**Minutes of the Regular**

**Meeting of the 2016 Council of the**

**City of Linden, held Tuesday**

**November 22, 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, November 22, 2016 at 7:00 pm The meeting was called to order by Council President Jorge Alvarez and he announced that the notice of this meeting stating the date, place and time, has been disseminated as required under the Open Public Meeting Act, Chapter 231, P.L. 1975.

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

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

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

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

A roll call showed the following members were present:

**ROLL CALL**

Councilwoman Lisa Ormon

Councilman Donald Beyer

“ Peter Brown

“ Monty Brooks

Councilwoman Cosby-Hurling

Councilman Robert Sadowski

Councilman Ralph Strano

Councilwoman Michele Yamakaitis

Councilman Armando Medina

Councilwoman Gretchen Hickey

Council President Jorge Alvarez

Mayor Derek Armstead

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**APPROVAL OF MINUTES**

Mrs. Hickey moved for approval of the minutes of the October 18, 2016 Council Meeting. The motion was seconded by Mr. Medina and was unanimously ordered approved.

**PRESENTATIONS**

**VETERAN’S DAY**

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President Alvarez noted that Veteran’s Day is a day very dear to him. He read a statement regarding Veteran’s Day. He noted that this year the Council would be honoring City employees who are veterans. He called upon the following to receive Certificates of Recognition for their service:

Lt. Fech,                Marine

Lt. Guenther,       Navy

Sgt. Bizub,            Navy

Sgt. Ordonez,      Marine

Sgt. Salerno,        Army

 Inv. Hammer,     Marnie

Inv. Kahana,         Marine

Det. Burnette,    Army Nat. Guard

Det. Damatta      Army Nat Guard

Det. Fortuna,      Marine

Det. Kother,         Airforce

Cpl. mat Jones,   Marine

Cpl. Lacosta

Cpl. Solano,         Army Nat, Guard

Cpl. Wisnowski, Marine

Ofc. Araque,        Army Nat Guard

Ofc. Cistaro,

Ofc. Dziadosz,     Marine

Ofc. Elias,            Marine

Ofc. Forfa,           Marine

Ofc. Garrison,      Marine

Ofc. Guzman,      Marine

Ofc. Jordan,

Ofc. Novak,         Army

Ofc. Ramirez,

Ofc. Turon,           Airforce

Ofc. Vasquez       Army Nat guard

Capt Glenn Curtin

Lt Robert Clark

FF Michael Brattole

FF Michael Jackson

Tywonda Gadson-Passmore

A Shift - Jason Holobinko (USCG), Jeff Jackson(USN), Greg Wronski(USA), and Jon Schultes(USMC)

B Shift - Bob Clark(USMC), Ron Montes de Oca(USA), Mike Jackson(USMC), and Matt Berube(USN)

C Shift - Glenn Curtin(USN)

D Shift - Michael Brattole(USMC), Tom Anguella(USMC), Kurtish Ilijazi(USMC), Brian Paster(USN), Mick Callahan(USAF)

FPB - Michael Smith(USN)

Councilman Robert Sadowski

**RECOGNIZING THE AMERICAN CANCER SOCIETY**

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Mayor Armstead and Mrs. Cosby-Hurling came forward for the presentation. The Mayor read the resolution supporting the American Cancer Society and Linden’s “All Cancer Walk.” The Mayor and Mrs. Cosby-Hurling presented the resolution to a representative of the American Cancer Society, and spoke about efforts, in the Fifth Ward, to raise cancer awareness.

**PANCREATIC CANCER AWARENESS MONTH**

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Mayor Armstead and Mrs. Cosby-Hurling came forward for the presentation. Mrs. Cosby-Hurling read the resolution regarding Pancreatic Cancer Awareness month.

**RECOGNIZING THE RHASHONNA COSBY CIVIC ASSOCIATION**

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Mayor Armstead and Mrs. Cosby-Hurling came forward for the presentation. Mayor Armstead read the resolution and presented it to Mrs. Cosby-Hurling

**PROCLAMATION**

**2nd Annual Car, Truck, Bike & Airplane Show**

**Joe & Mike Bountempo, BBC Speed & Machine**

**Bobby & Janie Barkoff, Galloping Hill Cruisers**

**Brude Deehl, former member of the Blue Knights**

**Jack Burket, Garden State Gear Shifters**

**Joe Birch, Linden LPSOA**

**Paul Dudley, Linden Airport Director**

**Mark Mannuzza, Event Director**

Mayor Armstead spoke about he 2nd Annual Car, Truck, Bike and Airplane show recently held at Linden Airport. He noted now successful the event was, and that the money raised would benefit a scholarship fund and sports camps in the City of Linden. The Mayor talked about the two individuals whose memory the scholarship was established in. He then called each of the above individuals up, noted their role, thanked them for their efforts and presented them with a proclamation.

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

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

President Alvarez noted that the Ordinance #60-53 would remain on the table.

**ORDINANCES ON HEARING**

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

**#60-72** Bond Ordinance amending Bond Ordinance Number 60-41, finally adopted by the City Council on June 21, 2016. (Providing for the acquisition of Firearms and associated equipment for the Police Department. Changing the appropriation and estimated cost from $121,000 to $195,000, the estimated maximum amount of bonds or notes from $114,950 to $185,250, the down payment from $6,050 to $9,750, and the section 20 cost from $12,100 to $19,500.

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

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

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

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

**#60-73** An ordinance to amend and supplement Chapter II, administration.

Delete Section 2-27.3 Division of Public Works, ADD New Section 2-28, Department of Public Works.

President Alvarez recognized Mrs. Cosby-Hurling for the purpose of making an amendment. Mrs. Cosby-Hurling moved to amend Ordinance #60-73 to remove the title of Director of Public Works and replace it with the title of Public Works Superintendent. The motion was seconded by Mr. Brown. President Alvarez recognized Assistant City Attorney Daniel McCarthy. Mr. McCarthy advised that since the change was not de minimus, the Ordinance has to be postponed, for a second reading, to the December meeting, so that the change can be properly advertised. The motion to amend was then voted on and was unanimously ordered approved by a roll call vote.

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

**#60-74** An ordinance to amend and supplement Chapter VII, Traffic.

Amending 7-33 Handicapped Parking Regulations

7-33.1A Handicapped Parking on-street, as follows:

Name of Street Spaces No. of location

ADD:

1009 Bower St 1 On the southwesterly sideline of Bower Street, 84 feet more or less northwesterly from

The curbline of Middlesex Street in front of

1009 Bower Street for a length of 22 feet. The

Aforesaid space is specifically reserved and

Designated for Emma L. Massey 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.

DELETE:

1400 Eddy Ave 1 On the southwesterly sideline of Eddy Avenue, 202 feet more or less northwesterly

From the curbline of W. 15th Street in front of

1400 Eddy Avenue for a length of 22 feet. The

Aforesaid space is specifically reserved and

Designated for Carl Gunshore 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.

3014 Fedor Ave 1 On the southwesterly sidelines of Fedor Avenue, 27 feet more or less northwesterly from the projection of the northwesterly curbline of Arthur Street, in front of 3014 Fedor Avenue for a length of 22 feet. The aforesaid space is specifically reserved and designated for a vehicle for Alice Stiles/Robert Squires, to be identified by license plate number and a placard to be issued by the City, and no other vehicle bearing and displaying handicapped licensed plates and/or placards, or not, shall be permitted to park in such space.

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

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

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

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

**#60-75** An ordinance to amend and supplement Chapter II, Administration.

Amending Section 2-12.1 as follows:

The Department of Police shall consist of the following positions: (1) Chief; (5) Captains; (12) Lieutenants; (19) Sergeants; (116) Patrol Officers.

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

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

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

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

**#60-76** An ordinance to amend and supplement Chapter VII, Traffic, Section 7-22.1 Four-Way stop intersections shall be and the same is hereby amended as follows:

7-22.1 Four-way stop intersections.

Intersections Stop signs to be located on:

ADD:

Bacheller Avenue and Klem Avenue Bacheller Avenue and Klem Avenue

Klem Avenue and Bacheller Avenue

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

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

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

**CONSENT AGENDA**

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

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

2017 Taxes $459,388.52

2016 Taxes $22,937,336.34

2015 Taxes $0.00

Garbage Fee Payments $169,674.52

Garbage Fee Penalty $150.00

Municipal Lien Redemption $0.00

Duplicate Tax Sale Certificate $0.00

Tax Search $0.00

Lien Redemption Request Fee $0.00

Year End Penalty $0.00

Returned Check Fee Paid $0.00

Returned Check Fee Garbage Paid $20.00

Returned Check 2016 ($1,759.33)

Returned Check Interest ($0.00)

Returned Online Payment 2016 Taxes ($1,140.65)

Returned Online Interest ($59.35)

Returned Check Garbage Fee ($240.00)

Returned Check Garbage Fee Penalty ($0.00)

Adv. Before Tax Sale $0.00

Premium $0.00

Sewer Clean out charge $900.00

DPW Reso payments $455.00

Interest $13,941.90

Total $23,578,666.95

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

**Block Lot Redemption Date Cert# Premium**

56 8 11/1/16 15-00032 $1,300.00

72 15 11/3/16 15-00042 $1,000.00

75 6 10/18/16 15-00044 $3,200.00

119 13 10/31/16 13-00154 $15,800.00

173 8 10/24/16 15-00115 $1,300.00

198 14 10/24/16 15-00133 $1,300.00

200 48 10/24/16 15-00135 $1,800.00

209 9.02 10/28/16 15-00142 $1,000.00

267 17 10/11/16 15-00174 $1,300.00

354 16 10/13/16 15-00207 $1,700.00

406 11 11/3/16 15-00237 $1,800.00

470 48 11/3/16 15-00266 $1,200.00

508 1 10/20/16 15-00295 $1,300.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $34,000.00 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 2016 tax sale on the following block &

lot.

**Block Lot Redemption Date CTF# Amount**

108 8 10/18/16 15-00069 $1,100.00

120 22 10/25/16 15-00083 $800.00

226 8 10/31/16 15-00160 $24,900.00

390 3 10/28/16 15-00229 $1,000.00

432 13 10/11/16 15-00244 $1,100.00

556 11 10/31/16 15-00331 $1,600.00

577 2 11/3/16 15-00341 $1,100.00

582 53 10/28/16 15-00348 $1,100.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check  
in the amount of $32,700.00 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 blocks

& lots.

**Block Lot Redemption Date CTF# Amount**

188 7 10/28/16 15-00125 $400.00

297 6 10/19/16 15-00182 $300.00

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

in the amount of $700.00 payable to: Actlien Holding, US Bank Cust, Actlien Holding, Tower DBW VI 50 South 16th Street, Suite 2050, Philadelphia, PA 19102, charging same to account #-6-01-55-276-999-956.

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

**Block Lot Redemption Date CTF# Amount**

377 1 10/11/16 13-00345 $6,300.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $6,300.00 payable to FNA Jersey Lien Services, 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 2016 tax sale on the following block & lot.

**Block Lot Redemption Date CTF# Amount**

464 12 10/20/16 15-00263 $2,000.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $2,000.00 payable to US Bank Cust BV002 Trst & 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 2015 tax sale on the following block &

lot.

**Block Lot Redemption Date CTF# Amount**

480 5 10/25/16 14-00306 $22,100.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $22,100.00, 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

482 9 11/1/16 13-00427 $12,000.00

556 20 11/3/16 13-00479 $100.00

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

in the amount of $12,100.00 payable to US Bank Cust BV Trst 2015-1, 50 South 16th Street, Suite #19, Philadelphia, PA 19102, charging same to account #-6-01-55-276-999-956.

**Veterans** Block-155 Lot-9, Johnny Mickel

**Deduction** 511 Bower Street, Allowed Veterans Deduction

There now exists a credit balance on the above referenced block & lot due to an allowed veterans deduction for the year 2016. The overpayment amount is $250.00.

**Block Lot Name Address Amount**

155 9 Johnny Mickel 511 Bower Street $250.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of **$250.00** payable to: Johnny Mickel, 511 Bower Street, Linden, NJ 07036, refunds charging same to account *#* 6-01-55-288-999-904.

**Credit Balance** Block 189 Lot 15, Former Owner: Carlton McClary

Current Owner: Jose Collado - 310 4th Avenue

The above referenced owners Mortgage Company have paid the 2015 1st quarter property taxes creating this overpayment as this was an exempt property at the time of payment and the mortgage company is entitled a refund in the amount of $3,168.29

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $3,168.29, payable to Core Logic Tax Services, Attention: Kathy Bishop, 92-16 220th Street, Queens Village, NY 11428 charging same to account #6-01-55-288-999-904.

**Credit Balance** Eduardo Vega Jr., Block 201 Lot 11 C011

104 E. Elizabeth Avenue, Unit # 111

There now exists a credit balance on the above referenced block & lots due to the owner’s Mortgage Company and the owner paying the 2016 3rd quarter taxes twice in the amount of $1,968.23.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,968.23 payable to: Eduardo Vega, Jr., 104 E. Elizabeth Ave, Unit # 111, Linden, NJ 07036, charging same to account #-6-01-55-288-999-904.

**Credit Balance** Rita L. Owens, Block 201 Lot 12 C0218 - 10 N. Wood Avenue, Unit # 218

There now exists a credit balance on the above referenced block & lots due to the owner’s Mortgage Company and the owner paying the 2013 3rd quarter property taxes twice in the amount of $807.88.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $807.88 payable to: Rita L. Owens, 20 Kiwanis Drive, Wayne, NJ 07470, charging same to account #-6-01-55-288-999-904.

**Refund** Block 205 Lot 12, Former Owner: Nicholas Torres

Current Owner: Ronald Rojas, 111 E. Gibbons Street

The above referenced owners Mortgage Company and the new owner’s Mortgage have paid the 2015 4th & 2016 1st quarter property taxes creating this overpayment and the old owner’s mortgage company entitled a refund in the amount of $3,187.79.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $ 3,187.79, payable to Core Logic Tax Services, Attention: Kathy Bishop, 92-16 220th Street, Queens Village, NY 11428 charging same to account #6-01-55-288-999-904.

**Credit Balance** Sanford & Elaine L. Hirschorn, Block 293 Lot 1

2515 Summit Terrace

There now exists a credit balance on the above referenced block & lots due to the owner’s Mortgage Company and the owner’s Title agency paying the 2016 1st property taxes twice in the amount of $2,237.75.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $2,237.75 payable to: Sanford & Elaine L. Hirschorn, 2515 Summit Terrace, Linden, NJ 07036, charging same to account #-6-01-55-288-999-904.

**Refund** Block 293 Lot 13, Former Owner: Bryan Kostrey

Current Owner: Amy & Anthony J. Buser, 225 Livingston Road

The above referenced former owner’s Mortgage Company and the Attorney have paid the 2014

2nd quarter property taxes creating this overpayment and the former owner’s mortgage company is entitled a refund in the amount of $2,442.25.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $2,442.25, payable to Core Logic Tax Services, Attention: Kathy Bishop, 92-16 220th Street, Queens Village, NY 11428 charging same to account #6-01-55-288-999-904.

**Refund** Block 311 Lot 14, Old Owner: MaryAnn Hirsch

New Owner: Gregory Batroni, 722 Dewitt Street

The above referenced old owner’s Mortgage Company and new owner’s mortgage company have paid the 2015 4th quarter property taxes creating this overpayment and the old owner’s mortgage company is entitled a refund in the amount of $2,600.33.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $ 2,600.33 payable to: Lereta, LLC, Returns & Refunds, 1123 Park View Drive, Covina, CA 91724 charging same to # 6-01-55-288-999-904.

**Refund** Block 359 Lot 27, Former Owner: Serge McKoczenski

Current Owner: PMT NPL Financial 2015-1, 2810 Wickersham Avenue

The above referenced owners Mortgage Company has paid the 2016 3rd quarter property taxes twice creating this overpayment and the old owner’s mortgage company entitled a refund in the amount of $2,365.53.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $ 2,365.53, payable to Core Logic Tax Services, Attention: Kathy Bishop, 92-16 220th Street, Queens Village, NY 11428 charging same to account #6-01-55-288-999-904.

**Refund** Block 420 Lot 2, Michael Almeida - 1117 Stuart Place

The above referenced owners Mortgage Company has paid the 2015 1st quarter property taxes twice creating this overpayment mortgage company entitled a refund in the amount of $2,329.67.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $ 2,329.67, payable to Core Logic Tax Services, Attention: Kathy Bishop, 92-16 220th Street, Queens Village, NY 11428 charging same to account #6-01-55-288-999-904.

**Credit Balance** Block 472 Lot 14.01, Old Owner: Negron/ Federal National Mortgage

New Owner: Jatnier Garcia, 710 Allen Street

There now exists a credit balance on the above referenced block & lot due to an overpayment by the old owners’ mortgage company and the title agency on the 2016 2nd quarter. The overpayment amount is $2,452.74.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $2,452.72 payable to: Statewide Closing Services, LLC, 1018 Route 202 S., Branchburg, NJ 08876, charging same to account #-6-01-55-288-999-904.

**Credit Balance** Andres Barbosa & Harold M. Manzon, Block 201 Lot 11 C0311

104 E. Elizabeth Avenue, Unit # 311

There now exists a credit balance on the above referenced block & lots due to the owner’s Mortgage Company and the owner paying the 2016 3rd quarter taxes twice in the amount of $2,500.00.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $2,500.00 payable to: Andres Barbosa & Harold M. Manzon, 104 E. Elizabeth Ave, Unit # 311, Linden, NJ 07036, charging same to account #-6-01-55-288-999-904.

**Credit Balance** Block 222 Lot 28, Community Access Unlimited Inc. - 18 Berlant Avenue

There now exists a credit balance on the above referenced block & lot due to exempt status on 2014 taxes. There for the owner is entitled to a refund in the amount of $3,825.11.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $3,825.11 payable to: Community Access Unlimited, Inc., 80 West Grand Street, Elizabeth, NJ 07201, charging same to account #6-01-55-288-999-904.

**Credit Balance** Stephen Percoco & Ester Percoco, Block 341 Lot 3 - 839 De Witt Street

There now exists a credit balance on the above referenced block & lots due to the owner’s Mortgage Company and the owner’s Title agency paying the 2015 2nd quarter taxes twice in the amount of $1,855.74.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,855.74 payable to: Stephen Percoco & Ester Percoco , 839 De Witt Street, Linden, NJ 07036, charging same to account #-6-01-55-288-999-904.

**Refund** Block 367 Lot 30, Former Owner: Arlene & Patrick Dywer

Current Owner: Angela Aristizabal-Houck, 716 Amhearst Road

The above referenced owners Mortgage Company and the new owner’s attorney have paid the 2009 4th quarter property taxes creating this overpayment and the old owner’s mortgage company entitled a refund in the amount of $2,645.28.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $2,645.28, payable to: Wells Fargo Home Mortgage, Attention: Financial Support, 1 Home Campus, MAC X 2302-04D, Des Moines IA, 50328, charging same to account #-6-01-55-288-999-904.

**Refund** Block 381 Lot 11, Former Owner: Bruno & Halina Walus

Current Owner: Pitor Gasior, 1012 W. Henry Street

The above referenced owners Mortgage Company and the new owner’s Mortgage have paid the 2009 4th quarter property taxes creating this overpayment and the old owner’s mortgage company entitled a refund in the amount of $1,596.67.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $ 1,596.67, payable to Core Logic Tax Services, Attention: Kathy Bishop, 92-16 220th Street, Queens Village, NY 11428 charging same to account #6-01-55-288-999-904.

**Credit Balance** Shawn A. Edwards, Block 390 Lot 39 - 526 Elmwood Terrace

There now exists a credit balance on the above referenced block & lots due to the owner’s Mortgage Company and the owner’s Title agency paying the 2011 2nd quarter and 2016 4th quarter taxes paid by owner and mortgage company twice in the amount of $1,592.59.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,592.59 payable to: Shawn A. Edwards, 526 Elmwood Terrace, Linden, NJ 07036, charging same to account #-6-01-55-288-999-904.

**Credit Balance** Susan D. Guillermo, Block 410 Lot 4 - 1921 N. Stiles Street

There now exists a credit balance on the above referenced block & lots due to the owner’s Old Mortgage Company and the owner’s new mortgage paying the 2015 2nd quarter taxes twice in the amount of 1,567.99.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,567.99 payable to: Susan D. Guillermo, 1921 N. Stiles Street, Linden, NJ 07036, charging same to account #-6-01-55-288-999-904.

**Credit Balance** Adam J & Bridget S. Zellner, Block 414 Lot 4 - 1617 Westover Road

There now exists a credit balance on the above referenced block & lots due to the owner’s Old Mortgage Company and the owner’s Title Agency paying the 2016 1st quarter taxes twice in the amount of $2,245.60.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $2,245.60 payable to: Adam J & Bridget S. Zellner, 1617 Westover Road, Linden, NJ 07036, charging same to account #-6-01-55-288-999-904.

**Credit Balance** Racheal & Carlos M. Gonzalez, Block 491 Lot 4- 922 MC Candless Place

There now exists a credit balance on the above referenced block & lots due to the owner’s Old Mortgage Company and the owner’s Title Agency paying the 2011 2nd quarter taxes twice in the amount of $1,251.33.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,251.33 payable to: Racheal & Carlos M. Gonzalez, 922 MC Candless Place, Linden, NJ 07036, charging same to account #-6-01-55-288-999-904.

**Credit Balance** Damian Joseph & Monica Duarte, Block 576 Lot 7 - 2703 Parkway Avenue

There now exists a credit balance on the above referenced block & lots due to the owner’s Mortgage Company and the owner paying the 2016 4th quarter taxes twice in the amount of $1,411.98.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,411.98 payable to: Damian Joseph & Monica Duarte, 2703 Parkway Avenue, Linden, NJ 07036, charging same to account #-6-01-55-288-999-904.

**(\*\*\*) CITY CLERK’S OFFICE:**

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

Clerk’s Office:

Application Number Applicant Game Fees Collected

RA-1532 School #9 PTA (2)50/50 $40.00

RA-1533 School #9 PTA Tricky Tray $20.00

**(\*\*\*) MUNICIPAL TREASUER:**

1. Requesting approval of the following reimbursements:
2. Christian Cobo is entitled to a refund of $70.00 for a Certificate of Smoke Detector and Carbon Monoxide Alarm Compliance that was already completed and paid for by the previous bank owner. Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $70.00 payable to: Christian Cobo, 742 St. George Avenue, Rahway, NJ 07065.
3. Leroy Cadogan is entitled to a refund of $35.00 for a Certificate of Smoke Detector and Carbon Monoxide Alarm Compliance that was already completed and paid for by the previous bank owner. Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $35.00 payable to: Leroy Cadogan, c/o People’s Varity Store, 399 Myrtle Avenue, Irvington, NJ 07111.

**(\*\*\*) CITY CLERK**

1. Authorizing the City Clerk to request permission from the County of Union to close North Wood Ave on December 2, 2016 for the City of Linden’s Christmas Tree Lighting ceremony from the hours of 5:00 pm to 10:00 pm from Elizabeth Ave. to Elm Street and to provide all necessary indemnification and insurance for the event.

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

1. Advising that thirty-nine (39) City of Linden employees have waived their health plan coverage in the year 2016 for the incentive offered by the City of Linden. The total amount of reimbursement to these employees is $152,571.32. (The list is on file in the City Clerk’s Office)

Mrs. Ormon moved for approval of consent items #1 through #5. The motion was seconded by Mr. Beyer and was unanimously ordered approved by a roll call vote.

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

FIRST WARD

Mrs. Ormon expressed her sadness for a First Ward family that was burned out on Saturday. She asked for donations for the family, and explained how to make those donations. She provided an update on a number of the redevelopment projects in the City and new business coming into the City.

Mrs. Ormon spoke about the issue of graffiti in the First Ward, urging First Ward resident to report it to her, so that it can get cleaned up. Next she spoke on the issue of leaves, and asked residents not to rake them into the catch basins. Mrs. Ormon talked about the collection of leaves, from the curb, and noted that she has leaf bags available for those residents wanting to bag their leaves. She explained how to obtain the bags, and reminded all that it was illegal to bag leaves. She concluded by wishing everyone a happy and safe Thanksgiving.

SECOND WARD

Mr. Beyer gave the report of the Construction Code Committee. The Construction Code Department has processed 241 permits, issued 77 certificates and collected $157932.00 in fees for the month of October. He then thanked Muhammad Wilkerson of the New York Jets for his donations of dinners to numerous families in Linden. He noted that Mr. Wilkerson is from Linden and keeps giving back to Linden, year after year.

THIRD WARD

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

*Approval is requested for the following finance actions:*

1. The payment of bills totaling $1,651,518.63 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 October at the rate of .15%

Mr. Brown moved for approval of the Budget Review and Finance Committee. The motion was seconded by Mr. Brooks and was ordered approved by a roll call vote, with all voting yes except Mrs. Hickey who voted who abstained.

Mr. Brown spoke about the increase in the compliment in the Police Department, offered congratulations to the soon to be promoted police sergeants, and explained that in the interest of public safety the Council was trying to get the police department back to where it was. He thanked the police department for all of its efforts.

FOURTH WARD

Mr. Brooks gave the report of the Division of Transportation and Parking for the month of October. A total of $57,182.91 was collected from all sources. He then informed all that the renovations at Dr. Martin Luther King Park would start as early as tomorrow. He then spoke about the work that would be done in the park. He thanked Mr. MacDonald for his efforts to make the park beautiful.

Mr. Brooks spoke about First Baptist Church and Temple Emaunuel Church regarding their efforts on behalf of residents and thanked them for allowing him to work with them. He also spoke about development work that was going on in the Fourth Ward, on Price Street. Mr. Brooks announced that he will be having a community meeting on December 1 at the LMPC, and provided details. He wished all a happy Thanksgiving and spoke about the greatness of Linden.

FIFTH WARD

Mrs. Cosby-Hurling congratulated the newly elected and re-elected Council people. She thanked those that helped her in her election campaign. She stated that she was looking forward to three more years of doing good things for Linden.

Mrs. Cosby-Hurling noted that the hard copies of the Personnel Report had a line cut off on the bottom, but she would read the entire report.

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

1. Hires – Pending successful completion of the City’s Pre-Employment requirements

1. Chelsea Libreros-Cortes – Part-time Clerk 1 (floater-City Hall) at rate of $15 per hour not to exceed 19.5 hours a week effective 11/23/16
2. Ryan Slovinski – Parking Enforcement Officer at a starting annual salary of $34,548 effective 12/2/16

2. Seasonal Hires/Public Property/DPW/REC

1. Branley Cadet – Recreation Leader (LMPC) $12 per hour effective 11/22/16 to 5/31/2017
2. Amanda Williams – Recreation Leader (LMPC) $12 per hour effective 11/22/16 to 5/31/2017

3. Promotions

1. Kenneth Mikolajczcyk – Police Sergeants at the annual salary of $108,000 effective 12/2/16
2. Joseph Rivera - Police Sergeants at the annual salary of $108,000 effective 12/2/16
3. Martin Jederzejewski – Police Sergeants at the annual salary of $108,000 effective 12/2/16

4. FMLA/NJFLA

1. Employee #000073 – FMLA/NJFLA 9/7/16 to 12/5/16
2. Employee #090569 – Intermittent FMLA 8/15/16 to 8/14/17
3. Employee #108318 – Intermittent FMLA 7/29/16 to 7/28/17
4. Employee #000504 – FMLA/NJFLA 9/21/16 to 12/26/16
5. Employee #106507 – FMLA/NJFLA 10/18/16 to 10/24/16
6. Employee #000086 – FMLA/NJFLA 10/28/16 to 12/31/16
7. Employee #000808 – Intermittent FMLA 10/11/16 to 12/31/16
8. Employee #107663 – FMLA/NJFLA 11/11/16 to 1/2/17

5. Publicly Advertise Employment Opportunities

a. Recreation Supervisor – Online at the Civil Service Commission website from November 4, 2016 to November 25, 2016

6. Administrative Updates and Approvals

1. Carolyn Frees transferred from the CCB to the JTG Center effective 11/7/2016
2. Change in title for Steve Kaspar to Mechanic Helper

7. Granting permission for the Police Department to conduct up to ten background checks for the Police Department positions of police officer for the hiring on next months.

Mrs. Cosby-Hurling moved for approval of the Personnel Report. The motion was seconded by Mr. Medina and was ordered approved by a roll call vote, with all voting in favor of all except Mrs. Ormon, Mr. Strano and Mrs. Yamakaitis who voted no to item #6A.

Mrs. Cosby-Hurling provided her contact information, and how to receive Fifth Ward updates from her. She also spoke on her annual Santa event, which would be held on December 17th, at the LMPC, and provided details on it.

SIXTH WARD

Mr. Sadowski congratulated the police officers on their promotions, and wished all a happy and safe Thanksgiving. He next gave the report of the City Clerk’s Licensing Division. A total of $2,225.00 was collected from all sources. Next he reported that the City Clerk’s office collected a total of $5,156.91 in fees for the month of October.

Mr. Sadowski gave a report from the Linden-Roselle Sewerage, noting the Authority awarded a contract to Constellation Energy for Electricity for the upcoming year. He reported on other aspects of the operations of the Authority. Mr. Sadowski reported that the mail box, on Cedar and Woodland Ave, which was knocked down more than a year ago is scheduled to be replaced.

SEVENTH WARD

Mr. Strano thanked the residents of the Seventh Ward, who came out and gave him a vote of confidence in the recent election. He congratulated the three police officers who were recently promoted. He then spoke about the letter residents recently received from Constellation Energy that the City will continue to participate in the energy aggregation program. He noted that residents have the right to opt out of the program, and that the program is not for those on a budget plan with PSE&G.

Mr. Strano wished all a happy Thanksgiving, and asked that they remember those in need.

EIGHTH WARD

Mrs. Yamakaitis gave the report of the Fire Committee. The Fire Prevention Bureau collected a total of $5,637.00 for the month of October, 2016. The ambulance reimbursement program collected a total of $56,616.00, bringing the year to date total collected to $558,751.21. She noted FMBA Local 34 and 234 donated 121 turkeys to the Linden LINKS Food Bank, for Thanksgiving. Both groups, in conjunction with the Fire Department are also collecting toys for the Toys for Tots Program. Mrs. Yamakaitis explained how people could make donations to this effort. She then announced that Local 34 and 234 in conjunction with the Linden Welfare Department would be holding their First Annual Coat drive to collect new or slightly used coats, and how to donate. Lastly she reported on the unions annual fund/run walk and provided details on it.

Mrs. Yamakaitis announced that the agenda contained a resolution awarding a contract for the demolition of Park Plastics. She hoped the demolition would start in either December or January. She also announced that the Eighth Wards annual Santa visit would take place on December 3, 2016, at the Eighth Ward’s Community Center, and provided details on the event.

Mrs. Yamakaitis informed all that FOLAS was selling their 2017 calendar, and provided details on how to obtain it. She further noted that there is also a resolution, on the agenda, awarding a contract for the paving of Linden Avenue, adding that due to the heavy traffic volume, milling would be done on a Friday, and paving on Saturday. She provided a tentative schedule for the project.

Mrs. Yamakaitis announced that she still had leaf bags available, and if resident gave her a call, she would drop them off to her. She concluded by wishing everyone a happy Thanksgiving.

NINETH WARD

Mr. Medina congratulated the three police officers promoted, and the two new city employees. He noted that DPW has been doing the leaf cleanup, and asked residents not to put leaves by storm basins. He spoke about the great job that DPW does with the leaves. Mr. Medina spoke about Constellation Energy, that he thought it a good idea, put did not like the process forcing residents into the program. He added that he does save money on resident’s electric bills.

Mr. Medina talked about the complaints that he has been receiving regarding door to door sales people, and the idea of creating a “Do Not Knock” list, and explained how the program would work. Mr. Medina informed all that all vendors, going door to door are supposed to be licensed by the City Clerk’s office. He urged residents to ask for the license, when vendors come to their door, and if they do not produce it, not to open their doors to the individual. Mr. Medina displayed a copy of the license, to the camera, so that residents knew what to look for. If the license is not produced, then the resident should call the police.

Mr. Medina reflected on family, to have a great Thanksgiving, and to try and help those in need. He wished all a great Thanksgiving.

TENTH WARD

Mrs. Hickey spoke about how important it was to increase the compliment in the Linden Police Department, and congratulated the newly promoted officers. She noted how important it was that the officers and residents are safe. Next she spoke about the fire, on St. Georges Ave., and how inundated she was with donations for the family that lost everything.

Mrs. Hickey announced that starting on December 15th the gas lines would be replaced in the Tenth Ward. She explained how the work would be done, and what residents should be aware of. Next she spoke about the ROTC COACH bingo, and urged all to support these students.

Mrs. Hickey noted that for the past two weekends she has been delivering leaf bags, and that she still has some available. Next she announced that on December 3rd the Cultural and Heritage Committee would be hosting the annual Holiday Tree Lighting and provided the details.

Mrs. Hickey spoke about the Halloween Parade and how amazing it turned out. She thanked the residents for voting her in and allowing her to represent them. She added that when she makes a decision it is based on what is best for the residents and employees, and stand her ground for what is right for the community. She wished everyone a happy Thanksgiving.

**MAYOR’S REPORT**

Mayor Armstead congratulated the three new police sergeants that is right for the community. He added that Chief Parham continues to prove that he is the right man for the job. Next the Mayor spoke about the proposed development, by Goodwin Bircher, and informed all that the project is dead. There is another developer who is interested in building on a neighboring property, but details regarding egress had to be worked out. The mayor congratulated the

Mayor Armstead thanked Kathy Colgan for obtaining an additional $106,000.00, for additional reimbursements related to Hurricane Sandy. He also announced that the NJDOT was now accepting grant applications, for projects in 2017. The Mayor spoke about the 100,000 sq ft warehouse that Hartz Mountain was building on Lower Road, and they have signed Walgreens up as the tenant. In addition permission was grant to construct another warehouse, of 103,000 sq ft in Tremely Point.

Mayor Armstead announced that the Cantor property, on Stiles and Rts 1 & 9 has been sold to a new owner. He spoke about the new owners plans to build a state of the art warehouse on the site. The plans will also address the traffic issues that the neighbors have been complaining about. Next he talked about the St. Georges Ave redevelopment site and detailed plans for its development. Next he spoke about a possible tenant for the building behind the promenade park, but the redevelopment plan would have to be amended.

Mayor Armstead congratulated Mr. Brown, Mrs. Cosby-Hurling, and Mr. Strano on their re-elections, and he also congratulated Mr. Javick on his election, and wish them all good luck.

**COUNCIL PRESIDENTS REPORT**

President Alvarez congratulated the newly promoted police sergeants and wished all a happy Thanksgiving.

**RESOLUTIONS**

President Alvarez announced that public comment 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.

Diane Wilverdine, removed resolutions #2016-374, 378, and 383.

Virginia Malik removed resolutions #2016-381, 383, 390 and 405.

Mr. Brown moved for approval of Resolutions 2016-373 through 2016-405, with the exception of resolutions #2016-374, 378, 381, 383, 390 and 405. The motion was seconded by Mr. Brooks and was ordered approved by a roll call vote, with Mrs. Cosby-Hurling voting no to #2016-373, #2016-389 and abstaining on #2016-376; Mr. Sadowski abstaining on resolution #2016-386 and Mrs. Hickey abstaining on #2016-373.

**RESOLUTION: 2016-373**

**CITY OF LINDEN RESOLUTION**

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

10/3/16 Worker’s Comp. claims 43,794.22

10/7/16 Payroll payroll 1,812,806.79

10/12/16 Worker’s Comp. claims 12,587.74

10/12/16 Medco claims 97,382.20

163647 10/12/16 Johnston Communication claims 110,283.54

10/13/16 SHBP Retirees Oct. Health Premium 585,850.43

10/13/16 SHBP Active Aug. Health Premium 664,900.17

10/20/16 Worker’s Comp. claims 6,324.18

163874 10/21/16 Linden advertising 25.00

163873 10/21/16 Greener by Design claims 6,000.00

10/21/16 Payroll payroll 1,714,559.14

**TRUST**

10/7/16 Payroll payroll 48,939.12

10/21/16 Payroll payroll 81,492.00

**GRANT**

10/7/16 Payroll payroll 6,731.58

10/21/16 Payroll payroll 6,005.99

**SANITARY LANDFILL**

10/7/16 Payroll payroll 2,520.00

10/21/16 Payroll payroll 2,543.63

**CAPITAL**

10/21/16 Payroll payroll 829.15

**UNEMPLOYMENT**

10/7/16 Payroll payroll 138.23

10/21/16 Payroll payroll 136.71

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **CITY OF LINDEN RESOLUTION: 2016-374** | | | | | |
| **RESOLUTION TO CLOSE OUT** | | | | | |
| **GRANT AND TRUST ACCOUNTS** | | | | | |
| **WHEREAS,** the City of Linden hereby authorizes the cancellation of various grant and trust | | | | |  |
| receivables and reserves, |  |  |  |  |  |
| **WHEREAS,** there remains appropriations and receivable balances which can now | | | | |  |
| be cancelled, |  |  |  |  |  |
| **NOW, THEREFORE, BE IT RESOLVED** that the following appropriation balance totals are hereby | | | | | |
| cancelled as set forth herein: | | | | | |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
| **Appropriation** | **Appropriation** | **Appropriation Balance** |  | **Receivable** | **Receivable Balance** |
|  |  |  |  |  |  |
| 2013 Safer Grant | G-02-40-265-013-023 | 26,946.08 |  | G-02-13-692-023 | 26,946.08 |
| 2014 Assistance to Firefighters Grant | G-02-40-265-014-259 | 1,258.00 |  | G-02-14-665-260 | 1,258.00 |
| 2014/2015 Mun Alliance High School AOD | G-02-40-240-014-004 | 150.00 |  | G-02-14-638-013 | 150.00 |
| 2014/2015 Mun Alliance Networking/Training | G-02-40-240-014-005 | 35.00 |  | G-02-14-638-013 | 35.00 |
| 2014/2015 Mun Alliance Masterpiece | G-02-40-240-014-007 | 1,000.00 |  | G-02-14-638-013 | 1,000.00 |
| 2015/2016 Municipal Alliance Coordinator | G-02-40-240-015-003 | 714.00 |  | G-02-15-240-001 | 714.00 |
| 2015/2016 Mun Alliance High School Prev | G-02-40-240-015-004 | 150.00 |  | G-02-15-240-001 | 150.00 |
| 2015/2016 Mun Alliance Class Action Program | G-02-40-240-015-005 | 815.00 |  | G-02-15-240-001 | 815.00 |
| 2015/2016 Mun Alliance Masterpiece | G-02-40-240-015-007 | 333.94 |  | G-02-15-240-001 | 333.94 |
| 2015/2016 Mun Alliance Impaired Driving | G-02-40-240-015-009 | 1,100.00 |  | G-02-15-240-001 | 1,100.00 |
| 2015/2016 Mun Alliance Networking/Training | G-02-40-240-015-010 | 273.20 |  | G-02-15-240-001 | 273.20 |
| 2015/2016 Mun Alliance Youth Task Force | G-02-40-240-015-012 | 5,500.00 |  | G-02-15-240-001 | 5,500.00 |
| 2015/2016 Mun Alliance Parental Nights | G-02-40-240-015-013 | 2,100.00 |  | G-02-15-240-001 | 2,100.00 |
|  |  |  |  |  |  |
| Res for PAL Fields | T-03-56-800-000-041 | 38.85 |  | 6-03-400-65-000-000 | 38.85 |
| Retired Men's Club | T-03-56-800-000-094 | 45.00 |  | 6-03-400-65-000-000 | 45.00 |
| Linden Historical Society | T-03-56-800-000-120 | 10.00 |  | 6-03-400-65-000-000 | 10.00 |
| Recreation Refundable Fees | T-03-56-800-000-146 | 607.61 |  | 6-03-400-65-000-000 | 607.61 |
| UDAG Payments | T-03-56-800-100-023 | 26,104.00 |  | 6-03-400-65-000-000 | 26,104.00 |
| Memorial Concession Stand | T-03-56-800-999-063 | 3.19 |  | 6-03-400-65-000-000 | 3.19 |
| Guard Rail Stiles St @ Springfield | T-03-56-801-000-036 | 12,782.34 |  | 6-03-400-65-000-000 | 12,782.34 |
| UC Reg Environmental Healthcom | T-03-56-801-000-123 | 32.62 |  | 6-03-400-65-000-000 | 32.62 |
| Police Car Donation | T-03-56-802-000-135 | 118.35 |  | 6-03-400-65-000-000 | 118.35 |
| UCUA Payment for Services | T-03-56-807-000-125 | 5,000.00 |  | 6-03-400-65-000-000 | 5,000.00 |
| Environmental Commission Merck | T-03-56-812-000-116 | 3.90 |  | 6-03-400-65-000-000 | 3.90 |
| Environmental Commission Enviro Lib | T-03-56-812-000-912 | 10.00 |  | 6-03-400-65-000-000 | 10.00 |
| Res Redem Tax Sale Certificate | T-03-56-850-000-015 | 4.68 |  | 6-03-400-65-000-000 | 4.68 |
|  |  |  |  |  |  |
| Police Side Job Escrow Airport Road | T-03-56-802-000-114 | 5,713.26 |  | 6-03-400-65-000-000 | 5,713.26 |
| City Telephone Listing | T-03-56-850-000-095 | 60.20 |  | 6-03-400-65-000-000 | 60.20 |
| Linden Library Alarm System | T-03-56-850-000-132 | 10.00 |  | 6-03-400-65-000-000 | 10.00 |
|  |  |  |  |  |  |
|  | GRANT TOTAL: | 90,919.22 |  |  | 90,919.22 |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
| **NOW, THEREFORE, BE IT RESOLVED** that the City of Linden grand total of all appropriations to be cancelled are $ 90,919.22  Diane Wilverdine, 150 East Morris Ave. Ms. Wilverdine asked for a further explanation as t to the purpose of the resolution. Mr. Brown responded with the explanation.  See the vote after resolution 2016-405  Resolution: 2016-376 | | | | | |
|  |  |  |  |  |  |

**RESOLUTION: 2016-375**

**RESOLUTION AUTHORIZING AN AMENDMENT TO THE CONTRACT WITH KONKUS CORPORATION FOR RESURFACING OF E. LINDEN AVENUE IN THE CITY OF LINDEN**

**WHEREAS**, the City Council of the City of Linden passed a Resolution No. 2016-352 on October 18, 2016 approving an award of a contract to Konkus Corporation for the resurfacing of E. Linden Avenue in the City of Linden in the amount of $136,635.40; and

**WHEREAS**, a change order in the amount of $26,364.60 is required to extend the project; and

**WHEREAS**, inclusive of these additional funds the total expenditures for said contract is $163,000.00; 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. C-04-55-901-638-919;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** that the agreement awarded to Konkus Corporation, 245 Main Street, Suite 202, Chester, New Jersey 07930 is hereby amended to increase the contract by the additional sum of $26,364.60, for a total contract of $163,000.00; and

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

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk be and hereby are empowered and directed to execute an amendatory agreement with Konkus Corporation; and

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

**RESOLUTION**: **2016-376**

**RESOLUTION APPOINTING LEGAL COUNSEL TO CONDUCT PERSONNEL INVESTIGATIONS FOR THE CITY OF LINDEN**

**WHEREAS,** there exists a need for Special Counsel to conduct personnel investigations due to conflicts with the City Division of Personnel; and

**WHEREAS,** Legal Services are considered “Professional Services” pursuant to the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) as within the scope of a licensed and regulated profession, and a contract therefor may be awarded without public bidding; and

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

**WHEREAS,** Kraig Dowd, Esq. of the firm Weber Dowd Law submitted a qualification to the City and has qualified for the aforesaid services for 2016; and

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

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LINDEN** that a contract for such Professional Services be and hereby is awarded to Kraig Dowd, Esq. of the firm Weber Dowd Law, 365 Rifle Camp Road, Woodland Park, New Jersey 07424, at a fee not to exceed $15,000.00; and

**BE IT FURTHER RESOLVED** that the appropriate City Officials be and hereby are directed and empowered to execute an appropriate agreement with Kraig Dowd, Esq. to effectuate the foregoing; and

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

**RESOLUTION: 2016-377**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDEN ALLOWING JOHNSTON COMMUNICATIONS TO CONDUCT AN AUDIT OF THE CITY’S VOIP SYSTEM**

**WHEREAS**, the City has a desire to review the City’s VOIP system; and

**WHEREAS**, in order to effectuate same, an audit of the VOIP system is necessary in order to implement any cost savings to the City; and

**WHEREAS**, Johnston communications is qualified to conduct such an audit; and

**WHEREAS**, said audit will be at no cost to the City.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** that Johnston Communications, having its business at 322 Belleview Turnpike, North Arlington, NJ 07031, is hereby authorized to conduct an audit of the City’s VOIP system at no cost to the City of Linden.

**RESOLUTION: 2016-378**

**RESOLUTION FOR PURCHASE OF ROOF RESTORATION AT THE LINDEN MULTI PURPOSE CENTER THROUGH ESCNJ FORMELY THE MIDDLESEX REGIONAL EDUCATIONAL SERVICES COMMISSION CO-OP FOR THE PUBLIC PROPERTY DEPARTMENT FROM WTI TREMCO INC.**

**WHEREAS**, the City of Linden wishes to obtain services from an authorized vendor under ESCNJ formerly the Middlesex Regional Educational Services Co-op MRESC/AEPA 1FB – 013 B. Awarded to WTI Tremco Inc., 3735 Green Road, Beachwood OH 44122, 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**, WTI Tremco Inc., has been awarded Contract #MRESCA/AEPA 1FB-013B, for the provision of grounds equipment; and,

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

**WHEREAS**, the amount of the service is not to exceed $181,744.72; and,

**WHEREAS**, the Chief Finance Officer has certified the availability of funds for this contract, which will be charged to account number C-04-55-904-620-919 and,

**NOW THEREFORE BE IT RESOLVED** by the City of Linden that WTI Tremco Inc., 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 Wilverdine, 150 E. Morris Ave. Ms. Wilverdine, if this roof had recently been done. Mr. MacDonald responded that this is the original roof. He also spoke about how the cost of the replacement was reduced.

See the vote after resolution 2016-405.

**RESOLUTION: 2016-**­**379**

**RESOLUTION AUTHORIZING THE TAX COLLECTOR TO FORWARD**

**MONIES TO LIEN HOLDERS FOR BLOCK 200 LOT 16 C2036**

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

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

WHEREAS, the monies should have been sent directly to the lien holders, for Block 200 Lot 16 C2036 in the amount of $505.58.

NOW, THEREFORE, BE IT RESOLVED, that the Tax Collector is hereby authorized to issue a check from the Tax Collector Tax Sale Redemption Account in the amount of $505.58 to Amaco, 125 Rocky Boulevard # 623, Bear, DE, 19701.

**RESOLUTION: 2016-380**

**RESOLUTION DECLARING NOVEMBER 17TH**

**“WORLD PANCREATIC CANCER DAY” IN THE CITY OF LINDEN**

**WHEREAS,** in 2016, an estimated 48,960 people will be diagnosed with pancreatic cancer in the United States and 40,560 will die from the disease; and

**WHEREAS,**  pancreatic cancer is one of the deadliest cancers, is the currently the fourth leading cause of cancer death in the United States and is projected to become the second by 2020; and

**WHEREAS,** pancreatic cancer is the only major cancer with a five-year relative survival rate in the single digits at just seven percent; and

**WHEREAS,** when symptoms of pancreatic cancer present themselves, it is generally late stage, and seventy-three percent of pancreatic cancer patients die within the first year of their diagnosis while ninety-three percent of pancreatic cancer patients die within the first five years; and

**WHEREAS,** approximately 1560 deaths will occur in New Jersey in 2016; and

**WHEREAS,** pancreatic cancer is the 7th most common cause of cancer-related death in men and women across the world; and

**WHEREAS,** there will be an estimated 280,000 new pancreatic cancer cases diagnosed globally in 2016; and

**WHEREAS,** the good health and well-being of the residents of Linden, N.J. are enhanced as a direct result of increased awareness about pancreatic cancer and research into early detection, causes, and effective treatments.

**NOW THEREFORE BE IT RESOLVED** that the Mayor and Council of the City of Linden do hereby designate November 17th as “World Pancreatic Cancer Day” in the City of Linden, New Jersey.

**RESOLUTION: 2016-381**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDEN, COUNTY OF UNION, NEW JERSEY REFERRING TO THE PLANNING BOARD FOR REVIEW AND COMMENT CERTAIN AMENDMENTS TO THE REDEVELOPMENT PLAN FOR THE LINDEN THEATER REDEVELOPMENT AREA, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A*. 40A:12A-1 *et seq.***

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

**WHEREAS**, in accordance with the criteria set forth in the Redevelopment Law, by Resolution dated February 18, 2003, the City Council (“City Council”) of the City of Linden (the “City”) designated as “an area in need of redevelopment” the properties identified as on the City tax maps as Block 212, Lots 26, 27, 28, 24.01 and 24.04 (the “Linden Theater Redevelopment Area”); and

**WHEREAS**, in accordance with the Redevelopment Law, the City Council on October 22, 2003, by Ordinance 47-73, adopted a redevelopment plan for the Linden Theater Redevelopment Area (the “Redevelopment Plan, Former Theater Site, and Abutting Properties”); and

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

**NOW THEREFORE, BE IT RESOLVED** by the City Council of the City of Linden, County of Union, New Jersey that:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. Pursuant to *N.J.S.A*. 40A:12A-7(e), the City Council hereby refers the amendments to the Redevelopment Plan, Former Theater Site and Abutting Properties, as described on *Exhibit A* attached hereto, to the Planning Board for review and recommendation. The Planning Board shall prepare a report regarding its recommendations as to the aforementioned amendments to the Redevelopment Plan, Former Theater Site and Abutting Properties and submit same to the City Council within 45 days after referral, as required by the Redevelopment Law.

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

1. This Resolution shall take effect immediately.

Virginia Malik, 1633 Lenape Rd. Ms. Malik asked where this redevelopment area was located. Mayor Armstead provided a response.

See the vote after resolution 2016-405

**RESOLUTION: 2016-382**

**RESOLUTION AMENDING A RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE LINDEN BOARD OF EDUCATION FOR NURSING SERVICES FOR THE YEAR 2016-2017**

**WHEREAS**, the City of Linden passed Resolution, No. 2016-318 at the September 20, 2016 Council meeting authorizing a shared services agreement with the Linden Board of Education for nursing services for the year 2016-2017; and

**WHEREAS**, the Linden Board of Education received notice of additional funds for the Non-Public Nursing Entitlement; and

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

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

1. A change in the total amount of agreement to reflect $10,530.00.
2. This Resolution shall take effect pursuant to law.

**RESOLUTION: 2016-383**

**RESOLUTION AUTHORIZING AN AMENDMENT TO THE AGREEMENT APPOINTING MCMANIMON, SCOTLAND & BAUMANN AS SPECIAL REDEVELOPMENT COUNSEL TO REPRESENT THE CITY IN THE VARIOUS REDEVELOPMENT MATTERS PENDING IN THE CITY OF LINDEN**

**WHEREAS,** the City Council of the City of Linden passed a resolution on retaining the services of McManimon, Scotland & Baumann, LLC, as Special Redevelopment Counsel representing the City in various redevelopment matters pending in the City of Linden; and

**WHEREAS,** because of the ongoing nature of the services in this matter, there is a need for additional funds not to exceed $30,000.00 for legal services relative to the aforesaid matter; and

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

**WHEREAS**, McManimon, Scotland & Baumann, LLC submitted a qualification to the City and has qualified for the aforesaid services for 2016; and

**WHEREAS,** inclusive of these additional funds the total expenditures paid to date to McManimon, Scotland & Baumann, LLC for services rendered is $95,673.97 for 2016; and

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

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that they do hereby approve the additional amount not to exceed $30,000.00 for services rendered by McManimon, Scotland & Baumann, LLC.; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary amendatory contract documents between McManimon, Scotland & Baumann, LLC and the City of Linden; and

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

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

Diane Wilverdine, 150 E. Morris Ave. Ms. Wilverdine asked what the firm was doing for this money. Mr. MacCarthy, Mr. Brown and Mr. Bodek responded to her questions.

Viginia Malik, 1633 Lenape Rd. Ms. Malik asked exactly what type of work they were doing. Mr. Brown responded.

See the vote after resolution 2016-405

**RESOLUTION: 2016-384**

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

**CARAVELLA DEMOLITION, INC. FOR THE DEMOLITION OF 940 S. PARK AVENUE IN THE CITY OF LINDEN**

**WHEREAS,** sealed bids were received by the Purchasing Agent on August 9, 2016 for demolition of 940 S. Park Avenue; and

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

**WHEREAS,** the Chief Financial Officer or her designee has certified as to the availability of funds for this purpose, as attached hereto, which will be charged to account/line item No. C-04-55-901-579-919; and

**WHEREAS**, Caravella Demolition, Inc, was the low bidder at their bid of $273,700.00; and

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

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

1. A contract is awarded to Caravella Demolition, Inc., 40 Deforest Ave, East Hanover, NJ 07936. at their bid of $273,700.00.

2. This Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents between Caravella Demolition, Inc., and the City of Linden.

3. The Mayor and City Clerk are hereby authorized to execute all documents to effectuate the purposes herein above expressed.

**RESOLUTION: 2016-385**

**RESOLUTION RECOGNIZING THE AMERICAN CANCER SOCIETY FOR THEIR CANCER RESEARCH AND THE CONTRIBUTIONS OF SCIENTISTS, CLINICIANS, CANCER SURVIORS AND OTHER PATIEN ADVOCATES ACROSS THE AFFILIATED WITH THE ORGANIZATION WHO ARE DEDICATED TO FINDING A CURE FOR CANCER, AND SUPPORTING LINDEN NJ “ALL CANCER WALK.”**

Whereas in 2016, cancer remains one of the most pressing public health concerns in the United States;

Whereas in 2016, more than 1,600,000 individuals in the United States are expected to be diagnosed with cancer and more than 595,000 individuals in the United States are expected to die from the disease;

Whereas approximately 77 percent of individuals diagnosed with cancer are over the age of 55;

Whereas cancer accounts for approximately 1 in every 4 deaths, is the second most common cause of disease-related death in the United States, and is projected to become the number 1 disease-related killer of individuals in the United States;

Whereas the incidence of cancer is expected to grow significantly, reaching 2,300,000 cases per year by 2030;

Whereas the most recent NIH estimates indicated that the overall economic costs of cancer to the United States were $216,600,000,000, and the economic burden of cancer is expected to rise as the number of cancer deaths increases;

Whereas advancements in understanding the causes, mechanisms, diagnoses, treatment, and prevention of cancer have led to cures for many types of cancer and have converted other types of cancer into manageable chronic conditions;

Whereas therapies and effective screening tools for some types of cancer remain elusive, and some cancers, including pancreatic, liver, lung, ovarian, and brain cancer, continue to have extraordinarily high mortality rates and 5-year survival rates that are typically less than 50 percent;

Whereas partnerships among research scientists, the general public, cancer survivors, patient advocates, philanthropic organizations, industry, and Federal, State, and local governments have led to advanced breakthroughs, early detection tools that have increased survival rates, and a better quality of life for cancer survivors;

Whereas the explosion of new science, treatments and diagnostic tests make big data initiatives and breaking down silos to share information more important than ever so that we can quickly learn how best to apply these breakthrough treatments to the diverse United States population; and

Now, therefore, be it Resolved,That the City of Linden supports the American Cancer Society and the contributions that they make to the patients and families of those affected by cancer.

**RESOLUTION: 2016-386**

**RESOLUTION RECOGNIZING RHASHONNA COSBY-CIVIC ASSOCIATION FOR THEIR EFFORTS IN RAISING AWARENESS OF THE IMPORTANCE OF CANCER RESEARCH AND SURVIVORS SUPPORT BY ORGANIZING LINDEN’S FIRST**

**“ALL CANCER AWARENESS WALK” ON OCTOBER 22, 2016**

Whereas in 2016, cancer remains one of the most pressing public health concerns in the United States;

Whereas in 2016, more than 1,600,000 individuals in the United States are expected to be diagnosed with cancer and more than 595,000 individuals in the United States are expected to die from the disease;

Whereas 1 in 2 men in the United States will be diagnosed with cancer during his lifetime, and 1 in 3 women in the United States will be diagnosed with cancer during her lifetime;

Whereas approximately 77 percent of individuals diagnosed with cancer are over the age of 55;

Whereas cancer accounts for approximately 1 in every 4 deaths, is the second most common cause of disease-related death in the United States, and is projected to become the number 1 disease-related killer of individuals in the United States;

Whereas the incidence of cancer is expected to grow significantly, reaching 2,300,000 cases per year by 2030;

Whereas racial and ethnic minorities, as well as low-income, rural and elderly populations, continue to suffer disproportionately in cancer incidence, prevalence, and mortality; Rhashonna Cosby Civic Association initiated an awareness campaign hoping to bring awareness to the minority community of Linden, NJ and hopes that their efforts will encourage more cancer screening;

Whereas the term “cancer” refers to more than 200 diseases that collectively represent—

(1) the leading cause of death for individuals in the United States under the age of 85;

(2) the second leading cause of death for all individuals in the United States; and

(3) the leading cause of death by disease among children in the United States;

Whereas partnerships among general public, cancer survivors, patient advocates, philanthropic organizations, industry, and Federal, State, and local governments have led to advanced breakthroughs, early detection tools that have increased survival rates, and a better quality of life for cancer survivors;

Whereas precision medicine holds great promise in treating many forms of cancer;

Now, therefore, be it Resolved,that the City of Linden recognizes Rhashonna Cosby Civic Association For their endeavors to bring and keep cancer awareness to the community of Linden.

**RESOLUTION: 2016-387**

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

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

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

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

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

|  |  |  |
| --- | --- | --- |
| 1990 INTERNATIONAL 4900 | 1HTSDDBR26H254625 | **MG-82417** |
| 1995 FORD LST9000 | 1FDZY90L5SVA61165 | **MG-84162** |
| OLD BOOM FROM #00 TREE TRUCK |  |  |
| 2006 FORD CVPI | 2FABP7BV5AX128393 |  |
| 1978 BOWIE HYDROMULCHER | SERIAL#8078439 | **MG-22US** |
| 1981 FORD TANK TRUCK | 1FDYU8CUC8WWJO7122 | **MG-6794** |
| 2006 FORD CVPI | 2FAHP71W16X205611 | **MG-67242** |
| KAMATSU D65 PX12 BULL DOZER | SERIAL #61446 |  |
| OLD LANDSCAPE TRAILER | NO PLATE, NO LEGABLE SERIAL NUMBER |  |
| 2000 TOYOTA FOR RUNNER | SERIAL # NJ665A |  |
| 2001 FORD CVPI | 2FAFP71WX1X182512 | **MG-51922** |
| 2003 FORD CVPI | 2FAFP71W23X107824 | **MG-51922** |

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

**RESOLUTION: 2016-388**

RESOLUTION FIXING THE REGULAR MEETING

DATES OF THE COUNCIL AND PRESCRIBING THE

RULES GOVERNING THE PROCEDURE AT ALL

MEETINGS OF THE COUNCIL FOR 2017.

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

THAT the Conference Meetings of the Linden City Council will be held in the Council Office, City Hall, Linden, New Jersey and the Regular Meetings of the Linden City Council will be held in the Council Chambers, City Hall, Linden, New Jersey. All meetings shall be held on the dates and convened at the prevailing times listed below, or as soon thereafter as the Council assembles:

CONFERENCE MEETINGS

CONFERENCE MEETINGS PRIOR TO COUNCIL MEETINGS COUNCILMEETINGS

(Organization Meeting) (Organization Meeting)

Jan. 03, 6:00 p.m. to 7:00 p.m. Jan. 03, at 7:00 p.m.

Jan. 16, at 6:00 p.m.\* Jan. 17, 6:00 p.m. to 7:00 p.m. Jan. 17, at 7:00 p.m.

Feb. 20, at 6:00 p.m.\*\* Feb. 21, 6:00 p.m. to 7:00 p.m. Feb. 21, at 7:00 p.m.

Mar. 20, at 6:00 p.m. Mar. 21, 6:00 p.m. to 7:00 p.m. Mar. 21, at 7:00 p.m.

Apr. 17, at 6:00 p.m. Apr. 18, 6:00 p.m. to 7:00 p.m. Apr. 18, at 7:00 p.m.

Apr. 25, 6:30 p.m. to 7:00 p.m. Apr. 25, at 7:00 p.m.

May 15, at 6:00 p.m. May 16, 6:00 p.m. to 7:00 p.m. May 16, at 7:00 p.m.

June 19, at 6:00 p.m. June 20, 6:00 p.m. to 7:00 p.m. June 20, at 7:00 p.m.

July 17, at 6:00 p.m. July 18, 6:00 p.m. to 7:00 p.m. July 18, at 7:00 p.m.

Aug. 14, at 6:00 p.m. Aug. 15, 6:00 p.m. to 7:00 p.m. Aug. 15, at 7:00 p.m.

Sept. 18, at 6:00 p.m. Sept. 19, 6:00 p.m. to 7:00 p.m. Sept. 19, at 7:00 p.m.

Oct. 16, at 6:00 p.m. Oct. 17, 6:00 p.m. to 7:00 p.m. Oct. 17, at 7:00 p.m.

Nov. 20, at 6:00 p.m. Nov. 21, 6:00 p.m. to 7:00 p.m. Nov. 21, at 7:00 p.m.

Dec. 18, at 6:00 p.m. Dec. 19, 6:00 p.m. to 7:00 p.m. Dec. 19, at 7:00 p.m.

- - - - - - - - - - - - Dec. 28, 6:00 p.m. to 7:00 p.m. Dec. 28, at 7:00 p.m.

BE IT FURTHER RESOLVED, that the procedure of all meetings for the year 2016 shall be in compliance with the Open Public Meetings Act, Chapter 231, P.L. 1975.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **RESOLUTION: 2016-389** | | | | |
| **RESOLUTION TO TRANSFER 2016 APPROPRIATIONS** | | | | |
|  |  |  |  |  |
| **BE IT RESOLVED,** by the City Council of the City of Linden, County of Union, New Jersey, that the following transfers of 2016 appropriations be made in accordance with the provisions of Revised Statute 40A: 4-58. | | | | |
|
|
|  |  |  |  |  |
|  | **CURRENT BUDGET** |  |  |  |
|  |  |  |  |  |
| From: | Business Administrator - Regular Salaries |  | $ 150,000.00 |  |
| From: | Business Administrator - Other Expenses |  | $ 5,350.00 |  |
| To: | Engineering Services/ Costs - Other Expenses |  |  | $ 24,000.00 |
| To: | Purchasing - Other Expenses |  |  | $ 117,000.00 |
| To: | City Council - Other Expenses |  |  | 3,000.00 |
| To: | Personnel/Human Resources - Other Expenses |  |  | 11,350.00 |
|  |  |  |  |  |
| From: | Recreation Services & Programs - Regular Salaries |  | $ 9,900.00 |  |
| To: | Solid Waste Collection - Salaries & Wages |  |  | 9,650.00 |
| To: | Other Public Works Functions - Salaries & Wages |  |  | 250.00 |
|  |  |  |  |  |
| From: | Salary Adjustment - Salaries & Wages |  | $ 159,000.00 |  |
| To: | Police Department - Salaries & Wages |  |  | 100,000.00 |
| To: | Office of Emergency Management - Salaries & Wages |  |  | $ 10,000.00 |
| To: | Board of Health - Salaries & Wages |  |  | $ 5,000.00 |
| To: | Purchasing - Other Expenses |  |  | $ 15,000.00 |
| To: | Pubilc Employees Retirement System - Other Expenses | |  | $ 29,000.00 |
|  |  |  |  |  |
| From: | Social Security System - Other Expenses |  | $ 40,929.27 |  |
| To: | Pubilc Employees Retirement System - Other Expenses | |  | $ 40,929.27 |
|  |  |  |  |  |
| From: | Other Public Works Functions - Salaries & Wages |  | $ 64,000.00 |  |
| To: | Legal Services & Costs - Other Expenses |  |  | $ 17,500.00 |
| To: | Purchasing - Other Expenses |  |  | $ 46,500.00 |
|  |  |  |  |  |
|  |  |  |  |  |
| From: | Municipal Garage - Salaries & Wages |  | $ 62,600.00 |  |
| To: | Health Benefit Waiver - Other Expenses |  |  | $ 62,600.00 |
|  |  |  |  |  |
|  | Total Transfers Needed: |  | $ 491,779.27 | $ 491,779.27 |
|  |  |  |  |  |

**RESOLUTION: 2016-390**

**RESOLUTION AUTHORIZING A MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE COUNTY OF UNION AND THE CITY OF LINDEN FOR SENIORS IN MOTION PROGRAM IN THE CITY OF LINDEN**

**WHEREAS,** the City of Linden is desirous of entering into a Memorandum of Understanding (MOU) with the County of Union for a “Seniors in Motion” program in the City of Linden; and

**WHEREAS,** the parties to this MOU desire to cooperate with each other to provide increased and enhanced public transportation option for Union County residents age 60 and above.

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

1. The City is desirous of entering into the aforementioned MOU.

2. The Mayor and Clerk are hereby directed and empowered to execute said MOU in the form attached hereto and made a part hereof upon review and approval by the City Law Department.

3. This Resolution shall take effect pursuant to law.

Virginia Malik, 1633 Lenape Rd. Ms. Malik asked what the program was about. Mrs. Cosby-Hurling provided the explanation about the program.

**RESOLUTION: 2016-391**

**RESOLUTION APPOINTING SPECIAL COUNSEL TO A POLICE OFFICER REGARDING THE MATTER OF STATE V. SANTIAGO**

**WHEREAS,** there exists a need for Special Counsel to represent City of Linden Police Officer Olbreeze regarding the matter of State v. Aaron Santiago; and

**WHEREAS,** Legal Services are considered “Professional Services” pursuant to the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) as within the scope of a licensed and regulated profession, and a contract therefor may be awarded without public bidding; and

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

**WHEREAS,** Edward Kologi, Esq., of the firm Law Offices of Kologi-Simitz submitted a qualification to the City and has qualified for the aforesaid services for 2016; and

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

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LINDEN** that a contract for such Professional Services be and hereby is awarded to Edward Kologi, Esq. of the firm Law Offices of Kologi-Simitz, 500 N. Wood Avenue, Linden, New Jersey 07036, at a fee not to exceed $2,500.00; and

**BE IT FURTHER RESOLVED** that the appropriate City Officials be and hereby are directed and empowered to execute an appropriate agreement with Edward Kologi, Esq. to effectuate the foregoing; and

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

**RESOLUTION: 2016-392**

**RESOLUTION APPOINTING SPECIAL COUNSEL TO A POLICE OFFICER REGARDING THE MATTER OF STATE V. SANTIAGO**

**WHEREAS,** there exists a need for Special Counsel to represent City of Linden Police Officer Perez regarding the matter of State v. Aaron Santiago; and

**WHEREAS,** Legal Services are considered “Professional Services” pursuant to the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) as within the scope of a licensed and regulated profession, and a contract therefor may be awarded without public bidding; and

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

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

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

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LINDEN** that a contract for such Professional Services be and hereby is awarded to Robert Renaud, Esq., 190 North Avenue East, Cranford, New Jersey 07016, at a fee not to exceed $2,500.00; and

**BE IT FURTHER RESOLVED** that the appropriate City Officials be and hereby are directed and empowered to execute an appropriate agreement with Robert Renaud, Esq. to effectuate the foregoing; and

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

**RESOLUTION: 2016-393**

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

**WHEREAS**, a tax sale certificate #10-00031 on block 51 lot 2 was sold on June 3, 2011; and a tax sale certificate #-08-00038 on block 51 lot 2 was sold on June 3, 2009

**WHEREAS**, a premium of $ 10,000.00 (10-00031) & $ 300.00 (08-00038) were paid on these certificates; and

**WHEREAS**, Stacey L. Carron, Tax Collector has verified that no redemption has taken place, and the lien holder of tax sale certificate #10-00031 TLR-VI, LLC has foreclosed on October 6, 2016 and recommends said premium, totaling $10,300.00, be canceled and turned over the City Treasurer.

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

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

**RESOLUTION: 2016-394**

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

**WHEREAS**, a tax sale certificate #10-00054 on block 78 lot 10.02 was sold on June 3, 2011; and

**WHEREAS**, a premium of $ 300.00 was paid on this certificate; and

**WHEREAS**, Stacey L. Carron, Tax Collector has verified that no redemption has taken place, and the lien holder for a subsequent tax sale certificate #11-00038 Pimpao Holdings, LLC has foreclosed on September 26, 2016 and recommends said premium, totaling $300.00, be canceled and turned over the City Treasurer.

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

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

**RESOLUTION: 2016-395**

**RESOLUTION AMENDING A CONTRACT WITH CME ASSOCIATES FOR SERVICES RELATED TO HAZARDOUS MATERIALS SURVEYS AT 940 S. PARK AVENUE AND 13 KNOPF STREET IN THE CITY OF LINDEN**

**WHEREAS**, the City of Linden passed a resolution on September 17, 2013, No. 2013-356 and on February 17, 2015, No. 2015-104, retaining the services related to hazardous materials surveys at 940 S. Park Avenue and 13 Knopf Street in the City of Linden; and

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

**WHEREAS**, CME Associates, 3759 Rt. 1 South, Suite 100, Monmouth Junction, New Jersey 08852 submitted a qualification to the City and has qualified for the aforesaid service for 2016; and

**WHEREAS**, due a leaking underground storage tank at 13 Knopf Street and for asbestos inspection during demolition of 940 S. Park Avenue, it is necessary to provide for additional funds for said purpose in an amount not to exceed $92,835.00; and

**WHEREAS**, inclusive of these additional funds the total expenditures paid to date to CME Associates for services rendered under the original or substantially related contract is $196,335.00; and

**WHEREAS**, the Chief Financial Officer or her designee has certified as to the availability of funds for this purpose, as attached hereto, which will be charged to Account No. C-04-55-901-579-919; and

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** that they do hereby approve the additional amount not to exceed $92,835.00 for services rendered by CME Associates for the City of Linden; and

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

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

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

**RESOLUTION: 2016-396**

**RESOLUTION AMENDING A CONTRACT WITH CME ASSOCIATES FOR THE DESIGN, PERMITTING AND INSPECTION OF TWO GENERATORS FOR CITY HALL AND THE JTG CENTER**

**WHEREAS,** the City Council of the City of Linden passed a resolution on July 15, 2014, Resolution No. 2014-278, retaining the services of a consultant for the design permitting and inspection of two generators for City Hall and the JTG Center; and

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

**WHEREAS**, CME Associates, 3141 Bordentown Avenue, Parlin, NJ 08859 submitted a qualification to the City and has qualified for the aforesaid services for 2016; and

**WHEREAS**, due to the ongoing nature of the work, it is necessary to provide for additional funds not to exceed $17,800.00; and

**WHEREAS**, inclusive of these additional funds the total expenditures paid to date to CME Associates for services rendered under the original or substantially related contract is $59,725.00; and

**WHEREAS,** Chief Financial Officer has certified to the availability of funds for this purpose, to be charged to Account No. C-04-55-904-594-919.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that the agreement for Professional Services awarded to CME Associates, 3141 Bordentown Avenue, Parlin, New Jersey, is hereby amended to increase the contract an additional sum of $17,800.00, for a total contract of $59,725.00; and

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

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

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

**Resolution: 216-397**

**RESOLUTION TO ESTABLISH A CASH MANAGEMENT PLAN FOR THE CITY OF LINDEN AND MAINTAIN BEST PRACTICES IN**

**THE DEPARTMENT OF FINANCE**

**BE IT RESOLVED** by the Council of the City of Linden, County of Union that for the year 2016, the following shall serve as the cash management plan of the City of Linden.

The Chief Financial Officer and/or Municipal Treasurer are directed to use this cash management plan as the guide in depositing and investing the City of Linden’s funds.

The following Government Unit Deposit Protection Act (GUDPA) approved bank are authorized depositories for deposit of funds:

Community First Bank

Wells Fargo Bank

Northfield Savings

Bank of America

Bank of New York

TD Bank

JP Morgan Chase Bank

Capital One

Unity Bank

US Bank

Morgan Stanley Trust

Trust Company of New Jersey

Wilmington Trust

All warrants or checks for the disbursement of money shall be made by any of the following officials and facsimile signatures may be used:

Derek Armstead, Mayor

Alexis Zack, CFO/Municipal Treasurer

Christine Figueiredo, Fiscal Analyst – escrow accounts only

Department Turn Over ONLY for the following :

Joseph Bodek, Municipal Clerk/ Chairman of Insurance Commission

Jennifer Honan, Deputy Municipal Clerk

Joan Turbett, Licensing Clerk

Stacey Carron, Tax Collector

Cassandra Corbett, Municipal Judge

Jonathan Parham, Police Chief

Alfred MacDonald, Superintendent of Public Property

Mary Ellen Tango, Director of Community Services

Susan Sanchez, Municipal Court Administrator

Jessica Sheehy, Supervisor of Personnel/Insurance Commission Secretary

The Chief Financial Officer and/or Municipal Treasurer are empowered to invest cash funds as bank balances will allow from time to time in order to realize a revenue. The below stated officers are authorized to transfer funds electronically for the purpose of investments and payroll only:

Alexis Zack, CFO / Municipal Treasurer

Christine Figueiredo, Fiscal Analyst

Janice Brown, Supervising Clerk

Stacey Carron, Tax Collector

The following are authorized as suitable investments:

\* Interest-bearing bank accounts in banks as authorized above for deposit of local unit funds (GUDPA approved).

\* Certificates of deposit in GUDPA approved banking institutions.

\* Bonds or other obligations of the United States of America or obligations guaranteed by the United States of America. This includes instruments such as Treasury Bills, Notes and Bonds.

\* Government money market mutual funds that comply with N.J.S.A. 40A:5-15.1(e).

\* Any federal agency or instrumentality obligation authorized by Congress that matures within 397 days from the date of purchase, and has a fixed rate of interest not dependent on any index or external factors.

\* Bonds or other obligations of the local unit or school district of which the City is a part.

\* Any other obligations with maturities not exceeding 397 days, permitted by the State Division of Investments.

\* Local government investment pools which comply with N.J.S.A. 40A:5-15.1 (e) and conditions set by the Division of Local Government Services.

\* New Jersey Cash Management Fund.

\* Repurchase agreements (repos) of fully collateralized securities which comply with N.J.S.A. 40A:5-15.1(e).

There are no approved security broker/dealers. In the event that a security broker/dealer should be approved during the year, the registered principal of said brokerage firm so approved shall be provided with and sign an acknowledgment that they have seen and reviewed the cash management plan.

Each month, the Chief Financial Officer/Municipal Treasurer shall prepare a report for the Finance Committee and the Municipal Treasurer that consists of the following: Average rate of monthly investments.

This document shall constitute the cash management policy of the City of Linden.

Any official involved with the selection of depositories, investments, broker/dealers shall disclose any material business or personal relationship to the City Council and to the Local Finance Board or Local Ethics Board as applicable.

Any official who, in the course of his or her duties, deposits or invests in accordance with this plan shall be relieved of any liability for loss.

\* In keeping with the City of Linden Finance Department policies internal and external controls are constantly being reviewed and discussed best practices with the Finance/Budget Review Committee in accordance with the City’s best practices for financial planning and management.

\* The goal of the Finance Committee is to review and generate enough annual (surplus, and maintain a reasonable surplus balance as what was realized in the prior year’s budget.

\* During budget deliberations the Committee discusses the impact of the budget and evaluates the impact whether it is negative or positive on the tax payer.

\* Internal control processes are evaluated and updated on a continual basis.

\* Best Practices to be followed.

- Tax Assessor to notify CFO and City Council on any appeals filed and report monthly to both

- All City of Linden authorities liaisons will report monthly to City Council on their respective authority assignment. Review annually as the mission of the authority and efficiency of services being provided.

- The review of all PILOTS will consist of the CFO, Tax Assessor and Tax Collector. A quarterly meeting will be setup to review all PILOT agreements and report to City Council.

**RESOLUTION: 2016-398**

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

**CAMBRIA AUTOMOTIVE CO. FOR THE PURCHASE OF TWO (2) AUTOMATED SANITATION TRUCKS WITH SNOW PLOW**

**FOR THE CITY OF LINDEN PUBLIC WORKS DEPARTMENT**

**WHEREAS,** sealed bids were received by the Purchasing Agent on October 28, 2016 for the purchase of two (2) automated sanitation trucks with snow plow; and

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

**WHEREAS,** the Chief Financial Officer or her designee has certified as to the availability of funds for this purpose, as attached hereto, which will be charged to Account/Line Item No. C-04-55-907-644-919; and

**WHEREAS**, Cambria Automotive Co. was the only bidder to meet the specifications at their bid of $326,000.00 each for a total bid of $652,000.00; and

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

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

1. A contract is awarded to Cambria Automotive co., 116 Talmadge Road, Edison, NJ 08817 at their total bid of $652,000.00.

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

**RESOLUTION: 2016-399**

**A RESOLUTION REQUESTING THE UNION COUNTY COMMUNITY**

**DEVELOPMENT REVENUE SHARING COMMITTEE TO APPROVE THE PROPOSALS HEREINAFTER LISTED AND PRIORITIES FOR YEAR 43 FUNDING (2017-2018)**

**WHEREAS**, the County of Union has provided Community Development Block Grant Funding from the U. S. Department of Housing and Urban Development since 1974‑1975; and

**WHEREAS,** the City of Linden has been a participating Union County Community Development Program municipality; and

**WHEREAS**, in order to continue to receive program funding, it is now necessary for the City of Linden to prepare and submit applications for funding assistance; and

**WHEREAS**, the City of Linden has conducted a public hearing on November 3, 2016 in order to receive project funding requests and recommendations.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF**

**LINDEN** that the following projects have been selected for submission to the County of Union for Community Development funding and that the Mayor is hereby authorized to execute all documentation necessary to complete formal application for requested funding.

**Project Priority**

Street Improvements 1

Home Improvement Program 2

**BE IT FURTHER RESOLVED** that the Union County Community Development Revenue Sharing Committee be urged to approve the proposals set forth herein and that a copy of this resolution be forwarded to the Union County Community Development Revenue Sharing Committee forthwith.

**RESOLUTION: 2016-400**

**RESOLUTION APPROVING THE AWARD OF A CONTRACT TO ABHZEEN DESIGN, INC. FOR THE RECONSTRUCTION OF CURBS AND WALKS THROUGHOUT THE CITY OF LINDEN – CONTRACT 2**

**WHEREAS**, sealed bids were received by the Purchasing Agent on November 10, 2016 for the reconstruction of curbs and walks throughout the City of Linden; and

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

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

**WHEREAS,** Abhzeen Design, Inc. was the lowest responsible bidder at their bid of $13,975.00; and

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

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

1. A contract is awarded to Abhzeen Design, Inc. at their bid of $13,975.00

2. This Resolution is expressly contingent upon the negotiation and execution of the necessary contract document between Abhzeen Design, Inc. and the City of Linden.

3. The Mayor and City Clerk are hereby authorized to execute all documents to effectuate the purposes herein above expressed.

**RESOLUTION: 2016-401**

**PURCHASE OF WOOD GRINDING SERVICES SOLICIATED BY QUOTATIONS FROM VICTORY GARDENS**

**WHEREAS**, the City of Linden wishes to purchase wood grinding services from Victory Gardens, 900 Louis Drive, Warminster, PA 18974 for the Public Works 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,** Victory Gardens was solicited for quotations; and

**WHEREAS,** Victory Gardens provided the most advantageous quote, price and others factors considered in the amount not to exceed $34,000.00; and

**WHEREAS**, the Chief Finance Officer has certified the availability of funds for this award, which will be charged to T-03-56-807-000-152; and

**NOW THEREFORE BE IT RESOLVED** Victory Gardens be awarded a contract to supply wood grinding services at the low quote of $34,000.00;

**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: 2016-402**

**CITY OF LINDEN**

**RESOLUTION CHAPTER 159**

**GREENING UNION COUNTY GRANT**

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

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

**WHEREAS,** the City of Linden will receive $10,000.00 from the County of Union and wishes to amend its 2016 Budget to include this amount as a revenue, and

**NOW, THEREFORE, BE IT RESOLVED** that the Council of the City of Linden hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2016 in the sum of $10,000.00 which item is now available as a revenue from:

Miscellaneous Revenues

Special items of General Revenue Anticipated with

Prior Written Consent of the Director of Local

Government Services:

Public and Private Revenues off-set with Appropriations:

Greening Union County 2016

**BE IT FURTHER RESOLVED** that a like sum of $10,000.00 be and the same is hereby appropriated under the caption of:

General Appropriations

(A) Operations excluded from "CAPS"

Public and Private Programs off-set by revenues:

Greening Union County 2016

**BE IT FURTHER RESOLVED** that the sum of $10,000.00 will be appropriated for a 50% matching funds requirement of the grant by the municipality and appears in the budget of the year 2016 under the caption “Matching Funds for Grants – Greening Union County”.

**RESOLUTION: 2016-403**

**RESOLUTION APPOINTING KRAIG DOWD TO SERVE AS SPECIAL COUNSEL IN**

**THE APPEAL OF A GUN PERMIT DENIAL MATTER**

**WHEREAS,** the City of Linden has denied Pedro Rufo a firearms ID card and permit to purchase a handgun; and

**WHEREAS,** a Pedro Rufo filed an appeal with the Superior Court of New Jersey on this matter; and

**WHEREAS,** Kraig Dowd, Esq., of the firm Weber Dowd Law, will serve in the capacity of Special Counsel in the aforementioned matter; and

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

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

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

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

1. Weber Dowd, Esq. shall serve as Special Counsel for the City of Linden, in Superior Court, as aforesaid and shall be paid a fee not to exceed $3,500.00

2. This Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents between Kraig Dowd, Esq. and the City of Linden.

3. The Mayor and City Clerk are hereby authorized to execute all documents to effectuate the purposes herein above expressed.

**RESOLUTION: 2016-404**

**CITY OF LINDEN**

**RESOLUTION CHAPTER 159**

**7TH WARD PARK PLAYGROUND EQUIPMENT PHILLIPS 66GRANT**

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

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

**WHEREAS,** the City of Linden will receive $30,000.00 from Phillips 66 Company and wishes to amend its 2016 Budget to include this amount as a revenue, and

**NOW, THEREFORE, BE IT RESOLVED** that the Council of the City of Linden hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2016 in the sum of $ 30,000.00 which item is now available as a revenue from:

Miscellaneous Revenues

Special items of General Revenue Anticipated with

Prior Written Consent of the Director of Local

Government Services:

Public and Private Revenues off-set with Appropriations:

7th Ward Playground Equipment

**BE IT FURTHER RESOLVED** that a like sum of $ 30,000.00 be and the same is hereby appropriated under the caption of:

General Appropriations

(A) Operations excluded from "CAPS"

Public and Private Programs off-set by revenues:

7th Ward Playground Equipment

**RESOLUTION: 2016-405**

**RESOLUTION ENGAGING PENNONI ASSOCIATES FOR PROCESS OF SITE PLAN REVIEW AND COMPLIANCE**

**WHEREAS**, there exists a need for site plan review and compliance with regard to Planning Board applications and processes; 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**, Pennoni Associates, Inc. submitted a qualification to the City and has qualified for the aforesaid services for 2016; and

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

**WHEREAS**, the Chief Financial Officer or his designee has certified to the availability of funds for this purpose, to be charged to Account No. 6-01-20-130-115-255;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** that a contract for Professional Services be and hereby is awarded to Pennoni Associates, Inc., 24 Commerce Street, Suite 300, Newark, New Jersey 07102, at a fee not to exceed $17,500.00 in accordance with their proposal dated November 5, 2015; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary contract agreements between Pennoni Associates, 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 Pennoni Associates, Inc. effectuate the foregoing; and

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

Virginia Malik, 1633 Lenape Rd. Ms. Malik asked what the site plan was. President Alvarez and Mr. Brown responded to the question and the need for the service.

Mr. Brown moved for approval of Resolutions #2016-374, 378, 381, 383,, 390 and 405. The motion was seconded by Mr. Brooks and was unanimously ordered approved by a roll call vote.

**ORDINANCES ON INTRODUCTION**

**An Ordinance Entitled:**

#60-77 An ordinance creating a Parking Authority in the City of Linden pursuant to P.L. 1948, c.198 (Parking Authority Law)

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

Ordinance #60-77 was introduced by Mr. Beyer and was read on first reading by the Deputy Clerk.

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

**An Ordinance Entitled:**

#60-78 An Ordinance to Amend and Supplement Chapter VII, Traffic, Section 7-14.4, Parking for Fire Department Use Only, shall be and the same is hereby amended as follows:

ADD:

Name of Street Side Location

E. Linden Avenue South From the projected curbline of S. Wood

Avenue to a point 175 feet easterly

E. Morris Avenue North From the projected curbline of S. Wood Avenue to a point 135 feet easterly

S. Wood Avenue East From a point 75 feet from the projected curbline of E. Morris Avenue to a point

1. feet northerly

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

Ordinance #60-78 was introduced by Mrs. Yamakaitis and was read on first reading by the Deputy Clerk.

On motion of Mrs. Yamakaitis, seconded by Mr. Brooks, the foregoing Ordinance was on roll call vote unanimously ordered approved, with Mr. Brown absent from the room.

**An Ordinance Entitled:**

#60-79 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 and modifying schedule 4-KK-7

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

Ordinance #60-79 was introduced by Mrs. Cosby-Hurling and was read on first reading by the Deputy Clerk.

On motion of Mrs. Cosby-Hurling, seconded by Mr. Brooks, the foregoing Ordinance was on roll call vote unanimously ordered approved, with Mr. Brown absent from the room.

**An Ordinance Entitled:**

#60-80 An Ordinance amending the Redevelopment Plan for the St. Georges Avenue Redevelopment Area – Phase II (amending use on certain parcels with the Redevelopment Area)

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

Ordinance #60-80 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:**

#60-81 An Ordinance to amend the Redevelopment Plan for the Linden Theater Redevelopment Area, pursuant to the Local Redevelopment and Housing law, N.J.S.A. 40A:12A-1 et seq. (revising the Redevelopment Plan)

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

Ordinance #60-81 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:**

#60-82 An Ordinance amending Chapter II, Administration of the Revised General Ordinances of the City of Linden, 1999, as amended pertaining to background checks of certain employees and volunteers in the city of Linden.

Delete Paragraph 1 of Section 2-27.4.1 in its entirety and add new Paragraph 1 of Section 2-27.4.1

Delete Paragraph 4 of Section 2-27.4.3 in its entirety.

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

Ordinance #60-82 was introduced by Mrs. Cosby-Hurling and was read on first reading by the Deputy Clerk.

Mrs. Cosby-Hurling provided an explanation as the purpose of the ordinance and what it would do.

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

**COMMENTS FROM MEMBERS OF THE PUBLIC IN ATTENDANCE**

President Alvarez announced that public comment would be permitted. No personal, political or derogatory comments. Not to exceed five (5) minutes.

Ed Kamski, Maple Ave. Mr. Kamski spoke about the funds that have been allocated for the downtown are, the total allocated and the amount spent. He noted that a half million dollars had been spent, but he could not see what was done for that amount. He spoke about his issues with the downtown area and the work being done. He then asked about who is running the project and steering the ship regarding the work that is being done.

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**

President Alvarez announced that comments would be permitted from members of the Governing Body. Need to exceed one (1) minute.

Mrs. Cosby-Hurling spoke about a petition that public works employees had signed endorsing a individual as the person that they want to head the Public Works Department. She noted how highly the individual was thought of by the employees, and how he has improved moral. She wished all a happy Thanksgiving.

Mr. Brooks spoke about how diligently he and other members had worked to put together a tutorial program at the LMPC center. He noted how the program was manned, by honor students from the high school. He explained how parents, who wanted to have their student tutored, could get into the program. He also announced that senior residents could go to the Linden Academy and get their hair done by the cosmetology program.

Mr. Brown responded to the comments made by Mr. Kamski during the public comment period, and explained how the money has been sent. +

Mrs. Hickey stated her agreement with the comments made by Mr. Kamski. She then spoke about the petition from the employees, read it, and thanked Mr. Micucci for his amazing work.

Chief Parham thanked the Mayor and Council for supporting his decision regarding the police compliment and the promotions. He also apologized for the lack of police officers, who are veterans, during the presentation earlier in the meeting, stating that it was his fault.

**ANNOUNCEMENTS**

President Alvarez made the following announcements:

The following Council Meetings will be held as follows:

\*Council Conference:

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

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

\*Council Meeting: Tuesday, December 20, 2016 at 7:00 p.m. in the Council Chambers, City Hall, 301 N. Wood Ave.

**ADJOURNMENT**

There being no further business to come before the governing body, Mr. Strano moved to adjourn the meeting. The motion was seconded by Mr. Brown and was unanimously ordered approved by a roll call vote. The meeting was adjourned at 9:07 pm.

Respectfully submitted,

Joseph C. Bodek

City Clerk