**Minutes of the Regular**

**Meeting of the 2017 Council of the**

**City of Linden, held Tuesday**

**August 15, 2017**

The regular meeting of the 2017 Council of the City of Linden, was held in the Council Chambers in the City Hall on Tuesday, August 15, 2017 at 7:05 pm. The meeting was called to order by Council President Jorge Alvarez and she 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 (arrived 7:31 pm)

Councilman Barry Javick

Peter Brown

Councilman Robert Sadowski

Councilman Ralph Strano

Councilwoman Michele Yamakaitis

Councilman Armando Medina

Councilwoman Gretchen Hickey

Council President Jorge Alvarez

Mayor Derek Armstead

**APPROVAL OF MINUTES**

Mr. Brown moved for approval of the minutes of the July 18, 2017 Regular Council Meeting. The motion was seconded by Mr. Javick and was unanimously ordered approved by a roll call vote.

**PRESENTATION**

**2017 SPECIAL IMPROVEMENT DISTRICT BUDGET HEARING**

President Alvarez called upon the Michael Bono, Executive Director of the Special Improvement District (SID), to present the 2017 budget, which he did. The budget totaled $195,600.00. Mr. Bono noted that the items in the budget, will be changing next year, and explained some of the changes that would be taking place, and some of the new services that would be offered. Mr. Bono also talked about a new level of cooperation between the SID and other organizations running events in Linden and Wood Avenue. Mr. Bono asked if there were any questions from Council, there were none.

President Alvarez opened the public hearing on the budget. There was no one wanting to speak on the 2017 budget.

Mr. Strano moved to close the public hearing on the 2017 SID Budget, and to adopt the budget. The motion was seconded by Mrs. Yamakaitis and was ordered approved, by a roll call vote, with all voting in favor except for Mrs. Hickey who voted no.

**ORDINANCE ON HEARING**

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

further consideration respecting an ordinance entitled:

#61-46 An Ordinance to amend and supplement Chapter VII, Traffic.

7-33 Handicapped Parking Regulations

7-33.1A Handicapped Parking on-street

Name of Street Spaces

**ADD:**

608 Roselle Street 1

1. Winans Avenue 1

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

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

There being no persons to be heard, Mr. Medina 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.

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

further consideration respecting an ordinance entitled:

#61-47 An Ordinance to amend and Supplement Chapter XXXI, Zoning, of an Ordinance entitled, an ordinance adopting and enacting the Revised General Ordinances of the City of Linden, 1999, passed November 23, 1999 and approved November 24, 1999 and as amended and supplemented.

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

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

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

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

further consideration respecting an ordinance entitled:

#61-48 A bond ordinance authorizing various capital improvements at the Linden Train Station, and appropriating $1,000,000.00 therefore and authorizing the issuance of $950,000. Bonds or notes to finance part of the cost thereof.

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

None were presented and the Clerk stated that therefore none had been received. President of Council Jorge Alvarez inquired if there was anyone who desired to be heard concerning the Ordinance read by the Clerk. There was no one wishing to speak.

There being no persons to be heard, Mr. Strano moved that the ordinance be tabled until the September 19, 2017 meeting. The motion was seconded by Mrs. Hickey and on a roll call vote the foregoing motion was unanimously ordered approved.

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

further consideration respecting an ordinance entitled:

#61-49 An ordinance amending Chapter 2-15 entitled “Division of Personnel Services.” (Moves the Division of Personnel Services supervision from the City Treasurer to the City Clerk).

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

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

There being no persons to be heard, Mrs. Yamakaitis 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 ordered approved, with all voting yes except Mr. Medina and Mrs. Hickey who voted no.

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

further consideration respecting an ordinance entitled:

#61-50 An ordinance repealing ordinance 57-25 entitled, “Garbage Collection Annual Surcharge”.

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

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

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

**CONSENT AGENDA**

**(\*\*\*) Tax Collector:**

1. The amount of money collected during the month of July 2017 and turned over to the treasurer’s office is as follows:

2017 Taxes $24,818,481.57

2016 Taxes $1,474.58

Garbage Fee Payments $25,261.97

Garbage Fee Penalty $1,035.00

Municipal Lien Redemption $0.00

Duplicate Tax Sale Certificate $0.00

Tax Search $0.00

Lien Redemption Request Fee $0.00

Year End Penalty $622.17

Returned Check Fee Paid $0.00

Returned Check Fee Garbage Paid $0.00

Returned Check 2017 ($0.00)

Returned Check Interest ($0.00)

Returned Online Payment 2017 Taxes ($0.00)

Returned Online Interest (0.00)

Returned Check Garbage Fee ($0.00)

Returned Check Garbage Fee Penalty ($0.00)

Adv. Before Tax Sale $0.00

Premium $0.00

Sewer Clean out charge $698.53

DPW Reso payments $0.00

Interest $17,103.09

Total $24,864,676.91

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

lot.

**Block Lot Redemption Date CTF# Amount**

12 31 8/3/17 14-00013 $2,000.00

118 22 7/31/17 14-00090 $3,000.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $5,000.00, payable to: TTLBL, LLC, Attention: John Lemkey, 4747 Executive Drive, Suite 510, San Diego, CA 92121 charging same to account #-7-01-55-276-999-956.

**Tax Sale** Requesting the refund of the premium paid at the 2016 & 2017 tax sale on the following

block & lot.

**Block Lot Redemption Date CTF# Amount**

30 7 8/4/17 16-00022 $1,000.00

51 30 8/4/17 16-00035 $100.00

125 2 8/4/17 16-00094 $1,000.00

132 1 8/3/17 16-00102 $1,000.00

145 13 7/20/17 16-00113 $1,200.00

154 3 8/4/17 16-00127 $1,000.00

159 2 8/4/17 16-00133 $100.00

222 24 8/4/17 16-00172 $1,000.00

235 15 8/4/17 16-00182 $100.00

294 15 8/3/17 16-00209 $100.00

472 27 8/4/17 16-00299 $1,000.00

508 2 7/31/17 15-00296 $40,300.00

537 17 8/2/17 16-00335 $100.00

572 11 8/3/17 16-00366 $100.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $48,100.00 payable to: US Bank Cust for PC6, LLC Sterling National, 50 South 16th Street, Suite #2050, Philadelphia, PA 19102, charging same to account #-7-01-55-276-999-956.

**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**

32 5 7/13/17 15-00018 $17,200.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $17,200.00 payable to: **CFT Services, LLC, Cust for Phoenix Funding, Inc**, 917 Mountain Avenue, Suite #-1A, Mountainside, NJ 07092 charging same to account #-7-01-55-276-999-956.

**Tax Sale** Requesting the refund of the premium paid at the 2016 & 2017 tax sale on the following block

& lot.

**Block Lot Redemption Date CTF# Amount**

34 9 8/4/17 16-00025 $1,400.00

61 7 8/4/17 16-00047 $1,400.00

92 5 8/3/17 16-00071 $1,400.00

150 3 7/18/17 16-00118 $10,600.00

179 5 8/4/17 15-00120 $1,100.00

209 31 8/4/17 16-00169 $1,400.00

344 6 7/20/17 16-00228 $1,400.00

354 9 8/4/17 16-00232 $1,100.00

376 21 8/4/17 16-00245 $1,400.00

379 4 8/2/17 16-00248 $1,400.00

448 22 C2102 8/4/17 16-00285 $1,400.00

527 5 7/27/17 16-00326 $1,400.00

569 1 8/4/17 16-00363 $1,400.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $26,800.00 payable to: FWDSL & Associates, LP, Attention: Jared Cucci, 17 W. Cliff Street, Somerville, NJ 08876 charging same to account #-7-01-55-276-999-956.

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

**Block Lot Redemption Date Cert# Premium**

77 5 7/14/17 15-00047 $1,000.00

173 23 8/4/17 15-00116 $2,800.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $3,800.00 payable to: MTAG Cust Fig Cap Invest NJ, 13, P.O. Box 54472, New Orleans, LA 70154, charging same to account #7-01-55-276-999-956.

**Tax Sale** Requesting the refund of the premium paid at the 2016 & 2017 tax sale on the following blocks

& lots.

**Block Lot Redemption Date CTF# Amount**

78 2 7/27/17 15-00048 $300.00

99 5 8/2/17 16-00072 $1,600.00

104 6 8/2/17 16-00078 $1,700.00

223 15.01 7/7/17 16-00174 $1,100.00

566 12 7/13/17 15-00336 $300.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $5,000.00 payable to: Actlien Holding, US Bank Cust, Actlien Holding, Tower DBW VI 50 South 16th Street, Suite 2050, Philadelphia, PA 19102, charging same to account #-7-01-55-276-999-956.

**Tax Sale** Requesting the refund of the premium paid at the 2017 tax sale on the following block & lot.

**Block Lot Redemption Date CTF# Amount**

87 12 8/2/17 16-00065 $1,100.00

207 21.01 8/4/17 16-00165 $1,100.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $2,200.00 payable to: TWR as CST for Ebury Fund 2 NJ, LLC, P.O. Box 54908, New Orleans, LA 70154, charging same to account #-7-01-55-276-999-956.

**Tax Sale** Requesting the refund of the premium paid at the 2017 tax sale on the following block & lot.

**Block Lot Redemption Date CTF# Amount**

131 15 7/24/17 16-00100 $7,900.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $7,900.00 payable to: Ripple Creek Investors of New Jersey, LLC, P.O. Box 144, LaFox, IL 60167 charging same to account #-7-01-55-276-999-956.

**Tax Sale** Requesting the refund of the premium paid at the 2017 tax sale on the following block & lot.

**Block Lot Redemption Date CTF# Amount**

148 1 8/2/17 16-00115 $800.00

152 14 8/2/17 16-00125 $800.00

180 31 7/25/17 16-00145 $800.00

188 7 8/4/17 16-00146 $800.00

196 26 8/4/17 16-00154 $100.00

206 9.02 8/4/17 16-00163 $800.00

209 7 8/2/17 16-00167 $400.00

210 14 8//2/17 16-00170 $1,600.00

356 32 8/4/17 16-00236 $100.00

359 64 7/17/17 16-00239 $100.00

381 8 8/4/17 16-00249 $800.00

390 2 8/4/17 16-00257 $800.00

399 10 8/2/17 16-00263 $800.00

452 13 7/7/17 16-00286 $800.00

472 23 8/2/17 16-00298 $1,100.00

475 37 8/2/17 16-00305 $800.00

524 20 7/13/17 16-00323 $800.00

558 7 8/2/17 16-00353 $800.00

582 53 8/4/17 16-00369 $800.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $13,800.00 payable to Trystone Capital Assets, LLC., 575 Route #-7, 2nd Floor, P.O. Box 103, Brick, NJ 08723, charging same to account #-7-01-55-276-999-956.

**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**

207 24 7/19/17 13-00250 $27,100.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $27,100.00 payable to: US Bank Cust for Pro Cap 4 & Crdtrs, 50 South 16th Street, Suite #2050, Philadelphia, PA 19102, charging same to account #-7-01-55-276-999-956.

**Tax Sale** Requesting the refund of the premium paid at the 2017 tax sale on the following block & lot.

**Block Lot Redemption Date CTF# Amount**

309 12.01 7/13/17 16-00218 $24,100.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $24,100.00 payable to: Christiana T C/F, CE/1 Firsttrust, P.O. Box 5021, Philadelphia, PA 19111-5021, charging same to account #-7-01-55-276-999-956.

**Tax Sale** Requesting the refund of the premium paid at the 2017 tax sale on the following block & lot.

**Block Lot Redemption Date CTF# Amount**

469 34 8/2/17 16-00292 $29,600.00

540 2 7/13/17 16-00342 $10,200.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $39,800.00 payable to: MTAG Cust for Empire VIII NJ Portfolio, P.O. Box 2208, Hicksville, NY 11802, charging same to account #7-01-55-276-999-956.

**Refund** Block 60 Lot 2 & 4

Union South Management

11 Cranford Avenue & 1 Cranford Avenue

Tax Court Docket #-009601-2015 & 008599-2016

The above referenced property owners are entitled to a refund due to a Tax Court of New Jersey judgment reducing the assessments on lot # 2 by 21,900 for the tax years 2015 & 2016 creating a total overpayment of $ 2,803.87 and lot # 4 by 30,000 for tax years 2015 & 2016 creating a total overpayment of $3,840.90. However, there are balances due for February and May 2017 for both of these lots and I am requesting approval to transfer all credits to the 2017 balances.

**Refund** Block 145 Lot 5, 9 & 10

Aventure Properties, LLC

731 Pennsylvania Avenue

711 Pennsylvania Avenue

2 Bower Street

Tax Court Dockets-010022-2016 & 010023-2016

The above referenced property owners are entitled to a refund due to a Tax Court Judgment reducing the assessment for lot #-5 by 14,400, lot#-9 by 16,800 & lot -#10 by 26,000 for 2016 creating a total overpayment of $ 3,732.88 ($939.75 + 1,096.37 + 1,696.76).

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $ 3,732.88 payable to: McCarter & English, C/O Aventure Properties, LLC, 100 Mulberry Street, Newark, NJ 07102, charging same to account #7-01-55-275-999-000.

**Refund** Block 434 Lot 4

Blitz Linden Property

2301 E. Edgar Road

Tax Court Dockets-008677-2012 & 008415-2013

The above referenced property owners are entitled to a refund due to a Tax Court Judgment reducing the assessment for 2012 by 200,000 and 200,000 for 2013 creating a total overpayment of $ 23,278.00 ($11,408.00 + $11,870.00).

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $ 23,278.00 payable to: Florio Perrucci Steinhardt & Fader, LLC C/O Blitz Linden Property, 235 Broubalow Way, Phillipsburg, NJ 08865, charging same to account #7-01-55-275-999-000.

**Refund** Block 522 Lot 2

Cytec Industries, Inc.

3301 B. Tremley Point Road

Tax Court Docket #-013683-2014 & 010147-2015

The above referenced property owners are entitled to a refund due to a County Board Judgment reducing the assessment by 354,500 for the tax years 2014 and 480,500 for 2015 creating a total overpayment of $51,980.47 ($21,819.48 & $30,160.99).

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $51,980.47 payable to: Bruce J. Stavitsky, Esq for the benenfit of Cytec Industries, Inc, 350 Passaic Avenue, Fairfield, NJ 07004, charging same to account #7-01-55-275-999-000.

**Refund** Block 138 Lot 2

Former Owner: Maria & Eugenio Rivera

Current Owner: Lisa & Charles White

811 McCandless Street

The above referenced owners Mortgage Company and the new owner’s title agency have paid the 2017 1st quarter property taxes creating this overpayment and the old owner’s mortgage company entitled a refund in the amount of $3,285.84.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $3,285.84, payable to Core Logic Tax Services, Attention: Kathy Bishop, 92-16 220th Street, Queens Village, NY 11428 charging same to account #-7-01-55-288-999-904.

**Cancellation & Refund**  Block 155 Lot 21, William M. Smith

632 E. Elm Street, 2 Family home

2015 & balance of 2016

This property owner was originally deemed a 100% Disabled Veteran by the V.A. as of April 20, 2016. I have refunded the amounts allowed for 2016. Mr. Smith had field with the V.A and has won his appeal for a date of disabled status as of 2/11/04. Mr. Smith is entitled to the refund of 2015 and balance of 2016 per the City Ordinance #56-65.This will be tax exempt going further for the portion of the 2 family in which Mr. Smith resides. The property owner is entitled to a refund of $7,273.17.

2015-$5,496.06

2016-$1,777.11

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $7,273.17, payable to: William M. Smith, 632 E. Elm Street, Linden, NJ 07036, charging same to account #-7-01-55-288-999-904.

**Refund** Block 311 Lot 2, Juan C. Quizhpi

725 Summit Street, 2016 4th qtr overpayment

The above referenced owner’s Mortgage Company and the owner have paid the 2016 4th quarter property taxes creating this overpayment and the owner is entitled a refund in the amount of $2,400.00.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $2,400.00.payable to: Juan C. Quizhpi, 725 Summit Street, Linden, NJ 07036, charging same to # 7-01-55-288-999-904.

**Refund** Block 368 Lot 41, Old Owner: Helen Joanne Beckman

New Owner: Lisa DiMondi, 411 Amhearst Road

There now exists a credit balance on the above referenced block & lot due to an overpayment by the title agency and the new owner’s mortgage company on the 2016 3rd quarter in the amount of $2,264.83.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $2,264.83 payable to: True Value Title, LLC, 100 Morris Avenue, Suite #-203A, Springfield, NJ 07081, charging same to account #-7-01-55-288-999-904.

**Refund** Block 430 Lot 8, Former Owner: Towana Brown

Current Owner: 327 Ashton Avenue, LLC - 327 Ashton Avenue

The above referenced owners Mortgage Company and the new owner’s title agency have paid the 2017 1st quarter property taxes creating this overpayment and the old owner’s mortgage company entitled a refund in the amount of $3,515.88.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $3,515.88, payable to Core Logic Tax Services, Attention: Kathy Bishop, 92-16 220th Street, Queens Village, NY 11428 charging same to account #-7-01-55-288-999-904.

**(\*\*\*) Municipal Treasurer:**

1. Advising that the following City Employees have filed for retirement:

**Department Employee Title Date**

Police Department Mark Kahana Police Officer Sept. 1, 2017

Police Department Michael Saake Police Captain Sept. 1, 2017

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

1. Requesting approval of the following bingo/raffle applications which have been submitted to the City Clerk’s Office

**Application # Organization Raffle Fees**

RA-1613 Kiwanis Club 50/50 $20.00

RA-1614 School #10 PTA 50/50 $20.00

1. **STREET CLOSURE APPLICATION – ROSEWOOD TERRACE:**

Requesting approval of a street closure application submitted by the Donoghue and Aneson Families to hold a Block Party on Rosewood Terrace between Myrtle Terrace and DeWitt Terrace on Saturday, September 16, 2017 between the hours of 12noon and 10pm with a rain date of Sunday, September 17, 2017. (This application is pending approval of the Police Chief and City Attorney)

Mrs. Yamakaitis moved for approval of consent items #1 through #4. The motion was seconded by Mr. Medina and was unanimously ordered approved by a roll call vote.

**COMMITTEE REPORTS AND COMMENTS FROM THE MEMBERS**

**OF THE GOVERNING BODY**

Second Ward

Mr. Javick stated that he has been getting calls, from Second Ward residents, regarding incidents in the ward. He stated that he had spoken, with the Police Chief, who assured him of a greater presence in the ward. The DPW is out actively trimming and cutting trees in the wards. He added that street sweeping is falling behind due to a problem with one of the trucks. Mr. Javick informed Second Ward residents that September 18th is the target date for start of automated garbage collection in the ward.

Mr. Javick noted that the street stairs have been replaced, at the train station, and other projects are planned, as the train station is the gateway to the City. He provided updates on several other projects. He reminded all of the Mayor’s Youth Commission backpack give-a-way, and provided details on it.

**Third Ward**

Mr. Brown had no report.

**Sixth Ward**

Mr. Sadowski gave the report of the City Clerk’s licensing division. A total of $2,992.00 was collected for the month of July. Next he gave the report of the City Clerk’s office. A total of $5,994.78 in City revenue was collected for the month of July.

Mr. Sadowski gave the report of the Fire Committee. The Fire Prevention Bureau collected a total of $6,535.50 for the month of July. The ambulance reimbursement system collected a total of $62,160.18, for the month of July, bringing the total, for the year, to $473,754.42. He announced that FMBA Locals #34 and #234 would be holding a charity pig roast, and provided details on the event. He also announced that the annual Fire Prevention night would be held on Friday, October 13th, and provided details on that event.

Mr. Sadowski gave a report on the activity of the Linden-Roselle Sewerage Authority, including changes in the organizational structure, compliance with permit, union negotiations, and revenue brought in.

Mr. Sadowski informed that DPW was in the process of trimming trees, and noted the issues of low hanging branches in the Sixth Ward. Next Mr. Sadowski stated that he had a happy incident to report on. He spoke about a cat being stuck in a tree, and the efforts of the Fire Department to successfully rescue the cat.

**Seventh Ward**

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

The payment of bills totaling $1,654,907.99 in 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.

We are in receipt of the investments made by the City Treasurer for the month of July at the rate of .50%

Mrs. Ormon arrived at the start of the Finance and Budget roll call (7:31 pm) and participated in the vote.

Mr. Strano moved for approval of the report. The motion was seconded by Mrs. Yamakaitis and was ordered approved by a roll call vote, with all voting in favor, except Mrs. Hickey, who abstained.

That concluded Mr. Strano’s report.

**Eighth Ward**

Mrs. Yamakaitis gave the following Personnel Report:

1. From the Personnel Division:
   * 1. FMLA/NJFLA requests:
2. Employee ID#006134 intermittent FMLA/NJFLA 6/1/17 – 5/31/2018

Employee ID#9089348 FMLA 8/7/17 – 9/18/2017

Employee ID#000789 FMLA 8/3/17 – 9/13/2017

1. From the Police Department:
   1. Accepting the separation in employment for Police Recruit Karla Gallardo effective July 19, 2017
   2. Accepting the separation in employment for Police Recruit Gregory Adamczyk effective August 1, 2107
   3. The promotion of Thomas Toth to Police Captain effective September 1, 2017 at the annual salary of $ 149,000 to replace an existing vacancy due to a retirement
   4. The promotion of Rick Bachmann to Police Lieutenant effective September 1, 2017 at the annual salary of $124,000
   5. The promotion of Matthew Damatta to Police Sergeant effective September 1, 2017 at the annual salary of $108,000
   6. Permission is granted for the posting for a bi-lingual clerk 1 for the Traffic Bureau
   7. Permission is granted for the posting Countywide for three full time Public Safety Dispatchers
2. In the Department of Public Works permission to post statewide for the position of Superintendent of Public Works
3. In the Engineering Department the hiring of Pradip Soni, as an assistant engineer at the starting annual salary of $45,000 effective September 1, 2017 pending successful completion of all pre-employment screenings.
4. In the Department of Public Property, amending the start date for Gregory Blaine to July 24, 2017.
5. In the Department of Public Works the separation of employment for Angelo Atanasio as a truck driver effective August 4, 2017
6. In the Department of Public Works the promotion of William Telesco to Truck Driver effective August 16, 2017 at the hourly rate of $21.00/HR to replace an existing vacancy.
7. In the Department of Public Works, the permanent certification for Ronald Breurer as a public works supervisor effective June 19, 2017 at no change in his present salary
8. In the Personnel Division the amendment for intern Maukulomba Juma, amend start date to August 14, 2017 until October 30, 2017.

Mrs. Yamakaitis moved for approval of the Personnel Report. The motion was seconded by Mr. Sadowski and was approved by a roll call vote, with all voting in favor, except for Mrs. Hickey who voted no to item #3. Mrs. Yamakaitis then asked the officers, promoted, to stand and be recognized.

Mrs. Yamakaitis reported on the upcoming Mayor’s Youth Commissions Second Annual Backpack to School day. She urged resident to pre-register, and provided details on the process. Next she reported on the day camp and playground program, which was ending this week, and its turnaround. She reported on a number of activities associated with the day camps and playgrounds and recognized several individuals associated with the programs for their efforts. Mrs. Yamakaitis gave a shout out to the Fire Department for attending all of the day camps and playgrounds and providing a wet down for the kids.

Mrs. Yamakaitis announced that on October 7th there would be an Eighth Ward garage sale, and provided details on the event. She also announced that the reminder of the City, not on line with the automated garbage trucks would be doing so, in September.

**Ninth Ward**

Mr. Medina gave the report of the Construction Code Department. 109 permits, were issued, totaling $95,687.00, for the month of July. Next he reported on the Technology Committee, and that an updated version of the City Website would be launched in the near future. He noted the benefits of the new site.

Mr. Medina noted that the replacement of streets and sidewalks would begin in September, and noted the streets that would be addressed. He noted that the Ninth Ward does not qualify for any special grants for these purposes. He noted the Engineering Departments map, which displays all of the streets, and the last time they were paved. He commented on the quality of paving, in the past, compared to what we are receiving currently. Mr. Medina informed all about burglaries, in the Ninth Ward, and asked that residents be diligent and report suspicious activities. He complimented the Police on their response to these burglaries.

Mr. Medina stated for all to have a safe summer, for what was left of it.

**Tenth Ward**

Mrs. Hickey noted that weather permitting, Academy Terrace would be paved by the end of the week. She thanked all of the residents for their understanding with all of the work going on in the Tenth Ward. She provided updates on the work being done by the gas and water companies, and complimented their contractors for their reach out to the residents. Next Mrs. Hickey spoke about tree trimming that DPW is down to one crew, and the need for patience. She noted that work, on curbs and sidewalks, would also be starting in September, in the Tenth Ward.

Mrs. Hickey thanked the Police Department, and OEM, for the job they did for Tenth Ward residents, in dealing with the traffic and parking from the Winfield Carnival. Next she spoke about the September to Remember festival and provided details on it. Mrs. Hickey noted that since being elected the Tenth Ward has had it’s third fire. She noted the work of the Fire Department in protecting the property of residents, and thanked them for all of their efforts.

Mrs. Hickey congratulated the three promoted police officer. She urged residents to please lock their car doors, explaining that, according to the Police Department, 95% of car thefts that are occurring are as a result of car doors being left unlocked. She concluded by providing her contact information.

**First Ward**

Mrs. Ormon apologized for being late, and noted the reasons why. She congratulated the newly promoted police officers. She noted that the City of Linden has an outstanding Chief of Police in Johnathan Parham, and that on this past Friday, he completed the Rutgers Public Managers Program. She explained what the program was about.

Mrs. Ormon next spoke about the leash laws, and the need for dogs, even if they are on the front lawn of your house, need to be on a leash, unless it is fenced in. Next she spoke about tree trimming, and that DPW is concentrating on the area around the schools, for the opening of schools. She asked First Ward residents to be patient, as there are a lot of trees that need to be trimmed. She requested residents to reframe from putting nails and similar material, into trees. She also spoke the conversion of the rest of the First Ward to the automated garbage collection system. Mrs. Ormon also talked about street paving projects in the ward.

Mrs. Ormon asked residents to be mindful of speeding, especially with school set to start soon. Mrs. Ormon the spoke about Wales Park, the fire that occurred, and its reasons. She stated that residents have contacted her, in person, regarding the park, when it will reopen, and what they could do to help. She added that she does not entertain silliness on social media, and does not respond to it. She asked those with concerns to contact her and talk to her about the issues. She provided her contact information and asked those with concerns to contact her one to one. She wished all a wonderful rest of the summer.

**MAYOR’S REPORT**

Mayor Armstead reminded all about the Cruisers Night, going on weekly, at Aviation Plaza, provided details on the event, and invited residents to stop by and enjoy. Next he reminded the public about the Backpack to School give-a-way, provided details on the event, and noted the various ways that individual could pre-register.

Mayor Armstead noted that the annual Unity Day event had been rained out, and provided information on when the event was rescheduled for. Next he congratulated Chief Parham for completing the Rutgers Public Managers Program. Next he congratulated the three promoted police officers, and spoke about each of their service.

Mayor Armstead noted that tonight there was the second reading of ordinance 61-50, repealing the garbage tax, and thanked Council for voting in the affirmative on this ordinance. He noted that Linden’s senior citizens appreciate this repeal most of all. He explained that he is committed to sharpening pencils to find the money to fill the $1.6 million gap that this repeal creates. Some of it has already been identified. Mayor Armstead explained that resident’s tax bills contain three portions, municipal, Board of Education and County. He urged residents to go to Board meetings, encourage the representatives to be more diligent in their spending, and not be afraid to talk to their County representatives also. If we all work together we can cap some of the tax increases that have occurred in the past.

President Alvarez congratulated all of the newly promoted police officers, and thanked the Mayor for his comments.

**RESOLUTIONS**

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

Virginia Malik asked to remove resolutions #2017-294, #295, #299, #301 and #302.

Mrs. Hickey moved for approval of resolutions #2017-281 through resolution #2018-303, with the exception of resolutions #2017-294, #295, #299, #301 and #302. The motion was seconded by Mrs. Ormon and was unanimously ordered approved by a roll call vote.

**RESOLUTION: 2017-281**

**CITY OF LINDEN RESOLUTION**

**WHEREAS,** there were certain payments made by the Municipal Treasurer during the month of July, 2017 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**

166599 7/5/17 U.S. Bank admin fees 3,000.00

166597 7/5/17 Golden Eagle Grill REPLACEMENT CHECK 125.00

7/5/17 Golden Eagle Grill REPLACEMENT CHECK 206.00

7/6/17 Worker’s Comp. claims 18,967.35

7/6/17 Medco claims 41,772.68

7/11/17 SHBP Retirees July premium 640,975.37

7/11/17 SHBP Active May premium 676,541.92

7/11/17 Vision Service Plan claims 4,492.56

7/11/17 Worker’s Comp. claims 1,200.00

7/11/17 Payroll payroll 1,811,882.20

7/13/17 Worker’s Comp. claims 58,596.73

7/24/17 Worker’s Comp. claims 66,219.01

166836 7/26/17 Joseph Vasfailo concert 8/4 1,200.00

166837 7/26/17 Superior Court NJ filing fee 20.00

166841 7/26/17 G. Kavita tax sale 91.10

166838 7/26/17 Gary Passarelli refund 18,500.00

166835 7/26/17 Wilmington Trust UCIA admin 2,500.00

7/28/17 Payroll payroll 1,816,185.36

7/28/17 City Delta – August 35,734.29

7/28/17 Sewerage “ 3,231.47

7/28/17 Housing “ 1,610.67

7/28/17 Library “ 900.31

7/28/17 Cobra “ 172.42

7/31/17 Medco claims 82,602.19

7/31/17 Worker’s Comp. claims 8,267.94

**TRUST**

166598 7/5/17 Treas. State of NJ training fees 18,838.00

7/11/17 Payroll payroll 101,925.04

166840 7/26/17 Somerset Patriots balance 7/26 575.00

7/28/17 Payroll payroll 63,090.79

**GRANT**

7/11/17 Payroll payroll 2,174.05

7/28/17 Payroll payroll 4,632.50

**SANITARY LANDFILL**

7/11/17 Payroll payroll 2,608.00

7/28/17 Payroll payroll 2,560.00

**CAPITAL**

7/11/17 Payroll payroll 1,881.81

166833 7/21/17 Atlantic Tactical claims 20,580.75

166834 7/21/17 Dell claims 29,453.85

7/28/17 Payroll payroll 1,168.02

**UNEMPLOYMENT**

7/11/17 Payroll payroll 391.28

7/28/17 Payroll payroll 366.59

**RESOLUTION: 2017-282**

**RESOLUTION APPROVING A CONTRACT WITH THE LINDEN**

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

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

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

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

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

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

**WHEREAS,** the Chief Financial Officer or her designee has certified as to the availability of funds for this purpose, as attached hereto, which will be charged to account/line item No. 7-01-28-370-198-209; and

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

**WHEREAS,** said contract will be for a period of one (1) year commencing January 1, 2017 and terminating December 31, 2017;

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

1. The City will enter into a contract with the Linden Pop Warner Football Program, commencing January 1, 2017 and terminating December 31, 2017, as approved by the Law Department.

2. The Linden Pop Warner Football Program shall provide an audit/financial statement and or similar document for 2015 to the City, before monies can be released, and an audit financial statement for the end of 2017.

3. This Resolution shall take effect immediately.

**RESOLUTION: 2017-283**

**RESOLUTION AMENDING A RESOLUTION** **APPROVING AN AWARD OF A CONTRACT TO DEVELOPMENT DIRECTIONS, LLC TO OPERATE THE CITY OF LINDEN HOME IMPROVEMENT PROGRAM FOR 2017-2018**

**WHEREAS,** the City Council of the City of Linden passed Resolution No. 2017-110 on February 21, 2017 retaining the services of Development Directions, LLC to operate the City of Linden Home Improvement Program for 2017-2018; and

**WHEREAS,** due to the receipt of additional funds for the Union County Housing Rehabilitation Grant, it is necessary to increase the contracted amount with Development Directions, LLC by $9,200.00 which represents 20% of the grant; and

**WHEREAS,** inclusive of these additional funds the total expenditures paid to date to Development Directions, LLC for services rendered under the original or substantially related contract is $36,200.00; and

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

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

**RESOLUTION: 2017-284**

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

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

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

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

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

Block 207 Lot 24 830 N. Wood Avenue

Block 151 Lot 13 1014 Roselle Street

Block 8 Lot 25 402 N. Park Avenue

Block 123 Lot 3 707 Lincoln Street

Block 241 Lot 12 821 N. Wood Avenue

Block 178 Lot 19 1112 Walnut Street

Block 226 Lot 18 3 Furber Avenue

Block 180 Lot 46 404 3rd Avenue

Block 10 Lot 3 2012 Alberta Avenue

Block 363 Lot 19 407 Birchwood Road

Block 112 Lot 9 913 Bergen Avenue

Block 134 Lot 18 717 Union Street

Block 485 Lot 26 635 McCandless Place

Block 65 Lot 1 616 Chandler Avenue

Block 78 Lot 3 1116 E. Blancke Street

Block 540 Lot 6 26 E. 19th Street

Block 540 Lot 15 29 E. 20th Street

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

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

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

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

Block 207 Lot 24 830 N. Wood Avenue $750.00

Block 151 Lot 13 1014 Roselle Street $921.34

Block 8 Lot 25 402 N. Park Avenue $600.00

Block 123 Lot 3 707 Lincoln Street $300.00

Block 241 Lot 12 821 N. Wood Avenue $700.00

Block 178 Lot 19 1112 Walnut Street $310.00

Block 226 Lot 18 3 Furber Avenue $275.00

Block 180 Lot 46 404 3rd Avenue $345.00

Block 10 Lot 3 2012 Alberta Avenue $335.00

Block 363 Lot 19 407 Birchwood Road $270.00

Block 112 Lot 9 913 Bergen Avenue $435.00

Block 134 Lot 18 717 Union Street $220.00

Block 485 Lot 26 635 McCandless Place $700.00

Block 65 Lot 1 616 Chandler Avenue $650.00

Block 78 Lot 3 1116 E. Blancke Street $600.00

Block 540 Lot 6 26 E. 19th Street $500.00

Block 540 Lot 15 29 E. 20th Street $400.00

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

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

**RESOLUTION: 2017-285**

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

**ON 830 N. WOOD AVENUE FOR EMERGENCY DEMOLITION WORK COMPLETED BY THE CITY OF LINDEN**

**WHEREAS,** the premises known and designated as follows had sustained premises heavy fire damage and was deemed an immediate danger to the life or safety of persons and/or the safety of the adjoining property or properties and;

Block 207 Lot 24 830 N. Wood Avenue

**WHEREAS,** the field representative for housing inspection and caused the building to be demolished along with the removal of an underground storage tank in accordance with City Ordinance 10-20.15; and

**WHEREAS,** proper notice has been provided to the owner of said property to have said premises cleaned up in accordance with City Ordinance 10-20.18, as this was in violation of a City Ordinance, and the owners have not complied with the request; and

**WHEREAS,** in accordance with City Ordinance 10-20.15 of the Housing Code, a copy of which is attached hereto, the City may, in emergency cases where it reasonably appears that the building is in such condition as to render the same an immediate danger to the life or safety of any person or the safety of the adjoining property or properties, the field representative for housing inspection may forthwith enter upon the premises with such assistance as may be necessary and cause the building to be made secure or demolished; and

**WHEREAS,** the condition of said premises had become an immediate danger, and for the best interests of the City of Linden it was necessary for the City of Linden to have said property demolished at the cost as follows:

Block 207 Lot 24 830 N. Wood Avenue $19,911.00

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

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

**RESOLUTION: 2017-286**

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

**JTG CONSTRUCTION, INC. FOR THE RESURFACING OF MAPLE AVENUE, MIDDLESEX STREET AND MILDRED AVENUE IN THE CITY OF LINDEN**

**WHEREAS,** sealed bids were received by the Purchasing Agent on August 3, 2017 for the resurfacing of Maple Avenue, Middlesex Street and Mildred Avenue in the City of Linden; and

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

**WHEREAS,** the Chief Financial Officer or her designee has certified as to the availability of funds for this purpose, as attached hereto, which will be charged to account/line item No. C-04-55-901-664-919; and

**WHEREAS**, JTG Construction, Inc. was the lowest responsible bidder at their bid of $369,045.00; 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 JTG Construction, Inc. at their bid of $369,045.00.

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

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

**RESOLUTION: 2017-287**

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

**WHEREAS**, a tax sale certificate #11-00219 on block 540 lot 2 was sold on October 12,2 012;

**WHEREAS**, a premium of $ 10,300.00 was paid on this certificate; and

**WHEREAS**, Stacey L. Carron, Tax Collector has verified that no redemption has taken place, and the lien holder of tax sale certificate #11-00219, Equity Trust as Custodian for Malka Rubin was assigned this Tax Sale Certificate from Virgo Municipal Financial Fund. And Equity Trust has foreclosed on August 25, 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: 2017-288**

**RESOLUTION AUTHORIZING THE USE OF A STATE CONTRACT FOR THE PROVISION SUPPLYING POLICE VEHICLES WITH SECURITY EQUIPMENT AND SUPPLIES FROM GENERAL SALES ADMINISTRATION FOR THE POLICE DEPARTMENT**

**WHEREAS**, the City of Linden wishes to obtain security equipment and supplies to outfit police vehicles from an authorized vendor under the State of New Jersey contract A81330 awarded to General Sales Administration t/a Major Police Supply, 47 N. Dell Avenue, Kenvil, NJ 07847 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**, General Sales Administration t/a Major Police Supply has been awarded Contract No A81330 for the provision of Police and Homeland Security Equipment and Supplies; 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 $50,262.72 and,

**WHEREAS**, the Chief Finance Officer has certified the availability of funds for this contract, which will be charged to account number C-04-55-902-667-919.

**NOW THEREFORE BE IT RESOLVED** by the City of Linden that General Sales Administration t/a Major Police Supply be awarded a contract for a term of one year or until new awards are made; and,

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

**RESOLUTION: 2017-289**

**RESOLUTION AWARDING A STATE CONTRACT TO BCI BURKE & CO. FOR PLAYGROUND EQUIPMENT AND SUPPLIES FOR THE DEPARTMENT OF PUBLIC PROPERTY AND COMMUNITY SERVICES**

**WHEREAS**, the City of Linden wishes to purchase recreation and playground materials, and supplies from BCI Burke & Co. PO Box 549, fond Du Lac, WI 54936, an authorized vendor under the State of New Jersey Cooperative Purchasing Program 1-NJCP; and,

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

**WHEREAS**, BCI Burke, & Co. has been awarded New Jersey State Contract No. #16-FLEET-00134 & #16-FLEET-00135, for parks and playground equipment & parts; 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 $131,398.75; and,

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

C-04-55-904-517-919 $47,993.51

C-04-55-904-653-919 $16,778.04

G-02-40-370-016-120 $26,627.20

G-02-40-370-017-120 $40,000.00

**NOW THEREFORE BE IT RESOLVED** by the City of Linden that BCI Burke & Co., be awarded a contract; and

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

**RESOLUTION: 2017-290**

**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:**

**2005 FORD CVPT VIN 2FAFP71W95X100940 MG62015**

**2000 FORD EXPEDITION VIN 1FMPU16LXYLA21423 MG39802**

**2000 FORD EXPEDITION VIN 1FMPU16LXYLC00304 MG64678**

**2001 FORD CVPT VIN 2FAFP71WX1X182512 MG46479**

**2008 FORD CVPT VIN 2FAFP71W37X108740 MG78290**

**2007 FORD CVPT VIN 2FAHP71W37X109740 MG72822**

**2002 DODGE VAN VIN 2B7HB11Y12K140812 MG52011**

**1000 GALLON ABOVE GROUND LINED FUEL STORAGE TANK**

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

**RESOLUTION: 2017-291**

**RESOLUTION FOR PURCHASE OF FOUR 2017 FORD FUSIONS FROM ROUTE 23 AUTOMALL LLC THROUGH THE MORRIS COUNTY CO-OP REPLACING OBSOLETE FORD CROWN VICTORIA’S FOR THE POLICE DEPARTMENT**

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

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

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

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

**WHEREAS**, the amount of the service is not to exceed $72,000.00 and,

**WHEREAS**, the Chief Finance Officer has certified the availability of funds for this contract, which will be charged to account number #7-01-26-301-159-277.

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

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

**RESOLUTION: 2017-292**

**RESOLUTION FOR PURCHASE OF RECREATION PLAYGROUND EQUIPMENT THROUGH THE ESCNJ FORMELY THE MIDDLESEX REGIONAL EDUCATIONAL SERVICES COMMISSION CO-OP FOR THE PUBLIC PROPERTY DEPARTMENT FROM BEN SHAFFER INC.**

**WHEREAS**, the City of Linden wishes to obtain services from an authorized vendor under ESCNJ formerly the Middlesex Regional Educational Services Co-op #65MCESCCPS. Awarded to Ben Shafer Inc., PO Box 844 Lake Hopatcong, NJ 07849, 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**, Ben Shaffer, Inc., has been awarded Contract #ESCNJ 17/18-20, for the provision of playground 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 $7,151.34; and,

**WHEREAS**, the Chief Finance Officer has certified the availability of funds for this contract, which will be charged to account number C-04-55-904-517-919 and,

**NOW THEREFORE BE IT RESOLVED** by the City of Linden that Ben Shaffer 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.

**RESOLUTION: 2017-293**

**RESOLUTION WAIVING FEES FOR A COMMUNITY WIDE GARAGE SALE**

**TO BE HELD IN THE EIGHTH WARD**

WHEREAS, the City Council has determined to allow a community wide garage sale in the Eighth Ward on October 7, 2017 with a rain date of October 8, 2017; and

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

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

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

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

1. The City of Linden hereby waives fees for permits for a community wide garage sale in the Eighth Ward to be held on October 7, 2017 with a rain date on October 8, 2017.
2. The city wide garage sale shall not impact a resident’s right to conduct up to two garage sales in a year.
3. Chapter 4-3.6 shall still apply, limiting one singled faced sign containing not more than four square feet in total area to be placed upon the premises where the sale is being conducted, and further prohibiting any other signs and either public or private property.
4. This Resolution shall take effect pursuant to law.

**RESOLUTION: 2017-294**

**RESOLUTION AUTHORIZING AN AMENDMENT TO THE CONTRACT WITH CFM CONSTRUCTION, INC. FOR THE LEACHATE PUMP STATION AT THE LANDFILL IN THE CITY OF LINDEN**

**WHEREAS**, the City Council of the City of Linden passed a Resolution No. 2013-397 on November 12, 2013 approving an award of a contract to CFM Construction, Inc. for the Leachate Pump Station at the Landfill in the City of Linden in the amount of $164,950.00; and

**WHEREAS**, a change order in the amount of $10,822.00 is required to extend the project; and

**WHEREAS**, inclusive of these additional funds the total expenditures for said contract is $175,772.00; 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 CFM Construction, Inc., 5 Bay Street, Stirling, New Jersey 07980 is hereby amended to increase the contract by the additional sum of $10,822.00, for a total contract of $175,772.00; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary amended contract documents between CFM Construction, Inc. and the City of Linden; and

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk be and hereby are empowered and directed to execute an amendatory agreement with CFM Construction, Inc.; and

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

Virginia Malik, 1633 Lenape Road. Ms. Malik, asked what else, besides the leachate pump was included in the total contact, for the $175,000 plus. Mr. Vircik provided a response, and explained the need for the change order.

See the vote at the end of resolution #2017-302.

**RESOLUTION: 2017-295**

**RESOLUTION AUTHORIZING THE 2nd WARD COUNCILMAN TO ACT AS LIAISON WITH ETI MANAGEMENT FOR THE RECRUITMENT OF A SUPERINTENDENT OF THE DIVISION OF PUBLIC WORKS**

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

**WHEREAS**, ETI Management submitted a proposal dated August 4, 2017 for the recruitment of a Superintendent of the Division of Public Works in the City of Linden; and

**WHEREAS**, it is the best interests of the City of Linden to utilize ETI Management to assist the City in developing the position of Superintendent of Public Works, ETI Management will advise the City on filling the position as explained in said proposal dated August 4, 2017; and

**WHEREAS**, the City of Linden feels this option works best by authorizing the 2nd Ward Councilman to act as the liaison with ETI Management, LLC; and

**WHEREAS**, funds will be made available for this purpose to be charged to Account No. 7-01-20-155-123-255.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** the City hereby authorizes ETI Management, LLC to assist the City of Linden in the recruitment of a Superintendent for the Department of Public Works in accordance with their proposal dated August 4, 2017 for an additional flat fee of $3,550.00; and

**BE IT FURTHER RESOLVED** the City hereby authorizes the 2nd Ward Councilman to act a liaison with ETI Management, LLC for the aforementioned recruitment of a Superintendent of the Department of Public Works.

Virginia Malik, 1633 Lenape Road. Ms. Malik stated that the contract, with ETI, was for headhunting services. She then inquired as to why the City’s Personnel Division was not handling the search for the head of the Public Works Department. Mr. Roth responded and explained the need for firm. Mr. Brown also commented on the search and the reasons for it.

See the vote at the end of resolution #2017-302.

**RESOLUTION: 2017-296**

**RESOLUTION TO APPLY FOR AND OBTAIN GRANT FUNDING FROM THE KIDS RECREATION TRUST FUND GRANT TO SUPPORT THE UPGRADE OF RECREATIONAL EQUIPMENT IN CITY OF LINDEN PARKS**

Whereas, the **City of Linden** desires to apply for and obtain a grant from the Kids Recreation Trust Fund Grant Program for **$75,000** to carry out a project to support the **upgrading of playground equipment City of Linden to ensure the safety and enjoyment of Linden’s youth.**

Be it therefore RESOLVED,

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

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

3) commits to matching the fund request, **$75,000** combined of in kind and in cash.

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

**RESOLUTION: 2017-297**

**RESOLUTION AUTHORIZING AN AMENDMENT TO THE CONTRACT WITH P&A CONSTRUCTION, INC. FOR RESURFACING W. BALTIMORE AVENUE AND W. HENRY STREET IN THE CITY OF LINDEN**

**WHEREAS**, the City Council of the City of Linden passed a Resolution No. 2013-269 on July 19, 2016 approving an award of a contract to P&A Construction, Inc. for the resurfacing of W. Baltimore Avenue and W. Henry Street in the City of Linden in the amount of $397,139.75; and

**WHEREAS**, a change order in the amount of $75,456.55 is required to extend the project; and

**WHEREAS**, inclusive of these additional funds the total expenditures for said contract is $472,596.30; 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 P&A Construction, Inc., 650 Leesville Avenue, Rahway, New Jersey 07065 is hereby amended to increase the contract by the additional sum of $75,456.55 for a total contract of $472,596.30; and

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

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk be and hereby are empowered and directed to execute an amendatory agreement with P&A Construction, Inc.; and

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

**RESOLUTION: 2017-298**

**RESOLUTION SUPPORTING THE CITY OF LINDEN’S UTILIZATION OF THE ELECTRONIC “ON-LINE” TAX SALE PILOT PROGRAM**

**WHEREAS,** electronic tax lien sales in the State of New Jersey are now being conducted by municipalities under the aegis of a pilot program authorized by the Director of Local Government Services in the Department of Community Affairs pursuant to N.J.S.A. 54:5-19.1.c; and,

**WHEREAS,** the City of Linden has participated in said electronic tax sale pilot for years 2013-2017; and

**WHEREAS,** the Tax Collector for the City of Linden reports that the electronic tax lien program has tax been utilized to the benefit of the residents and the City of Linden; and

**WHEREAS,** the City of Linden wishes to continue to participate in the electronic tax sale as currently promulgated through said pilot program; and

**WHEREAS,** the proposed new rules for electronic tax sale procedures do not appear to be consistent with the existing pilot program and may hamper the City in their efforts to maintain a smooth delinquent collection process.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN,** in the County of Union and State of New Jersey on this 15th day of August, 2017 opposition to Proposed New Rule: N.J.A.C. 5:33-1.1 is hereby confirmed.

**RRESOLUTION: 2017-299**

**RESOLUTION APPROVING A SETTLEMENT AGREEMENT WITH**

**THE UNION COUNTY IMPROVEMENT AUTHORITY**

**WHEREAS,** the City of Linden (“City”) wishes to enter into a pre-suit settlement agreement with the Union County Improvement Authority (“UCIA”); and

**WHEREAS,** the City of Linden owes the UCIA approximately $165,697.72 in project costs related to the St. Georges Redevelopment area; and

**WHEREAS,** the UCIA owes the City approximately $162,800.43 in cell tower rent and revenue at property located at 320 St. Georges Avenue; and

**WHEREAS**, the both the City and the UCIA agree to waive any and all rights to the monies owed to each other; and

**WHEREAS**, the UCIA, as a part of the settlement will also transfer all right, title and interest in various properties held by the UCIA to the City;

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

1. A settlement is hereby authorized consistent with the terms set forth above, and subject to a settlement agreement approved by the Law Department.

2. The Mayor and City Clerk are hereby directed and authorized to execute said agreement.

3. This Resolution shall take effect pursuant to law.

Virginia Malik, 1633 Lenape Road. Ms. Malik asked what this is all about. President Alvarez explained the resolution, and that it was a settlement with the UCIA that was a wash.

See the vote at the end of resolution #2017-302.

**RESOLUTION: 2017-300**

**RESOLUTION CHAPTER 159**

**DWI FUNDS MUNICIPAL COURT ALCOHOL EDUCATION, REHABILITATION AND ENFORCEMENT**

**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 $193.02 from the State of New Jersey Municipal Court Alcohol Education, Rehabilitation and Enforcement Fund and wishes to amend its 2017 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 2017 in the sum of $193.02 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:

DWI Municipal Court 2017

**BE IT FURTHER RESOLVED** that a like sum of $193.02 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:

DWI Municipal Court 2017

**RESOLUTION: 2017-301**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDEN, IN THE COUNTY OF UNION, STATE OF NEW JERSEY, AUTHORIZING THE ACQUISITION OF THE PROPERTIES IDENTIFIED ON THE TAX MAPS OF THE CITY OF LINDEN AS BLOCK 91, LOTS 4 AND 9 FOR PUBLIC USE**

**WHEREAS**, pursuant to *N.J.S.A.* 40A:12A-8(c), a municipality may acquire by condemnation, any land or building which is necessary for a redevelopment project, pursuant to the provisions of the Eminent Domain Act of 1971, P.L.1971, c.361 (C.20:3-1 et seq.) (the “**Eminent Domain Act**”), provided that the land or building is located within (1) an area that was determined to be in need of redevelopment prior to the effective date of P.L. 2013, c.159, or (2) a Condemnation Redevelopment Area; and

**WHEREAS**, the properties identified on the Tax Maps of the City of Linden (the “**City**”) as Block 91, Lots 4 and 9 (collectively, the “**Property**”), are located within an area that has been determined to be in need of redevelopment, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.; and

**WHEREAS**, the City desires to acquire fee simple title or a lesser interest in the Property; and

**WHEREAS**, pursuant to *N.J.S.A.* 40A:12A-8(c) and the Eminent Domain Act, the City is authorized to acquire the Property for a public purpose; and

**WHEREAS**, the City Council has determined to authorize the acquisition of the Property.

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

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

Section 2. The Mayor, Business Administrator, City Attorney and Redevelopment Counsel (collectively, the “**Authorized Persons**”) are hereby authorized and directed to take, or cause to be taken, any and all actions necessary to initiate negotiations and acquire fee simple title to the Property, including but not limited to obtaining any studies, surveys, tests, soundings, borings, appraisals, title searches and title reports, as necessary to determine the fair market value of the Property, property boundaries, property interests and rights, or environmental condition regarding said properties.

Section 3. The acquisition of the Property may be achieved by (i) consummation of a purchase and sale contract negotiated with the property owner(s), or (ii) condemnation proceedings pursuant to *N.J.S.A.* 40A:12A-8(c) and the Eminent Domain Act.

Section 4. Any and all actions previously taken by the Authorized Persons in connection with the acquisition of the Property are hereby ratified.

Section 5. If any part(s) of this resolution shall be deemed invalid, such part(s) shall be severed and the invalidity thereof shall not affect the remaining parts of this resolution.

Section 6. This resolution shall take effect immediately.

Virginia Malik, 1633 Lenape Road. Ms. Malik asked what type of property was being acquired, and what would it be used for. Mr. Antonelli responded, noting that it was a residential property, in foreclosure, and what the City was completing using it for. This resolution only allows the City to start the process, but does not commit it to anything.

See the vote at the end of resolution #2017-302.

**RESOLUTION: 2017-302**

**A RESOLUTION GRANTING PRADIP SONI A WAIVER OF RESIDENCY TO**

**BE THE CITY’S ASSISTANT ENGINEER**

WHEREAS, the City is a Civil Service jurisdiction; and

WHEREAS, the City has a residency policy and has duly notified the Civil Service Commission (“CSC”) of the City’s residency requirement; and

WHEREAS, the City requested that the CSC promulgate a hiring notice for the position of Assistant Engineer; and

WHEREAS, it has been determined by the CSC that the eligibility list consists only of non-City residents who qualify under the Rule of 3; and

WHEREAS, consistent with *NJAC* 4A:4-3.2 and *NJAC* 4A:4-2.11, Pradip Soni is a qualified non-resident.

NOW THEREFORE BE IT RESOLVED that the City hereby grants a residency waiver to Pradip Soni, to be the City’s Assistant Engineer, and shall notify the CSC of said residency waiver.

BE IT FURTHER RESOLVED that this action by the City shall not be considered precedential and is not in any way a retraction of the City’s residency requirements.

Virginia Malik, 1633 Lenape Road. Ms. Malik asked if the waiving of the residency requirement was setting any type of precedent. Mr. Roth noted that the person was from a civil service list that did not contain a residency requirement. Mr. Roth responded to a few follow up questions from Ms. Malik.

Mrs. Hickey moved for approval of Resolutions #2017-294, #295, #299, #301 and #302. The motion was seconded by Mrs. Ormon and was ordered approved by a roll call vote, with all voting in favor of all except Mrs. Hickey who voted no to resolutions #2017-295 and #2017-302.

**RESOLUTION: 2017-303**

**RESOLUTION AUTHORIZING A CONTRACT WITH LA CORTE BUNDY VARADY AND KINSELLA IN THE CITY OF LINDEN**

**WHEREAS,** the City Council of the City of Linden has a need to hire a Hearing Officer in a personnel 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**, La Corte, Bundy, Varady and Kinsella submitted a qualification to the City and has qualified for the aforesaid services for 2017; and

**WHEREAS**, a contract for an amount not to exceed $5,000 is needed; and

**WHEREAS,** the Chief Financial Officer has certified to the availability of funds for this purpose, to be charged to Account No. 7-01-20-155-123-255;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that they do hereby approve a contract in an amount not to exceed $5,000.00 for services rendered by La Corte, Bundy, Varady and Kinsella; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents between La Corte, Bundy, Varady and Kinsella and the City of Linden; and

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk be and hereby are empowered and directed to execute an agreement 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.

**ORDINANCES ON INTRODUCTION**

**An Ordinance entitled:**

#61-51. Bonds ordinance providing an appropriation of $223,300 for the acquisition of various items of capital equipment for the Fire Department and authorizing the issuance of $212,135 bonds or notes of the City for financing part of the appropriation.

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

Ordinance #61-51 was introduced by Mr. Sadowski and was read on first reading by the Deputy Clerk.

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

unanimously ordered approved.

**An Ordinance entitled:**

#61-52 Bond ordinance providing an appropriation of $52,000 for renovations to the Police Department’s fitness room and authorizing the issuance of $49,400 bonds or notes of the City for financing part of the appropriation.

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

Ordinance #61-52 was introduced by Mr. Strano and was read on first reading by the Deputy Clerk.

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

unanimously ordered approved.

**An Ordinance entitled:**

#61-53 An ordinance to amend and supplement Chapter XXXI, Zoning.

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

Section 1. That Chapter XXXI, Zoning shall be and the same is hereby amended as follows:

Delete Section 31-2 Definitions in its entirety:

Add Section 31-2 Definitions:

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

Ordinance #61-53 was introduced by Mr. Medina and was read on first reading by the Deputy Clerk.

On motion of Mr. Medina, seconded by Mr. Strano the foregoing Ordinance was on roll call vote

unanimously ordered approved.

**An Ordinance entitled:**

#61-54 An ordinance of the City Council of the City of Linden vacating the perpetual easement reserved for the benefit of public utility companies on a portion of Lumber Street Pursuant to N.J.S.A. 40:67-1 et seq.

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

Ordinance #61-54 was introduced by Mr. Javick and was read on first reading by the Deputy Clerk.

On motion of Mr. Javick, seconded by Mr. Brown the foregoing Ordinance was on roll call vote

unanimously ordered approved.

**An Ordinance entitled:**

#61-55 An ordinance of the City Council of the City of Linden vacating a portion of John Street pursuant to N.J.S.A. 40:67-1 et seq.

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

Ordinance #61-55 was introduced by Mr. Javick and was read on first reading by the Deputy Clerk.

On motion of Mr. Javick, seconded by Mr. Brown the foregoing Ordinance was on roll call vote

unanimously ordered approved.

**An Ordinance entitled:**

#61-56 An ordinance to amend and supplement Chapter VII. Traffic.

7-33 Handicapped Parking Regulations

7-33.1A Handicapped Parking On-Street

Name of Street Spaces Location

**DELETE:**

424 Ainsworth St 1 Northeasterly sideline, 258 feet more or less

Southeasterly from the projection of the south- easterly curbline of West Elm Street, for a length of 22 feet.

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

Ordinance #61-56 was introduced by Mr. Javick and was read on first reading by the Deputy Clerk.

On motion of Mr. Javick, seconded by Mr. Medina the foregoing Ordinance was on roll call vote

unanimously ordered approved.

**An Ordinance entitled:**

#61-57 An ordinance to amend and supplement Chapter VII, Traffic

7-22-1 Four-Way Stop Intersections

Intersections Stop signs to be located on:

**ADD:**

W. Price Street and Lumber Street W. Price Street and Lumber Street

Lumber Street and W. Price Street

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

Ordinance #61-57 was introduced by Mr. Strano and was read on first reading by the Deputy Clerk.

On motion of Mr. Strano, seconded by Mr. Medina the foregoing Ordinance was on roll call vote

unanimously ordered approved.

**An Ordinance entitled:**

#61-58 An ordinance to amend and supplement Chapter XII, Property Maintenance for nonresidential properties

**AMEND SECTION 12-10 ADMINISTRATIVE PROVISIONS** as follows:

**ADD SECTION 12-10.14 COMMERCIAL CONTINUED CERTIFICATE OF OCCUPANCY**

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

Ordinance #61-58 was introduced by Mr. Medina and was read on first reading by the Deputy Clerk.

On motion of Mr. Medina, seconded by Mr. Strano the foregoing Ordinance was on roll call vote

unanimously ordered approved.

**An Ordinance entitled:**

#61-59 Bond Ordinance providing an appropriation of $265,000 for various improvements for the Recreation Department and authorizing the issuance of $180,500 Bonds or notes of the City for Financing Part of the appropriation. (Hagel, Melnyk and Memorial Park Improvements)

President Alvarez asked if there were any comments from the public. Virginia Malik was recognized.

Ordinance #61-59 was introduced by Mr. Strano and was read on first reading by the Deputy Clerk.

Virginia Malik, 1633 Lenape Road

On motion of Mr. Strano, seconded by Mr. Javick the foregoing Ordinance was on roll call vote

unanimously ordered approved.

**An Ordinance entitled:**

#61-60 Bond Ordinance providing an appropriation of $357,500 for the acquisition of various items of Capital Equipment for the Department of Public Works and authorizing the issuance of $339,625 bonds or notes of the City for financing part of the appropriation. (Purchase of Street Sweeper and Stump Cutter)

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

Ordinance #61-60 was introduced by Mr. Strano and was read on first reading by the Deputy Clerk.

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

unanimously ordered approved.

**An Ordinance entitled:**

#61-61 Bond Ordinance providing an appropriation of $55,000 for various non-public safety informational technology upgrades for the Finance Department and authorizing the issuance of $52,250 bonds or notes of the City for financing part of the appropriations.

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

Ordinance #61-61 was introduced by Mr. Strano and was read on first reading by the Deputy Clerk.

On motion of Mr. Strano, seconded by Mr. Javick the foregoing Ordinance was on roll call vote

unanimously ordered approved.

**An Ordinance entitled:**

#61-62 An ordinance to amend an Ordinance entitles, “An ordinance establishing a schedule of Titles, Salary Ranges and Regulations for maintaining the Classification and Salary Standardization Plan of all employees of the City of Linden,” passed August 15, 1995 and approved August 16, 1995.

**Amending Schedule 4-LL-5**

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

Ordinance #61-62 was introduced by Mrs. Yamakaitis and was read on first reading by the Deputy Clerk.

On motion of Mrs. Yamakaitis, seconded by Mrs. Ormon the foregoing Ordinance was on roll call vote

unanimously ordered approved.

**An Ordinance entitled:**

#61-63 An ordinance authorizing the acquisition of the properties identified on the tax maps of the

City of Linden as Block 238, Lot 34 for public use. (1300 Orchard Terrace)

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

Ordinance #61-63 was introduced by Mr. Javick and was read on first reading by the Deputy Clerk.

On motion of Mr. Javick, seconded by Mr. Brown the foregoing Ordinance was on roll call vote

unanimously ordered approved.

**PUBLIC COMMENT**

Craig Hallran, 120 Donaldson Place Mr. Hallran thanked the governing body for allowing him to speak. He stated that all talk about trying to stabilize taxes, and asked what else could be done. He spoke about the state, and that if laws need to be changed to get things done, why don’t we do that. He thanked the Mayor and Council for all the work that they do.

Ed Kaminski, Maple Avenue. Mr. Kaminski spoke about the SID, and the budget that had been presented. He pointed out the marketing that was provided for in the budget, as an example, and other discussion about marketing, by the City, and if those were all doing the same thing. Mr. Kaminski spoke of several other items, included in the budget, that were of concern to him.

Virginia Malik, 1533 Lenape Road. Ms. Malik stated that she was glad that Mr. Kaminski raised those comments on the SID, and stated her agreement with them. She then referred to the SID budget, and items it contained that she wanted clarification on. Mr. Brown, stated that was why Mr. Bono was here earlier for that purpose. He noted that SID was its own public body, with meetings that are open to the public, and with a public comment period. He suggested that she attend the SID meeting, and ask her questions. President Alvarez noted that the Chairman of the SID, Paul Coates, was present, and asked Ms. Malik to speak to him, after the meeting.

Mr. Strano moved to close the Public Comment session. The motion was seconded by Mrs. Yamakaitis, and was unanimously ordered by a roll call vote.

**COMMENTS FROM MEMBERS OF THE GOVERNING BODY**

Mr. Medina announced that he was coordinating a meeting with Central Park, and the residents who are affected by their night club activities, starting in September. He noted that he a flyer, and a Facebook post, would be done to inform residents of the meeting details.

**ANNOUNCEMENTS**

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

\*Council Conference meeting, Monday, September 18, 2017 in the Council Conference Room, City Hall, 301 N. Wood Ave.

\*Council Conference meeting prior to the Council meeting:

Tuesday, September 19, 2017 at 6:00 pm in the Council Conference Room, City Hall, 301 N. Wood Ave.

\*Council Meeting: Tuesday, September 19, 2017 at 7:00 p.m. in the Council Chambers, City Hall, 301 N. Wood Ave.

There being no further business to come before the governing body, Mr. Strano moved to adjourn the meeting. The motion was seconded by Mrs. Hickey and was unanimously ordered approved by a roll call vote. The meeting was adjourned at 8:32 pm.

Respectfully submitted,

Joseph C. Bodek

City Clerk