER COATING AND LINING COMPANY, INC.**

**FOR THEIR SUPPORT OF THE LINDEN ENVIROMENTAL COMMISSION**

**WHEREAS,** the Linden Environmental Commission was established for the protection, development or use of natural resources including water resources within the City of Linden; and

**WHEREAS,** two Linden Companies, Epicor, Inc., headed by its President and Chief Executive Officer, Rose Bussiculo, and Mercer Coating and Lining Company, Inc., headed by its President Michael Powers have instrumental in promoting the efforts of the Linden Environmental Commission in carrying out its charge; and

**WHEREAS,** both companies, and their Presidents, Rose Bussiculo and Michael Powers, have been involved with Linden Environmental Commission’s Earth Day Poster Contest for eighteen (18) years, by judging, and providing Judges, donating funds for prizes, providing gift bags for the winners, and participating in the City Council meetings recognizing the winners; and

**WHEREAS,** both companies practice what they preach by maintaining the highest possible concern for the environment and safety of their employees and received numerous environmental awards, including, but not limited to: the Outstanding Award in preserving and enhancing the water environment in the field of industrial wastewater treatment; Governor’s Safety Award; Voluntary Protection Program (Star) Award from the Occupational Safety and Health Administration; and the Environmental Quality Award from the New Jersey Business and Industry Association, among others; and

**WHEREAS,** Epicor, Inc., and Mercer Coatings have both received two (2) certificates from the Environmental Commission for maintaining their property environmentally pleasing; and

**WHEREAS,** the Mayor and Council wish to recognize the support of these two firms, and their Presidents, to the Linden Environmental Commission, and for being outstanding members of the Linden business community.

**NOW THEREFORE BE IT RESOLVED,** that the Mayor and Council of the City of Linden do hereby recognize Epicor, Inc. and Mercer Coating and Lining Company, Inc., their Presidents, Rose Bussiculo and Michael Powers, for their support of the Linden Environmental Commission, its poster contest, and for being outstanding environmentally conscious members of the Linden business community; and

**BE IT FURTHER RESOLVED,** that a copy of this resolution be fittingly presented to Rose Bussiculo and Michael Powers and be placed in the minutes of the Council of the City of Linden in perpetual recognition of the efforts of their companies to make Linden a better place.

**RESOLUTION: 2016-232**

**RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR ADA IMPROVEMENTS ALONG ST. GEORGES AVENUE (ROUTE 27) IN THE CITY OF LINDEN**

**WHEREAS,** the New Jersey Department of Transportation (“NJDOT”) is about to undertake the design and construction of Rt. 27 ADA ramps in the City of Linden (City); and

**WHEREAS,** said project may require the construction of new and/or the protection, relocation and/or adjustment of facilities of the existing sewer system which is owned and operated by the City of Linden; and

**WHEREAS,** the City of Linden’s legal right to occupy public right-of-way, subject the conditions imposed by the NJDOT, is in no way mitigated by said agreement; and

**WHEREAS,** the NJDOT will, at its sole cost and expense, contract for and cause to be construction, all items indicated in the State’s contract plans and specifications for said project, related to existing and proposed facilities owned and operated by the City of Linden; and

**WHEREAS,** the NJDOT has submitted the an agreement for said project, attached hereto as Exhibit A and made partof; and

**WHEREAS,** it is in the best interests of the City of Linden to enter into said agreement.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** that the City authorizes said agreement with NJDOT, attached hereto as Exhibit A, for the aforementioned project and Mayor hereby be authorized to sign said agreement between the City of Linden and the New Jersey Department of Transportation, as approved by the City Law Department, and the City Clerk is hereby authorized to attest to same and affix the City Seal thereon.

RESOLUTION: 2016-233

**AUTHORIZING THE CITY OF LINDEN TO APPLY TO THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR SAFE ROUTES TO SCHOOL PROGRAM FUNDING**

**WHEREAS,** the City of Linden, County of Union, State of New Jersey desires to apply to the New Jersey Department of Transportation (NJDOT) for grant funding under the Safe Routes to School Program; and

**WHEREAS,** the Linden School Safety Project (Phase 2) meets all the criteria necessary to receive funding under the Safe Routes to School Project; and

**WHEREAS,** the Linden School Safety Project (Phase 2) will promote safe walking and biking along the routes to and from school and improve the quality of life for the residents of the City of Linden; and

**WHEREAS,** the City of Linden agrees to assume a commitment for maintenance of the project after construction is completed for at least a period of twenty (20) years from project completion; and

**NOW, THEREFORE, BE IT RESOLVED,** that the Mayor and Council of the City of Linden, County of Union, State of New Jersey authorizes the Mayor to submit a grant application to the NJDOT for funding under the Safe Routes to School Program for the Linden School Safety Project (Phase 2) SRS-2016-Linden School Safety Project (Phase 2)-00032.

**RESOLUTION: 2016-234**

**RESOLUTION APPROVING A CONTRACT WITH THE LINDEN ECONOMIC**

**DEVELOPMENT CORPORATION (LEDC) AND THE CITY OF LINDEN**

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

Economic Development Corporation (“LEDC”)a non-profit organization whose purpose is to promote, encourage and assist the industrial, commercial, and economic development of the City of Linden; and

**WHEREAS,** in accordance with the provisions of N.J.S.A. 40A:11-5(2), as LEDC is a non-profit organization and agency of the City of Linden, deemed to be providing essential governmental functions on behalf of the City, the Contract is exempt from bidding under the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.); and

**WHEREAS,** the Local Public Contracts Law requires that Council pass a resolution authorizing the award of contracts; and

**WHEREAS,** the Chief Financial Officer or her designee has certified as to the availability of funds for this purpose, as attached hereto, which will be charged to account/line item No. 6-01-40-700-104-208; and

**WHEREAS,** the term of the contract will be for a period of one (1) year commencing January 1, 2016 and terminating December 31, 2016, at a fee not to exceed $50,000.00.

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

1. The City will enter into a contract with the LEDC, commencing January 1, 2016 and terminating December 31, 2016, not to exceed $50,000.00.

2. The Mayor and City Clerk are hereby directed and empowered to execute any and all documents required as approved by the Law Department.

3. This Resolution shall take effect immediately.

Diane Wilverding, 150 East Morris Ave. In response to questions from Mrs. Wilverding, Mr. Brown explained what the resolution was about, and how the funds would be used.

**FOR ROLL CALL PLEASE REFER TO RESOLUTION #2016-257**.

**RESOLUTION: 2016-235**

**RESOLUTION APPROVING A CONTRACT WITH THE LINDEN**

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

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

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

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

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

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

**WHEREAS,** the Chief Financial Officer or her designee has certified as to the availability of funds for this purpose, as attached hereto, which will be charged to account/line item No. 6-01-28-370-198-209; and

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

**WHEREAS,** said contract will be for a period of one (1) year commencing January 1, 2016 and terminating December 31, 2016;

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

1. The City will enter into a contract with the Linden Pop Warner Football Program, commencing January 1, 2016 and terminating December 31, 2016, as approved by the Law Department.

2. The Linden Pop Warner Football Program shall provide an audit/financial statement and or similar document for 2015 to the City, before monies can be released, and an audit financial statement for the end of 2016.

3. This Resolution shall take effect immediately.

**RESOLUTION: 2016-236**

**RESOLUTION TERMINATING THE ONE (1) YEAR RENEWAL OF THE**

**SHARED SERVICES AGREEMENT FOR**

**SOLID WASTE SERVICES INVOLVING BULKY WASTE - TYPE 13**

**AND VEGETATIVE WASTE - TYPE 23 WITH THE PLAINFIELD MUNICIPAL UTILITIES AUTHORITY**

**WHEREAS,** the City of Linden passed Resolution No. 2016-212 on May 17, 2016 approving the one (1) year renewal of the Shared Services Agreement with the Plainfield Municipal Utilities Authority for certain solid waste services with respect to Bulky Waste Type 13 and Vegetative Waste Type 23,  generated within the City; and

**WHEREAS**, Section 6a of the original agreement dated May 27, 2014 states, “this agreement may be terminated by either party during its term for no cause, upon three (3) months prior written notice to the other party of such termination.”

**WHEREAS**, the Council has determined that said agreement is in the best interest of the City to terminate such Shared Services Agreement.

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

1. The Mayor and/or such other officials as necessary and proper or are hereby authorized to execute the Acknowledgement of Termination of Service for the Additional One (1) Year Term Shared Services Agreement between the Plainfield Municipal Utilities Authority and the City of Linden, and the City Clerk is hereby authorized to attest to same and to affix the City’s seal thereon.
2. This Resolution hereby amends and supersedes all prior Resolutions that are inconsistent herewith.
3. This Resolution all shall take effect immediately.

Diane Wilverding, 150 Morris Ave. In response to Ms. Wilverding, Mr. Bodek explained the resolution and how it would be saving the City money.

**FOR ROLL CALL PLEASE REFER TO RESOLUTION #2016-257**

**Resolution: 2016-237**

**RESOLUTION ENGAGING AHS HOSPITAL CORP FOR MEDICAL SERVICES FOR 2016**

**WHEREAS,** there exists within the City of Linden the need for Medical Services relative to the conducting of fitness for duty examinations and pre-employment examinations for new employees; and examination of drivers holding a Commercial Driving License, for the year

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,** AHS Hospital Corp., submitted a qualification to the City and has qualified for the aforesaid services for the year 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 Nos. 6-01-27-332-313-272, 6-01-20-105-105-272, 6-01-20-105-105-273, 6-01-20-105-105-271 and 6-01-20-105-105-270;

**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 AHS Hospital Corp., 475 South Street, Morristown, New Jersey 07962, for the following assignments: random drug testing, which is not covered under stipend for police and fire physician, at a fee not to exceed $10,000.00; pre-employment examinations for new employees for a total not to exceed $5,000.00 for the examination of drivers holding a C.D.L. for the year 2016 for a total not to exceed $15,000.00; and for other medical examinations as required, other then those covered under this resolution and/or his appointment as the physician to the Police and Fire Departments and as MRO (Medical Review Officer) for the City of Linden, and all medical services under this agreement will be rendered at MultiCare Industrial Medicine, located at 100 Commerce Place, Clark, New Jersey 07066; and

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

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

**RESOLUTION: 2016-238**

**RESOLUTION AMENDING THE CONTRACT WITH**

**APPRAISAL CONSULTANTS CORP. FOR REAL ESTATE APPRAISAL**

**SERVICES FOR TAX APPEALS FOR 2016**

**WHEREAS**, the City of Linden passed a Resolution, No. 2016-41 dated January 19, 2016 retaining the services of a real estate appraiser who is a member of the Appraisal Institute (MA.I.) in order to defend the City on all industrial and commercial tax appeals filed before the Union County Board of Taxation and new and pending cases before the Tax Court of New Jersey 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**, Appraisal Consultants Corp. submitted a qualification to the City and has qualified for the aforesaid services for 2016; and

**WHEREAS**, due to the ongoing nature of the various tax appeals, it is necessary to provide for additional funds for said purpose in an amount not to exceed $40,000.00; and

**WHEREAS,** inclusive of these additional funds the total expenditures paid to date to Appraisal Consultants Corp. for services rendered under the said contract is $55,000.00; and

**WHEREAS**, the Chief Financial Officer or his designee has certified to the availability of funds for this purpose, to be charged to Account No. 6-01-20-156-117-272;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that the agreement for Professional Services awarded to Appraisal Consultants Corp., Presidential Center, 293 Eisenhower Parkway, Livingston, New Jersey 07039 is hereby amended to increase the contract by the additional sum of $40,000.00, for a total contract of $55,000.00; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary amended 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 said amendatory agreement with Appraisal Consultants, Corp. to effectuate the foregoing; and

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

Diane Wilverding, 150 E. Morris Ave. Mr. Antonelli explained the need for two separate appraisal Companies to work for the City.

**FOR ROLL CALL PLEASE REFER TO RESOLUTION #2016-257.**

**RESOLUTION: 2016-239**

**RESOLUTION AMENDING A RESOLUTION APPOINTING ACTING PUBLIC DEFENDERS FOR 2016**

**WHEREAS,** the City Council of the City of Linden passed Resolution No. 2016-40 on January 19, 2016 retaining the services Afonso & Afonso, Edward Cooper, Esq., Thomas Koehl, Esq. and Charney Roberts, LLC Esqs., as temporary public defender in Linden Municipal Court; and

**WHEREAS,** because of the ongoing nature of the services for Edward Cooper, Esq., there is a need for additional funds not to exceed $7,000.00 for legal services relative to the aforesaid matter; and

**WHEREAS,** inclusive of these additional funds the total expenditures paid to date to Edward Cooper, Esq. for services rendered under the original or substantially related contract is $12,000.00; and

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

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

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

**RESOLUTION: 2016-240**

**RESOLUTION AMENDING THE CONTRACT WITH**

**SOCKLER REALTY GROUP FOR REAL ESTATE APPRAISAL**

**SERVICES FOR TAX APPEALS FOR 2016**

**WHEREAS**, the City of Linden passed a Resolution, No. 2016-61 dated January 19, 2016 retaining the services of a real estate appraiser who is a member of the Appraisal Institute (MA.I.) in order to defend the City on all industrial and commercial tax appeals filed before the Union County Board of Taxation and new and pending cases before the Tax Court of New Jersey 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**, Sockler Realty Group submitted a qualification to the City and has qualified for the aforesaid services for 2016; and

**WHEREAS**, due to the ongoing nature of the various tax appeals, it is necessary to provide for additional funds for said purpose in an amount not to exceed $5,000.00; and

**WHEREAS,** inclusive of these additional funds the total expenditures paid to date to Sockler Realty Group for services rendered under the said contract is $10,000.00; and

**WHEREAS**, the Chief Financial Officer or his designee has certified to the availability of funds for this purpose, to be charged to Account No. 6-01-20-156-117-272;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that the agreement for Professional Services awarded to Sockler Realty Group, 299 Ward Street, Suite C, Hightstown, New Jersey 08520 is hereby amended to increase the contract by the additional sum of $5,000.00, for a total contract of $10,000.00; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary amended 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 said amendatory agreement with Sockler Realty Group to effectuate the foregoing; and

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

Diane Wilverding, 150 E. Morris Ave. See comments under resolution #2016-238.

**FOR ROLL CALL PLEASE REFER TO REOLUTION #2016-257.**

**RESOLUTION: 2016-241**

# **Resolution Supporting the *Click It or Ticket* Mobilization of**

# **May 23 – June 5, 2016**

**Whereas**, there were 560 motor vehicle fatalities in New Jersey in 2015; and

**Whereas**, a large percentage of the motor vehicle occupants killed in traffic crashes were not wearing a seat belt; and

**Whereas**, use of a seat belt remains the most effective way to avoid death or serious injury in a motor vehicle crash; and

**Whereas**, the National Highway Traffic Safety Administration estimates that 135,000 lives were saved by safety belt usage nationally between 1975-2000; and

**Whereas**, the State of New Jersey will participate in the nationwide *Click It or Ticket* seat belt mobilization from May 23 – June 5, 2016 in an effort to raise awareness and increase seat belt usage through a combination of high visibility enforcement and public education; and

**Whereas**, the Division of Highway Traffic Safety has set a goal of increasing the seat belt usage rate in the state from the current level of 91% to 93%; and

**Whereas** a further increase in seat belt usage in New Jersey will save lives on our roadways;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN**  that the City of Linden declares it’s support for the *Click It or Ticket* seat belt mobilization both locally and nationally from May 23 – June 5, 2016 and pledges to increase awareness of the mobilization and the benefits of seat belt use.

**RESOLUTION: 2016-242**

**RESOLUTION APPROVING THE AWARD OF A CONTRACT TO P&A CONSTRUCTION, INC. FOR RESURFACING OF REBECCA STREET E. 13TH STREET, WOODLAWN AVENUE, EMMA PLACE, CHANDLER AVENUE, PETER STREET, ST. MARKS STREET, WESTOVER ROAD, HAVEN PLACE AND RIVERBEND DRIVE IN THE CITY OF LINDEN**

**WHEREAS**, sealed bids were received by the Purchasing Agent on June 8, 2016 for resurfacing of Rebecca Street, E. 13th Street, Woodlawn Avenue, Emma Place, Chandler Avenue, Peter Street, St. Marks Street, Westover Road, Haven Place and Riverbend Drive in the City of Linden: and

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

**WHEREAS**, the Chief Financial Officer or her designee has certified as to the availability of funds for this purpose, as attached hereto, which will be charged to Account Nos. C-04-55-901-638-919 ($311,446.45) and C-04-55-901-599-919 ($33,000.00); and

**WHEREAS,** P&A Construction, Inc. was the lowest responsible bidder at their bid of $344,446.45; and

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

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** that a contract for resurfacing of Rebecca Street, E. 13th Street, Woodlawn Avenue, Emma Place, Chandler Avenue, Peter Street, St. Marks Street, Westover Road, Haven Place and Riverbend Drive, be and hereby, is awarded to P&A Construction, Inc., 650 Leesville Avenue, Rahway, New Jersey 07065, at a fee not to exceed $344,446.45 in accordance with their bid dated June 8, 2016; and

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

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

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

**RESOLUTION: 2016-243**

**RESOLUTION FOR PURCHASE OF TWO FORD F250 PICKUP TRUCKS FROM DITSCHMAN FLEMINGTON FORD THROUGH THE MORRIS COUNTY CO-OP FOR THE MUNICIPAL GARAGE**

**WHEREAS**, the City of Linden wishes to obtain services from an authorized vendor under the Morris County Co-op (MCCPC) Contract #15C. Awarded to Ditschman Flemington Ford, 215 US Highway 202, Flemington, N.J. 08822, an authorized vendor and,

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

**WHEREAS**, Ditschman Flemington Ford, has been awarded Contract No.15C, for the provision of utilities vehicles; and,

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

**WHEREAS**, the amount of the service is not to exceed $60,000.00 and,

**WHEREAS**, the Chief Finance Officer has certified the availability of funds for this contract, which will be charged to account number C-04-55-905-640-919 and,

**NOW THEREFORE BE IT RESOLVED** by the City of Linden that Route 23 Automall LLC be awarded a contract for a term of one year or until new awards are made; and,

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

Diane Wilverding, 150 E. Morris Ave. In response to Ms. Wilverding, Mr. Brown and Mr. Strano explained the need for pickup trucks in the Municipal Garage and how they were used.

**FOR ROLL CALL PLEASE REFER TO RESOLUTION #2016-257.**

**RESOLUTION: 2016-244**

**RESOLUTION FOR PURCHASE OF TWO FORD F250 PICKUP TRUCKS FROM ROUTE 23 AUTOMALL LLC THROUGH THE MORRIS COUNTY CO-OP FOR THE DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, the City of Linden wishes to obtain services from an authorized vendor under the Morris County Co-op (MCCPC) Contract #15-C. Awarded to Route 23 Automall LLC, 1301 Route 23, Butler, NJ 07405, an authorized vendor and,

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

**WHEREAS**, Route 23 Automall LLC, has been awarded Contract No.15-C, for the provision of utilities vehicles; and,

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

**WHEREAS**, the amount of the service is not to exceed $65,000.00 and,

**WHEREAS**, the Chief Finance Officer has certified the availability of funds for this contract, which will be charged to account number C-04-55-905-640-919 and,

**NOW THEREFORE BE IT RESOLVED** by the City of Linden that Route 23 Automall LLC be awarded a contract for a term of one year or until new awards are made; and,

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

**RESOLUTION: 2016-245**

**RESOLUTION FOR PURCHASE OF SIX FORD FUSIONS FROM ROUTE 23 AUTOMALL LLC THROUGH THE MORRIS COUNTY CO-OP REPLACING OBSOLETE FORD CROWN VICTORIA’S FOR THE POLICE DETECTIVES**

**WHEREAS**, the City of Linden wishes to obtain services from an authorized vendor under the Morris County Co-op (MCCPC) Contract #15B. Awarded to Route 23 Automall LLC, 1301 Route 23, Butler, NJ 07405, an authorized vendor and,

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

**WHEREAS**, Route 23 Automall LLC, has been awarded Contract No.15B, for the provision of administration passenger vehicles; and,

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

**WHEREAS**, the amount of the service is not to exceed $115,000.00 and,

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

6-01-25-240-155-279 $57,500.00

6-01-26-301-159-277 $57,500.00

**NOW THEREFORE BE IT RESOLVED** by the City of Linden that Route 23 Automall LLC be awarded a contract for a term of one year or until new awards are made; and,

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

**RESOLUTION: 2016-246**

**RESOLUTION FOR PURCHASE OF TWO FORD ESCAPES FROM ROUTE 23 AUTOMALL LLC THROUGH THE MORRIS COUNTY CO-OP FOR THE MUNICIPAL GARAGE**

**WHEREAS**, the City of Linden wishes to obtain services from an authorized vendor under the Morris County Co-op (MCCPC) Contract #15C. Awarded to Route 23 Automall LLC, 1301 Route 23, Butler, NJ 07405, an authorized vendor and,

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

**WHEREAS**, Route 23 Automall LLC, has been awarded Contract No.15C, for the provision of utilities vehicles; and,

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

**WHEREAS**, the amount of the service is not to exceed $45,000.00 and,

**WHEREAS**, the Chief Finance Officer has certified the availability of funds for this contract, which will be charged to account number 6-01-26-301-159-277 and,

**NOW THEREFORE BE IT RESOLVED** by the City of Linden that Route 23 Automall LLC be awarded a contract for a term of one year or until new awards are made; and,

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

**RESOLUTION: 2016-247**

**RESOLUTION QUALIYING CERTAIN PROFESSIONALS FOR PRESCRIPTION CLAIMS ANALYTICS TECHNOLOGY**

**WHEREAS,** in accordance with N.J.S.A. 40A:11-2(6) the City of Linden (the “City”), County of Union, a municipal corporation of the State of New Jersey, instituted a policy to negotiate agreements for Professional Services on the basis of demonstrated confidence and qualifications for types of Professional Services required by the City pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.4; and

**WHEREAS,** the Purchasing Agent of the City of Linden has received in accordance with a published notice, sealed qualifications for various positions; and

**WHEREAS,** pursuant to the fair and open process, and based upon review of the qualifications and recommendations therefore, certain professionals are qualified for certain positions for the calendar year 2016;

**PRESCRIPTION CLAIMS ANALYTICS TECHNOLOGY**

**Remedy Analytics**

**1011 N. Mayfair Road**

**Milwaukee WI 53226**

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** thatin accordance with N.J.S.A. 40A:11-2(6) on such basis as necessary, and for each of the approved and qualified vendors, a resolution approving each individual specific contract shall be considered by the Mayor and Council;

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

Diane Wilverding, 150 E. Morris Ave., Mr. Brown and Mrs. Zack responded to Ms. Wilverding and informed her that this is only the qualification of the vendor. A decision as to whether or not to hire the firm yet to be made. They further explained that there was the potential for the City to save substantial sums of money.

**FOR ROLL CALL PLEASE REFER TO RESOLTUON #2016-257.**

**RESOLUTION: 2016-248**

**RESOLUTION FOR STATE CONTRACT PURCHASE OF ONE 2017 FORD POLICE INTERCEPTOR VEHICLE FROM WINNER FORD TO REPLACE OBSOLETE VEHICLE**

**WHEREAS**, the City of Linden wishes to obtain services from an authorized vendor under the State of New Jersey Cooperative Purchasing Program 1-NJCP; two 2016 Ford Police Interceptors from Winner Ford, an authorized vendor under the State of New Jersey Cooperative Purchasing Program 1-NJCP; and,

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

**WHEREAS**, Winner Ford, Cherry Hill, NJ has been awarded New Jersey State Contract No. 88728 for the provision of police vehicles; and,

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

**WHEREAS**, the amount of the service is not to exceed $30,000.00; and,

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

C-04-55-902-566-919 $6,006.61

C-04-55-902-583-919 $7,295.13

C-04-55-902-587-919 $7,370.56

C-04-55-902-612-919 $9,327.70

and,

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

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

**RESOLUTION: 2016-249**

**RESOLUTION FOR PURCHASE OF FASCO EVIDENCE AND REFRIGERATION LOCKER UNITS SOLICIATED BY QUOTATIONS FROM GARDEN STATE OFFICE SYSTEMS & EQUIPMENT**

**WHEREAS**, the City of Linden wishes to purchase Fasco evidence and refrigeration locker units from Garden State Office Systems & Equipment for the Police Dept.; and

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

**WHEREAS,** Garden State Office Systems & Equipment, 560 Stelton Road, Piscataway, NJ 08854 was solicited for quotations; and

**WHEREAS,** Garden State Office Systems & Equipment provided the most advantageous quote, price and others factors considered in the amount not to exceed $27,687.00; and

**WHEREAS**, the Chief Finance Officer has certified the availability of funds for this award, which will be charged to C-04-55-902-650-919; and

**NOW THEREFORE BE IT RESOLVED** Garden State Office Systems & Equipment be awarded a contract to supply Fasco evidence and refrigeration locker units at the low quote of $27,687.00;

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

**RESOLUTION: 2016-250**

**RESOLUTION AWARDING THE LEASE OF PROPERTY KNOWN AS 384 N. WOOD AVENUE TO ABA EQUITIES, LLC IN THE CITY OF LINDEN AND RECINDING RESOLUTION NO. 2012-220 AND 2012-231**

**WHEREAS,** the City of Linden passed Resolution 2012-220 on May 15, 2012 authorizing the lease of said property, and Resolution 2012-231 on June 21, 2012 amending same; and

**WHEREAS,**  a lease agreement was never executed therefore Resolution 2012-220 and Resolution 2012-231 hereby be rescinded; and

**WHEREAS,** sealed bids were received by the Purchasing Agent on May 25, 2016 for the lease of land attached hereto as Exhibit A and made partof; and

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

**WHEREAS**, ABA Equities, LLC was the only bidder to meet the specifications at their total bid of $9,600.00 per year; and

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

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

1. A lease is awarded to ABA Equities, LLC., 112 Clifton Avenue, PMB #14, Lakewood, New Jersey 08701 at their total bid of $9,600.00 per year.

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

3. This Resolution shall take effect immediately.

**RESOLUTION: 2016-251**

**RESOLUTION QUALIFING CERTAIN PROFESSIONAS FOR MUNICIPAL MARKETING SERVICES**

**WHEREAS,** in accordance with N.J.S.A. 40A:11-2(6) the City of Linden (the “City”), County of Union, a municipal corporation of the State of New Jersey, instituted a policy to negotiate agreements for Professional Services on the basis of demonstrated confidence and qualifications for types of Professional Services required by the City pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.4; and

**WHEREAS,** the Purchasing Agent of the City of Linden has received in accordance with a published notice, sealed qualifications for various positions; and

**WHEREAS,** pursuant to the fair and open process, and based upon review of the qualifications and recommendations therefore, certain professionals are qualified for certain positions for the calendar year 2016;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** thatin accordance with N.J.S.A. 40A:11-2(6) on such basis as necessary, and for each of the approved and qualified vendors, a resolution approving each individual specific contract shall be considered by the Mayor and Council;

Municipal Marketing Services

C2 Creative Group LLC

418 Spruce Street

Linden, NJ 07036

Direct Development

1340 Highway 36, Suite 29

Hazlet, NJ 07730

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

Diane Wilverding, 150 East Morris Ave. Mr. Brown explained that this is the eventual hiring of a company to go out and market the City of Linden, to give it a band for what it should be known for. He provided some examples of type of work this company would be providing.

**FOR ROLL CALL PLEASE REFER TO RESOLUTION #2016-257.**

**RESOLUTION: 2016-252**

**RESOLUTION ADOPTING THE POLICY MANUAL FOR THE CITY OF**

**LINDEN EFFECTING JUNE 22, 2016**

BE IT RESOLVED that the Council of the City of Linden adopts the attached revised Policy Manual effective June 22, 2016 and that this Policy Manual supersedes the City’s current Policy Manual.

BE IT FURTHER RESOLVED that this Council authorizes the Personnel Division to distribute the Policy Manual to all employees.

**RESOLUTION: 2016-253**

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

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

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

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

**WHEREAS,** the redevelopment area determination requested hereunder, in connection with the Study Area, authorizes the City and City Council to use all those powers provided by the Redevelopment Law for use in a redevelopment area, including the power of eminent domain, only as it pertains to Block 421, Lot 15.

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

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

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

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

Section 4. The Planning Board shall conduct a public hearing in accordance with the Redevelopment Law, specifically *N.J.S.A.* 40A:12A-6, after giving due notice of the proposed boundaries of the Study Area and the date of the hearing to any persons who are interested in or would be affected by a determination that the Study Area is an area in need of redevelopment. The notice of the hearing shall specifically state that the redevelopment area determination shall authorize the City or City Council to exercise the power of eminent domain to acquire Block 421, Lot 15 in the Study Area, the balance of the Study Area is being investigated as a Non-condemnation Redevelopment Area.

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

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

Section 7. This Resolution shall take effect immediately.

I, JOSEPH C. BODEK, City Clerk of the City of Linden, in the County of Union and State of New Jersey, DO HEREBY CERTIFY that the foregoing is a true copy of the resolution adopted by the City Council of the City of Linden at a meeting held on as the same is taken from and compared with the original now remaining on file and of record in my office.

IN WITNESS WHEREOF, I have set my hand and affixed the corporate seal of the City of Linden, this \_\_\_ day of June 2016.

**RESOLUTION: 2016-254**

**RESOLUTION ENFORCING ALL UNAFFILIATED CITY EMLOYEES ARE CONTRIBUTING TOWARDS HEALTH BENEFITS CONSITENT WITH TIER 4 OF CHAPTER 78 IN THE CITY OF LINDEN**

**WHEREAS**, the City of Linden shall adhere to the provisions of Chapter 78 regarding the contributions towards health benefits; and

**WHEREAS**, the City has a policy for non-affiliated employees regarding health benefits contributions; and

**WHEREAS**, the City desires to ensure that the City’s policies shall be in compliance with all State statutes and regulations.

**NOW THEREFORE BE IT RESOLVED** that this Council rescinds any and all resolutions regarding the establishment of health benefit contributions.

**BE IT FURTHER RESOLVED** that this Council directs the Finance Department to ensure that all unaffiliated City employees are contributing towards health benefits consistent with Tier 4 of Chapter 78.

Diane Wilverding, 150 E. Morris Ave. In response to Ms. Wilverding, Mr. Roth explained what the employees would be contributing to the cost of health benefits and how it was based on a tier system.

**FOR ROLL CALL PLEASE REFER TO RESOLUTION #2016-257.**

**RESOLUTION: 2016-255**

**RESOLUTION OF THE CITY OF LINDEN, COUNTY OF UNION, NEW JERSEY AUTHORIZING THE EXECUTION OF A REDEVELOPMENT AGREEMENT RELATING TO THE PROPERTIES COMMONLY KNOWN AS BLOCK 586, LOTS 8, 9 AND 11 ON THE TAX MAPS OF THE CITY**

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

**WHEREAS**, pursuant to the resolution adopted on April 18, 2000, the municipal council of the City (the **“City Council**”) designated the properties commonly known as Block 586, Lots 8 and 9 on the tax map of the City as an area in need of redevelopment pursuant to the Redevelopment Law (the “**DuPont Redevelopment Area**”); and

**WHEREAS**, on May 16, 2000, by Ordinance 42-01, the City Council adopted a redevelopment plan for the DuPont Redevelopment Area, entitled “[DuPont Redevelopment Plan]”, dated [ ] (the “**2000 Redevelopment Plan**”); and

**WHEREAS**, pursuant to a resolution adopted on January 15, 2002, the City Council designated as “an area in need of redevelopment” certain other properties identified on the City tax maps as Block 587, Lots 1 and 2.01 (the “**ISP Redevelopment Area**”); and

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

**WHEREAS**, on October 19, 2004, the City Council, by Ordinance 48-98, adopted a single, combined redevelopment plan for the redevelopment of the DuPont Redevelopment Area and the ISP Redevelopment Area (the “**2004 Redevelopment Plan**”), which plan superseded the 2000 Redevelopment Plan and the 2002 Redevelopment Plan; and

**WHEREAS**, on July 19, 2005, the City Council, by Ordinance 49-67, designated the Union County Improvement Authority to act as the redevelopment entity, as such term is defined at *N.J.S.A.* 40A:12A-3, for the redevelopment of the DuPont Redevelopment Area and the ISP Redevelopment Area; and

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

**WHEREAS**, on April 21, 2010, the City Council, in furtherance of the redevelopment of the DuPont Redevelopment Area, designated Block 586, Lot 11 as an area in need of redevelopment and added said parcel to the DuPont Redevelopment Area (the “**Expanded DuPont Redevelopment Area**” or the “**Project Area**”); and

**WHEREAS**, on September 21, 2010, the City Council, by Ordinance 54-59, amended the 2004 Redevelopment Plan to focus only on the Expanded DuPont Redevelopment Area (the “**2010 Redevelopment Plan**”); and

**WHEREAS**, pursuant to the Redevelopment Law, the City in its capacity as the redevelopment entity for the Expanded DuPont Redevelopment Area, with full authority to exercise the powers contained in the Redevelopment Law, desires to facilitate and implement the development of the Expanded DuPont Redevelopment Area in accordance with the 2010 Redevelopment Plan; and

**WHEREAS**, Grasselli Road Urban Renewal LLC (the “**Redeveloper**”) has made application to be designated as the redeveloper for the Project Area, for which Redeveloper is the owner or contract purchaser, and Redeveloper has provided information consisting of documentation evidencing financial responsibility and capability with respect to the Project (as defined herein), estimated total development costs, and estimated time schedule for commencement and completion of construction; and

**WHEREAS**, the City has determined that Redeveloper meets all necessary criteria, including financial capabilities, experience, expertise and project concept descriptions, and, as a result, has determined enter into a redevelopment agreement to designate Redeveloper as the exclusive redeveloper of the Project Area; and

**WHEREAS**, Redeveloper has agreed to develop a project on the Expanded DuPont Redevelopment Area consistent with the 2010 Redevelopment Plan (as more fully defined in the redevelopment agreement, the “**Project**”); and

**WHEREAS**, in order to implement the development, financing, construction, operation and management of the Project, the City now desires to enter into a redevelopment agreement with Redeveloper, a form of which redevelopment agreement is attached hereto as **Exhibit A**, and which redevelopment agreement specifies the rights and responsibilities of the City, designates Redeveloper as redeveloper of the Project Area and specifies the rights and responsibilities of Redeveloper with respect to the Project.

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

1. The recitals are incorporated herein as if set forth in full.
2. The Mayor is hereby authorized to execute the redevelopment agreement substantially in the form as attached hereto as **Exhibit A**, subject to such additions, deletions, modifications or amendments deemed necessary by the Mayor in his discretion, in consultation with the City’s professionals, which additions, deletions, modifications or amendments do not alter the substantive rights and obligations of the parties thereto, and to take all other necessary and appropriate action to effectuate the Agreement.

3. This Resolution shall take effect immediately.

**RESOLUTION: 2016-256**

RESOLUTION REQUESTING THE REFUND OF DEPOSITS

FROM THE 2016 ONLINE TAX SALE

WHEREAS, on June 3, 2016 an On-Line Tax Sale was conducted by Stacey L. Carron, Tax Collector of the City of Linden and;

WHEREAS, due to multiple unsuccessful bidders, permission is requested to refund all deposits from the Tax Sale Account held by the Tax Collector and;

WHEREAS, due to said circumstances, the City is desirous of refunding said monies:

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

1. The Municipal Attorney has directed the Tax Collector to refund

all monies being held in the Tax Sale Account.

1. This resolution shall take effect pursuant to law.

**RESOLUTION: 2016-257**

**RESOLUTION AUTHORIZING AN AWARD OF CONTRACT TO POWELL CAPITAL MARKETS, INC. AS FINANCIAL ADVISORS FOR UCIA REFUNDING TRANSACTION FOR THE CITY OF LINDEN**

**WHEREAS**, the City of Linden has a need for financial advisors regarding UCIA refunding transactions; and

**WHEREAS**, N.J.S.A. 40A:11-5(a)(1) provides for the award of contract for professional services; and

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

**WHEREAS,** the anticipated term of this contract is one (1) year, commencing on June 21, 2016 through June 21, 2017 for a total sum not to exceed $17,500.00; and

**WHEREAS**, funds have been previously certified and will be charged to account/line item 6-01-20-130-115-255; and

**WHEREAS**, Powell Capital Markets, Inc. has submitted a proposal dated June 21, 2016, indicating they will provide said services for the aforesaid price; and

**WHEREAS**, Powell Capital Markets, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that Powell Capital Markets, Inc. has not made any reportable contributions to a political or candidate committee in the City of Linden in the previous one year, and that the contract will prohibit Powell Capital Markets, Inc. from making any reportable contributions through the term of the contract; 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. Wilverding questions as to what this is about, Mrs. Zack responded that it was refunding of certain bonds, done through the Union County Improvement Authority and that it would result in saving the City money. She also explained why this firm was being used.

**Mr. Medina moved for approval of Resolutions # 2016-234, #2016-236, #2016-238, #2016-240, #2016-243, #2016-247, #2016-251, #2016-254 and #2016-257. The motion was seconded by Mrs. Hickey and on a roll call vote was ordered approved by all voting yes with the exception of Mr. Beyer who voted no on Resolution #2016-234 and Mrs. Cosby-Hurling who voted no on Resolutions #2016-234, #2016-240 and #2016-251.**

**ORDINANCES ON FIRST READING**

Council President Pro- Tempore Yamakaitis 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:**

* 1. Bond Ordinance providing an appropriation of $121,000.00 for the Acquisition of two mason dump trucks with plows for the Public Works Department and authorizing the issuance of $114,950.00 bonds or notes of the City for financing part of the appropriation.

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

Council President Pro-tempore Yamakaitis asked if there were any comments from the public. There were

none. Ordinance #60-50 was introduced by Mr. Strano and was read on first reading by the Deputy Clerk.

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

**An Ordinance entitled:**

* 1. Bond Ordinance providing an appropriation of $143,000.00 for the acquisition of various items of capital equipment for the Municipal Garage, and authorizing the issuance of $135,850.00 bonds or notes to finance part of the cost thereof.

Council President Pro-tempore Yamakaitis asked if there were any comments from the public.

Virginia Malik, 1633 Lenape Road. Ms. Malik asked that more detail be provided, on the agenda, as to what is being purchased.

Ordinance #60-51 was introduced by Mr. Beyer and was read on first reading by the Deputy Clerk.

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

**An Ordinance entitled:**

* 1. Ordinance approving the application for a long term tax exemption and authorizing the execution of a financial agreement with Grasselli Road Urban Renewal LLC.

Council President Pro-tempore Yamakaitis asked if there were any comments from the public. There were

none. Ordinance #60-52 was introduced by Mrs. Ormon and was read on first reading by the Deputy

Clerk.

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

**An Ordinance entitled:**

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

Council President Pro-tempore Yamakaitis asked if there were any comments from the public.

Virginia Malik, 1633 Lenape Road. Ms. Malik asked where she could go to get clarification on this. She was provided with a response.

Lt. Michael Babulski, LPSOA. Lt. Babulski thanked Council for the new police hires. Lt. Babulski stated that he was here representing the Linden Police Superiors Officers Association and the association wanted to voice their opposition to this ordinance and provided the reasons why.

Henry Reddick. Mr. Reddick spoke in opposition to the ordinance, on behalf of the people, and asked that it be tabled for further discussion. He indicated what he thought should be done regarding this matter.

Rhashonna Cosby-Hurling. Mrs. Cosby-Hurling stated that when this matter came up last month, she looked at it and considered it. She stated she polled some of her residents, by email, on this issue. Their response was that as their representative they wanted her to vote no, so that is how she would be voting this evening. Mrs. Cosby-Hurling explained that her job is to hear it from the people and the people in her ward are against this. She noted that the ordinance that she had submitted to her neighbors did not contain the position of Deputy Chief. She believed that the table of organization could be adjusted for the position of Deputy Chief without a Police Director.

Mr. Brown asked for clarification on what comment could be. Mr. Antonelli provided that clarification.

Ordinance #60-53 was introduced by Mrs. Cosby-Hurling and was read on first reading by the Deputy

Clerk.

On motion of Mrs. Cosby-Hurling, seconded by Mrs. Ormon the foregoing Ordinance was on roll call vote a tied vote with Mr. Beyer, Mrs. Cosby-Hurling, Mr. Sadowski, Mr. Medina and Mrs. Hickey who voted no. Mayor Armstead was called upon to break the tie vote for which he voted yes and Ordinance #60-53 was ordered approved.

**An Ordinance entitled:**

* 1. Ordinance amending an ordinance entitled, “an ordinance establishing a schedule of titles, salary ranges and regulations for maintaining the classification and salary standardization plan of all employees of the city of Linden.” By adding Schedule 4-KK-4.

Council President Pro-tempore Yamakaitis asked if there were any comments from the public. There were

none. Ordinance #60-54 was introduced by Mr. Brown and was read on first reading by the Deputy

Clerk.

On motion of Mr. Brown, seconded by Mr. Medina the foregoing Ordinance was on roll call vote ordered approved with all voting yes with the exception of Mrs. Cosby-Hurling who voted no.

**An Ordinance entitled:**

* 1. An ordinance amending and supplementing Chapter VII, Traffic, Section 7-33 by adding Section 7-33.1A:

**No.**

**Name of Street of Spaces Location**

ADD:

1120 N. Stiles St. 1 Along the northeast curbline of N.

Stiles St. 267 feet northwest of the projected northwest curbing of Karen

Terrace continuing for a length of 22 feet in a northwest direction.

Council President Pro-tempore Yamakaitis asked if there were any comments from the public. There were

none. Ordinance #60-55 was introduced by Mr. Brown and was read on first reading by the Deputy

Clerk.

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

**PUBLIC COMMENT**

**COUNCIL PRESIDENT PRO TEMPORE YAMAKAITIS ANNOUNCED COMMENTS FROM MEMBERS OF THE PUBLIC IN ATTENDANCE - ON CITY BUSINESS ONLY NO PERSONAL, POLITICAL OR DEROGATORY COMMENTS (not to exceed 5 minutes). She *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.***

**Henry Mack.** Mr. Mack spoke about the ordinance creating a police director, and what was needed before action was taken on it. Mr. Mack thanked several individuals and council members for helping to teach children to fish. He noted another issue that he was having a problem with, and what the people said about it.

There being no one else wanting to speak, Mr. Brown moved to close the public portion of the meeting. The motion was seconded by Mr. Brooks and was unanimously ordered approved by a roll call vote.

**COMMENTS FROM MEMBERS OF THE GOVERNING BODY**

Mr. Brown addressed the issue of having a civilian in charge of the Police Department, noting that the Mayor is a civilian and he is in charge of the Police Department. He quoted from the State Statute and the introduced ordinance and what they say and did. He made it clear that the day-to-day operation still stays with the Police Chief.

Mr. Beyer spoke on the Police Director ordinance, stating that it was just given to us today. He stated that the new ordinance, given today, has added to it the position of Deputy Chief. He noted that he supports the position of deputy chief, as it is promoting from within the ranks. He does not support the position of Police Director.

Mrs. Ormon stated that she does understand the police departments side on the position of police director, but on the other side there are a lot of things going on, and Council has to answer to the community on them. We need to fix the problems that the police department is having. She stated that she is open to more dialog and more conversation, but the problem does need to be fixed. Next Mrs. Ormon congratulated the Linden High School class of 2017, which will be graduating on Friday.

Mr. Medina stated that he is in agreement with Mr. Beyer and Mrs. Ormon, and that new language has been added to this ordinance, that he agrees with. He added that he was not in agreement with the position of Police Director, but the addition of a deputy chief was a good thing. This was an introduction and things could change between now and the next council meeting. There will be further discussions, and we will go from there.

Mrs. Hickey stated that she is very passionate about the police department. She did not believe that we should be brining someone in from the outside, and paying a salary of between $120,000 and $165,000. She acknowledged that we have had some bad publicity over the past year or so that need to be addressed. She spoke about the positive things going on in the Linden Police Department, and that she refuses to bring someone in from the outside.

Mr. Sadowski stated that he echoes everything that everyone has been saying. He noted that despite its troubles it is a great police department. He stated that if he worked in a place and found out that he couldn’t advance because of someone being brought in from the outside it would be a problem. He stated that it was brought to us at the last minute, was told this, this and this, and he did not have time to research it. He thought that it should be within the police.

Mr. Brooks stated that he agrees with the deputy chief. He agreed with Mr. Brown that the chief still does make the decisions. He noted that he had some suggestions and concerns that he needs to have answered, so obviously this is not the end. He noted his decision will be based on the answers that he receives.

Mayor Armstead stated that he is the head of the police department as the Mayor. He noted that he has an obligation to the residents to make sure that the police department is operating as efficiently and effectively as possible. There are things that are not right, and this is the most effective way to address them. He stated that he was confident that members of the department will still be able to advance. The Mayor added that he needs a fresh set of eyes to look at things, that he, is not capable of seeing. He continued saying that he did not think we would need a police director forever, but we do need one now. We have some great men, in this department. He then restated his need to move forward and ask for a police director.

**ANNOUNCEMENTS**

President Alvarez announced: The following Council Meetings will be as follows:

\*Council Conference:

Monday, July 18, 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, July 19, 2016 at 6:00 pm in the Council Conference Room, City Hall, 301 N. Wood Ave.

\*Council Meeting: Tuesday, July 19, 2016 at 7:00 p.m. in the Council Chambers, City Hall, 301 N. Wood Ave.

There being no further business to come before the governing body, Mr. Sadowski moved to adjourn the meeting. The motion was seconded by Mr. Brown and was unanimously ordered approved by a roll call vote. The meeting was adjourned at 9:25 pm.

Respectfully submitted,

Joseph C. Bodek

City Clerk