**Minutes of the Regular**

**Meeting of the 2018 Council of the**

**City of Linden, held Tuesday**

**January 16, 2018**

The regular meeting of the 2018 Council of the City of Linden, was held in the Council Chambers in the City Hall on Tuesday, January 16, 2018 at 7:00 pm., prevailing time.

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

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

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

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

Council President 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 Barry Javick

“ Alfred Mohammed

“ Peter Brown

Councilwoman Cosby

Councilman John F. Roman

Councilman Ralph Strano

Councilwoman Michele Yamakaitis

Councilman Armando Medina

Councilwoman Gretchen Hickey

Council President Jorge Alvarez

Mayor Derek Armstead

**APPROVAL OF MINUTES**

Mrs. Hickey moved for approval of the minutes of the Re-Organization Meeting of January 2, 2018. The motion was seconded by Mr. Medina and was unanimously ordered approved by a roll call vote.

**ORDINANCES ON HEARING**

**NONE**

**CONSENT ITEMS**

(\*\*\*) The amount of money collected during the month of December 2017 and turned (1) over to the treasurer’s office is as follows:

2018 Taxes $1,924,103.81

2017 Taxes $1,115,824.85

2016 Taxes $250.00

Garbage Fee Payments $81,994.36

Garbage Fee Penalty $6,715.00

Municipal Lien Redemption $407.93

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 $60.00

Returned Check Fee Garbage Paid $0.00

Returned Sewer Clean out ($100.00)

Returned Sewer Interest ($1.00)

Returned Check 2018 ($7.35)

Returned Check 2017 ($5,799.56)

Returned Check Interest ($71.53)

Returned Online Payment 2017 Taxes ($0.00)

Returned Online Interest ($0.00)

Returned Check Garbage Fee ($120.00)

Returned Check Garbage Fee Penalty ($10.00)

Adv. Before Tax Sale $0.00

State Audit Payment $150.00

Premium $0.00

Sewer Clean out charge $2,270.00

DPW Reso payments $24,981.11

Interest $44,480.03

Total $3,195,127.65

**Credit** Block- 158 Lot- 21

Fakher Badawy

630 E. Blancke Street

Due to an allowed Disabled Persons deduction for 2017, there now exists a credit in the amount of $178.00.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of **$178.00** payable to: Fakher Badawy, 630 E. Blancke Street, Linden, NJ 07036, refunds charging same to account *#*8-01-55-288-999-904.

**Credit** Block- 465 Lot- 14

Marion Reeber

210 Jefferson Avenue

Due to an allowed senior citizen deduction for 2017, there now exists a credit in the amount of $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: Marion Reeber, 210 Jefferson Avenue, Linden, NJ 07036, refunds charging same to account *#*8-01-55-288-999-904.

**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**

7 22 12/14/17 16-00006 $3,100.00

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

check in the amount of $3,100.00 payable to: US Bank Cust for PC6, LLC Sterling National, 50 South 16th Street, Suite #2050, Philadelphia, PA 19102, charging same to account #-8-01-55-276-999-956.

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

following blocks & lots.

**Block Lot Redemption Date CTF# Amount**

29 22 12/26/17 16-00021 $1,700.00

66 11 12/28/17 16-00053 $1,700.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $3,400.00 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 #-8-01-55-276-999-956.

**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**

24 7 12/26/17 14-00020 $1,800.00

309 6 12/14/17 14-00221 $2,500.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $4,300.00, payable to: TTLBL, LLC, Attention: John Lemkey, 4747 Executive Drive, Suite 510, San Diego, CA 92121 charging same to account #-8-01-55-276-999-956.

**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**

86 13 12/11/17 14-00066 $15,000.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $15,000.00 payable to: PFS Financial 1, LLC US Bank Custodian, 50 South 16th Street-Suite 2050, Philadelphia, PA 19102 charging same to account #8-01-55-276-999-956.

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

Block Lot Redemption Date CTF# Amount

105 17 12/29/17 12-00077 $3,100.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $3,100.00 payable to: FWDSL & Associates, LP, Attention: Jared Cucci, 17 W. Cliff Street, Somerville, NJ 08876 charging same to account #-8-01-55-276-999-956.

**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**

179 9 12/18/17 16-00144 $800.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $800.00 payable to Trystone Capital Assets, LLC., 575 Route #-70, 2nd Floor, P.O. Box 1030, Brick, NJ 08723, charging same to account #-8-01-55-276-999-956.

**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**

347 10 12/26/17 16-229 $8,300.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $8,300.00 payable to: KCC Promised Lands, LLC, 2560 Route 22 East, # 175, Scotch Plains, NJ 07076 charging same to account #-8-01-55-276-999-956.

**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**

422 5 11/30/17 14-00278 $5,600.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $5,600.00 payable to US Bank Cust BV Trst 2015-1, 50 South 16th Street, Suite #2050, Philadelphia, PA 19102, charging same to account #-8-01-55-276-999-956.

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

following blocks & lots.

**Block Lot Redemption Date CTF# Amount**

466 19 12/14/17 16-00290 $10,800.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $10,800.00 payable to: Tower DBW VII Trust 2017-1, 500 South 16th Street, Suite 2050, Philadelphia, PA 19102, charging same to account #-8-01-55-276-999-956.

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

**(2)** Advising that the following City of Linden employees have filed for retirement:

**Department** **Employee** **Title** **Date**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Robert | Cheslock | February 1, 2018 | Police Dept | Police Officer |
| Douglas | Zsak | February 1, 2018 | Police Dept | Police Officer |

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

**(3)** Advising that he has appointed the following individuals to the Linden Library

Board:

Robert Sadowski to a four year term commencing January 1, 2018 and expiring December 31, 2021.

Marianthe Manganello shall be appointed to fill the unexpired term of Jay Colucci who has resigned. Ms. Manganello’s term shall commence immediately and terminate December 31, 2020.

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

**(4)** Requesting approval for the following reimbursements:

Service date of 1/27/2017

1. Tyler Schelts is entitled to a refund in the amount of $339.69 for service that was provided on 1/27/2017.

Therefore, it would be in order for the council to authorize the treasurer to issue a check payable to: Tyler Schelts, 1128 E. Cross Street, Galena, MD 21635 charging same to 8-01-55-401-999-918.

1. Maria Lozano-Figueroa is entitled to a refund in the amount of

$ 284.51 for service that was provided on 9/17/2014.

Therefore, it would be in order for the council to authorize the treasurer to issue a check payable to: Maria Lozano-Figueroa, 507 Peach St, Avenel, NJ 07001 charging same to 8-01-55-401-999-918.

1. Aetna is entitled to a refund in the amount of $208.50 for service that was provided on 2/24/2017.

Therefore, it would be in order for the council to authorize the treasurer to issue a check payable to: Aetna, PO Box 14079, Lexington, KY 40512-4079 charging same to 8-01-55-401-999-918.

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

**(5)** Requesting approval of the following bingo/raffle applications which have been

submitted to the City Clerk’s Office

**Application # Organization Raffle Fees**

RA-1800 Soehl Middle School 50/50 $20.00

Mrs. Ormon moved for approval of Consent Agenda items #1 through #5. The motion was seconded by

Mr. Javick, and was unanimously ordered approved by a roll call vote.

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

President Alvarez announced that since was a new year, he would be changing it up a bit, and called upon the Sixth Ward, Mr. Roman, to give his report first.

Sixth Ward

Mr. Roman noted that it has been an interesting two weeks, since he has been sworn-in. He then reviewed his various committee, liaison, and Chairmanship assignments. He went on to state that as part of his Martin Luther King Day activities he joined others, including Senator Joseph Cryan, at Delaire Nursing home to protest the actions of the new owners, of the facility, took regarding the employees. He detailed the concerns and the burdens placed on the employees. Mr. Roman noted that he, and other Linden officials have sent a letter to the new owners asking them to come to the table, and negotiate a fair contract with the employees.

Mr. Roman then spoke about the visit, last Saturday, of Governor-Elect Murphy, to check out the condition of the Linden train station. He noted the various officials who were present, and thanked them all for coming out. He next spoke about his discussions, with Merida, regarding the placement of more dog waste dispensers, for their tenants. Merida has agreed and has ordered them. He informed all that the Police will begin issuing tickets, next week to those failing to pick up after their pets.

Mr. Roman advised all that Merida will help sponsor a community project, in the area, in the near future. More to come on it later. He then detailed his discussion with the Police Traffic Enforcement unit, and they will be ramping up traffic enforcement on Woodlawn Ave and Clinton St. He added that Mrs. Hickey, Chairperson of the Accident Review Committee, has promised that a traffic study, on these two streets, would take place in the near future. He then provided his contact information for residents.

Seventh Ward Report

Before calling on Mr. Strano, the Council President wished Mr. Strano a happy birthday.

Mr. Strano noted that this was his first evening a Chairmen of the Personnel Committee, and that he would be reading the Personnel Report.

Mr. Strano then gave the following report of the Personnel Committee:

1. In the Police Department – the approval to post for a Computer Service Technician (Civil Service Job Description 07605).
2. In the Police Department – approve the retroactive re-employment of Erick Deryce as a Parking Enforcement Officer effective December 30, 2017 at no change in salary or emoluments.
3. In the Police Department – accept the resignations of Alexis McKenzie (effective 1/16/18) and Michael Stuart (effective 12/26/17) as Full Time Dispatchers and approval to appoint two replacements due to said resignations.
4. In the Police Department – approve the change in date for Amanda Williams, New Jersey City University, Student Intern, for the Spring 2018 semester.
5. In the Police Department – approve Police Officer Candidate Michael Stuart’s salary as $56,000, and that his salary be frozen until such time as the negotiated police officer salary schedule exceeds Candidate Stuart’s salary.
6. In the Division of Personnel – the approval of the following FMLA/NJFLA leaves:
7. Employee #000134 FMLA/NJFLA from November 2, 2017 through February 2, 2018
8. Employee #908537 FMLA/NJFLA from January 8, 2018 through April 8, 2018
9. Employee #280 Intermittent FMLA/NJFLA from January 1, 2018 through December 31, 2018.
10. In the Division of Personnel – approval for the carry-over of 2017 vacation days to be utilized no later than March 31, 2018 and not to exceed 7 days per City Policy for the employees on the attached form.
11. In the Division of Public Works – approve the change in title for Robin Larson to Purchasing Assistant at no change in salary (Civil Service Commission abolished the current title of Purchasing Assistant Typing).
12. In the Department of Finance – approve the change in title for Jessica Slawinski to Purchasing Assistant effective January 1, 2017 at the salary of $61,849 (Civil Service Commission abolished the current title of Purchasing Assistant Typing). There shall be a retroactive payment of $5192.31 less applicable deductions, through January 15, 2018.

**#7 POLICE DEPARTMENT**:

**Bonilla, Michelle**

Vacation Day 3

**Burnette, Michael**

Vacation 5

**Condora, John**

Holiday 3

**Diaz, Daniel (2016 & 2017) (workers compensation)**

Vacation 13

**Dudash, Gary**

Vacation 2

**Forfa, Richard**

Vacation 6

**Fortuna, Douglas**

Vacation 1

**Hemenway, Daniel**

Vacation 4

**Horaneck, Gail**

Vacation 1

**Kozak, Pete**

Vacation 5

**Melchionna, Nicole**

Vacation 1

**Oliveira-Mends, Daniel (worker’s compensation)**

Vacation 5

**Scott, Ryan**

Vacation 3

**Toth, Thomas**

Vacation 4

**Velarde, Juan**

Vacation 3

**Vitrano, Jeffrey**

Vacation 7

**Williams, Abdul**

Vacation 1

**SOCIAL SERVICES:**

**MaryEllen Tango**

Vacation 4

**CITY CLERK:**

**Joseph Bodek**

Vacation 4

**BOARD OF HEALTH:**

**Nancy Koblis**

Vacation 7

**Sandra Darrar**

Vacation 2

**Arlene Palmer**

Vacation 4

**MAYOR’S OFFICE:**

**Rebecca Tattoli**

Vacation 4

**LeAnne White**

Vacation 2

**PUBLIC PROPERTY**

**John Weidele (Workers Compensation)**

Vacation 30

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

Mr. Strano reported, that he had been contacted, by a Clinton St resident, who complained about speeding vehicles on their street. He noted that a number of the vehicles were workers, hired by contractors, doing a project at the refinery. He informed all that he had contacted Mayor Armstead and Chief Hart, and the police began ticketing to address the issue. He thanked both for the assistance, and the resident who contacted him.

Eighth Ward

Mrs. Yamakaitis stated she wanted to comment about the calls, and social media post, last week about the banging noises coming from the refinery. She had reached out to the public affairs representative of the refinery. She then read a statement, from that person, explaining the noises, which, while not routine, had to do with the flaring, and were considered normal. It was noted that similar noises would be heard in the upcoming months. Mrs. Yamakaitis asked all to be patient.

Mrs. Yamakaitis spoke about graffiti tagging, and the difficulty in addressing them, during this cold weather. She noted several location, where she had spotted graffiti, and reported it. Next she spoke about Eighth Ward community meetings, and the request of the Police Department, for individual to register their home security cameras. It enables the police to request to view the tape, when a crime, like graffiti, occurs in the neighborhood.

Mrs. Yamakaitis noted that Public Works patched the holes, on Park Ave, this morning, and how difficult it was due to the traffic. She thanked the individuals who did the job. Mrs. Yamakaitis announced that the Mayor’s Youth Commission was conducting a candle fundraiser, provided details on the event, and how to support it. She then announced the details on the next meeting of the Commission, and invited anyone, willing to come and help out, to come and join.

Ninth Ward

Mr. Medina noted this was a fresh change, as usually when it gets to him all had been covered in reports given by others. He thanked the Council President. Mr. Medina noted that he did not have a library report, this month, but urged residents to visit the library.

Mr. Medina stated that he had been getting calls regarding potholes. DPW is filling them as best they can. He then thanked DPW for the great job they did during the recent snow storm. He then discussed an issue affecting residents of Berwood Rd., from a pathology lab located in the Cranford Industrial Park. With the assistance of Cranford officials the problem has been resolved. He provided his contact information, for residents wishing to reach him.

Tenth Ward

Mrs. Hickey noted that she was excited for 2018, as she was serving on many committees. She thanked her fellow Councilmembers for giving her the opportunity to serve on these committees, and the Council President for giving her the opportunity to chair a number of them. She spoke about the various committees, and provided some updates. Next she spoke about Shade Tree and the lack of notification to Councilpersons, and residents, about when and where trees were being planted. Mrs. Hickey hoped that there would be better communication when it came to planting trees on properties.

Mrs. Hickey then gave the report of the City Clerk’s office for the month of December. A total of $5027.40, was collected. Next she gave the report of the City Clerk’s office for the year of 2017. A total of $63,879.28 being collected for the year. Next she gave the report of the Fire Prevention Bureau, where a total of $2,910.57 was collected for the month of December. The ambulance reimbursement systems collected a total of $46,228.48 for December, with a total of $765,500.75 collected for the year.

Mrs. Hickey announced that the members of the Linden Fire Departments D Platoon have been selected to receive an award from the Union County Human Relation Commission on May 7, 2018. She explained the reasons for the nomination and award. She commented on how amazing our fireman are.

Next Mrs. Hickey provided an update on the work being done by the utility companies in the Ninth and Tenth Wards, noting that the work should be finishing up soon. Adding that a lot of paving work would be done, next year, to restore the streets dug up. In conclusion Mrs. Hickey announced the details of the Linden Housing Authority’s Annual Casino Night to be held on Saturday, January 27th.

First Ward

Mrs. Ormon spoke about the Committees that she would be serving on this year. Next she thanked Chief Hart, and a number of the members of the Police Department for participating in the community meeting held this past Saturday, for the First and Third Wards. She added that Sandra Vazquez did a presentation on the Municipal Alliance, and thanked Ms. Vazquez for her presentation. Next she spoke about the meeting and how it was a family friendly meeting.

Mrs. Ormon thanked Frank Dann, the new director of Community Services, for his efforts during the recent major snow fall. She talked about her observances of what went on that day. She also thanked the staff of DPW for the job they did. Mrs. Ormon then spoke about the need for citizens to report potholes so that they can repaired as fast as possible. She also spoke about snow emergency routes, the rules regarding parking, during snow storms and that cars will be towed. Mrs. Ormon asked the residents of the First Ward to pull their cars off of the streets, to make the job of snow plowing easier. She informed residents, of rental units, on how to deal with lack of heat.

Mrs. Ormon spoke about the recent closing of Sam’s Club, and the loss of jobs for many individuals. She also urged residents to report issues to her, or the proper departments, and not to use other venues. In that way, the can be address in the right way. She also announced that another community meeting would be held, next month, this time partnering with the Second Ward, at the JTG Center.

Second Ward

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

1. The payment of bills totaling $1,289,058.16, 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 December at the rate of 1.00%.

Mr. Javick moved for approval of the report. The motion was seconded by Mrs. Ormon and was ordered approved, by a roll call vote, with all voting yes except Mrs. Cosby who voted no.

Mr. Javick thanked Mr. Dann, and the DPW for keeping the Second Ward looking good through the snow storm. He also noted that Mr. Dann has assured him that all incomplete projects, will be addressed as soon as the weather permits. He added that the DPW will also have crews out sealing and filling the roads. Mr. Javick then thanks Mr. Brown for his efforts regarding improving and repairing the Linden train station. He then provided updates on the various redevelopment projects in the Second Ward.

Third Ward

Mr. Brown noted the committees that he would be serving on in 2018. Next he spoke about the Municipal Alliance and its role. He then provided details on the First and Third Ward Community meeting held this past Saturday. He noted that the First, Second and Third Wards, in some combination was looking to have a meeting every month.

Fourth Ward

Mr. Mohammed noted that he was Chairman of the Law Committee, and had received correspondence from the Mayor requesting that Cassandra Corbett be reappointed Chief Municipal Judge and that Susan M. MacMullan be the Associate Municipal Judge. Council will vote on these recommendations, when they vote on resolutions. He commended Mr. Frank Dann for the job he is doing, and provided his contact information for residents of the Fourth Ward. He noted that it was his intention to visit each resident of the Fourth Ward, every quarter.

Fifth Ward

Ms. Cosby stated that she was so glad to hear Council reports, at the First meeting, and hoped that it would continue throughout the year. She then noted her Committee assignments for 2018. Ms. Cosby noted that the Construction Code Department issued a number of summons to people who failed to shovel their snow, after the last storm. She asked all to be mindful that they are required to shovel the snow within twelve hours of the end of the storm.

Ms. Cosby informed residents of work to be done on the Hussa Street culvert and the detours that would take place as a result. Next she noted that, as in the past, she had bought two tickets to the Housing Authority’s Casino Night, and will be raffling them tonight, to Fifth Ward Residents who had contacted her and expressed an interest. She called upon Mrs. Hickey to pull the winning ticket, which she did. She urged individuals to come out and support the event.

Mrs. Cosby spoke about February 15th being the Seventh Annual Celebration of Black History, noted this year’s event will feature local residents, will be held at the Multi-Purpose Center, and provided details on the event. Next she announced that the regular Fifth Ward Community meeting would be held on February 22nd. Next she noted that she had planned her calendar, for the year, and sent it out to Council and the departments, to try and avoid conflicts. She spoke about some of the activities that are planned. She provided her contact information and how to sign up for her free text alerts.

**MAYOR’S REPORT**

Mayor Armstead first spoke in support of the employees, at Delaire Nursing Home, and the labor actions that were taking place. He talked about the new ownership and how they were treating the employees, particularly on the issue of Health Benefits. Next he spoke about the closing of the Linden Sam’s Club store, how he had only received notification, from corporate, that morning, One hundred eighty-seven (187) employees were laid off, and were only told that morning, when they arrived for work. Mayor Armstead announced that he would be holding a job fair, for these people, and spoke about his reasoning, even though some of them were not Linden residents.

Mayor Armstead thanked Mrs. Ormon and Mr. Brown for hosting a community meeting, for their wards, on public safety. He also thanked Chief Hart for all of his assistance, with this meeting. Next he spoke about the recent snow storm, and praised Mr. Dann for efforts to clear the streets of Linden of snow. The Mayor then spoke about the Linden train station, and the efforts of Mr. Brown to bring these conditions to the proper people’s attention. He reported on Governor-elect Murphy’s visit, and his hopes to get state assistance to build a new train station for Linden.

**RESOLUTIONS**

**President Alvarez Statedpublic comments will be permitted for those**

**specific resolutions to be removed from the consent approval. Please read**

**the synopsis of the resolutions, which have been prepared by the City Clerk’s**

**office. Each is informative and Self-explanatory However, if you wish to**

**address a specific resolution, the Council, will entertain questions on it.**

President alvarez moved to remove resolutions #2018-55 and #2018-82 from

consideration. The motion was seconded by Mrs. Ormon and was unanimously ordered approved by a roll call vote.

Virginia Malik, 1633 Lenape Rd. Ms. Malik removed 2018 resolutions, #30, #34, #37, #38, #43, #45, #48, #49, #50, #51, #54, #58, #59, #80, and #81.

John Principato, 1706 Westover Rd. Mr. Principato removed 2018 resolutions #30, #37, #45, #48, #59, and #69.

Craig Heller. Mr. Heller removed 2018 resolutions #48 and #59.

Mr. Brown moved resolutions #2018-23 through #2918-83, with the exception of #2018-30, 34, 37, 38, 43, 45, 48, 49, 50, 51, 54, 58, 59, 80, 81 and 69. The motion was seconded by Mr. Javick and was ordered approved by a roll call vote, with all voting in favor except Mrs. Hickey, who voted no to #2018-53.

**RESOLUTION: 2018-23**

**RESOLUTION AUTHORIZING ACTING MUNICIPAL PROSECUTORS**

**FOR LINDEN MUNICIPAL COURT FOR 2018**

**WHEREAS,** pursuant to Chapter 349 of the Laws of 1999 (the “Municipal Prosecutor’s Act”) a municipality must designate a substitute Municipal Prosecutor to provide for representation of the State of New Jersey in Municipal Court matters where the regular Municipal Prosecutor is absent or unavailable; and

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

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

**WHEREAS** Steven H. Merman, Esq., Moshood Muftau, Esq., Drew J. Bauman, Esq., Emilie T. Ngo, Esq., Norman W. Albert, Esq., Elijah Johnson, Jr., Esq., William T. Donegan, Esq., and the Aloia Law Firm, LLC submitted qualifications to the City and has qualified for the aforesaid services for 2018; and 

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that Steven H. Merman, Esq., Moshood Muftau, Esq., Drew J. Bauman, Esq., Emilie T. Ngo, Esq., Norman W. Albert, Esq., Elijah Johnson, Jr., Esq., William T. Donegan, Esq., and the Aloia Law Firm, LLC be and hereby are appointed, designated and empowered to serve as temporary Municipal Prosecutors for the Linden Municipal Court on an as needed basis, for 2018; and

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

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents, if needed, between each Law Firm/Attorney and the City of Linden; and

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk be and hereby are empowered and directed to execute such contracts, if needed, with each of the Law Firms/Attorneys to effectuate the foregoing;

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

**RESOLUTION: 2018-24**

**RESOLUTION APPOINTING AN ACTING**

**PUBLIC DEFENDER FOR 2018**

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

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

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

**WHEREAS,** the Governing Body of the City of Linden has determined it to be in its best interest to have agreements with several attorneys for the purposes herein expressed; and

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

**WHEREAS**, Edward S. Cooper, Esq. submitted qualifications to the City and have qualified for the aforesaid services for 2018; and 

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

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LINDEN** that the Edward S. Cooper, Esq. be and are hereby each appointed to serve as Public Defenders, on an as needed basis, in the event of a conflict of interest of the part of the Municipal Public Defender and/or as temporary Municipal Public Defender for the year 2018.

**BE IT FURTHER RESOLVED** that for said services Edward S. Cooper, Esq. shall receive a fee of $300.00 per court appearance for conflict of interest matters, and $300.00 per Municipal Court session as acting as temporary Municipal Public Defender for such matters as may be assigned, with a total fee of not to exceed $5,000.00, and the Chief Financial Officer or his designee has certified to the availability of funds for this purpose, to be charged to Account No. T-03-56-806-000-126; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents, if needed, between Edward S. Cooper, Esq. and the City of Linden; and

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk be and hereby are empowered and directed to execute such contracts, if needed, with Edward S. Cooper, Esq. to effectuate the foregoing; and

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

**RESOLUTION: 2018-25**

**RESOLUTION APPOINTING AN ACTING**

**PUBLIC DEFENDER FOR 2018**

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

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

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

**WHEREAS,** the Governing Body of the City of Linden has determined it to be in its best interest to have agreements with several attorneys for the purposes herein expressed; and

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

**WHEREAS**, Thomas J. Koehl, Esq. submitted qualifications to the City and have qualified for the aforesaid services for 2018; and 

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

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LINDEN** that the Thomas J. Koehl, Esq. be and are hereby each appointed to serve as Public Defenders, on an as needed basis, in the event of a conflict of interest of the part of the Municipal Public Defender and/or as temporary Municipal Public Defender for the year 2018.

**BE IT FURTHER RESOLVED** that for said services Thomas J. Koehl, Esq. shall receive a fee of $300.00 per court appearance for conflict of interest matters, and $300.00 per Municipal Court session as acting as temporary Municipal Public Defender for such matters as may be assigned, with a total fee of not to exceed $5,000.00, and the Chief Financial Officer or his designee has certified to the availability of funds for this purpose, to be charged to Account No. T-03-56-806-000-126; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents, if needed, between Thomas J. Koehl, Esq. and the City of Linden; and

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk be and hereby are empowered and directed to execute such contracts, if needed, with Thomas J. Koehl, Esq. to effectuate the foregoing; and

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

**RESOLUTION: 2018-26**

**RESOLUTION APPOINTING AN ACTING**

**PUBLIC DEFENDER FOR 2018**

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

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

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

**WHEREAS,** the Governing Body of the City of Linden has determined it to be in its best interest to have agreements with several attorneys for the purposes herein expressed; and

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

**WHEREAS**, Charney & Roberts, LLC submitted qualifications to the City and have qualified for the aforesaid services for 2018; and 

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

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LINDEN** that the Charney & Roberts, LLC be and are hereby each appointed to serve as Public Defenders, on an as needed basis, in the event of a conflict of interest of the part of the Municipal Public Defender and/or as temporary Municipal Public Defender for the year 2018.

**BE IT FURTHER RESOLVED** that for said services Charney & Roberts, LLC shall receive a fee of $300.00 per court appearance for conflict of interest matters, and $300.00 per Municipal Court session as acting as temporary Municipal Public Defender for such matters as may be assigned, with a total fee of not to exceed $5,000.00, and the Chief Financial Officer or his designee has certified to the availability of funds for this purpose, to be charged to Account No. T-03-56-806-000-126; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents, if needed, between Charney & Roberts, 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 such contracts, if needed, with Charney & Roberts, LLC to effectuate the foregoing; and

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

**RESOLUTION: 2018-27**

**RESOLUTION APPOINTING AN ACTING**

**PUBLIC DEFENDER FOR 2018**

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

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

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

**WHEREAS,** the Governing Body of the City of Linden has determined it to be in its best interest to have agreements with several attorneys for the purposes herein expressed; and

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

**WHEREAS**, Michelle D. Welsh, Esq. of the firm Lubiner Schmidt & Palumbo LLC submitted qualifications to the City and have qualified for the aforesaid services for 2018; and 

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

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LINDEN** that Michelle D. Welsh, Esq. of the firm Lubiner Schmidt & Palumbo LLC be and are hereby each appointed to serve as Public Defenders, on an as needed basis, in the event of a conflict of interest of the part of the Municipal Public Defender and/or as temporary Municipal Public Defender for the year 2018.

**BE IT FURTHER RESOLVED** that for said services Michelle D. Welsh, Esq. of the firm Lubiner Schmidt & Palumbo LLC shall receive a fee of $300.00 per court appearance for conflict of interest matters, and $300.00 per Municipal Court session as acting as temporary Municipal Public Defender for such matters as may be assigned, with a total fee of not to exceed $5,000.00, and the Chief Financial Officer or his designee has certified to the availability of funds for this purpose, to be charged to Account No. T-03-56-806-000-126; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents, if needed, between Michelle D. Welsh, Esq. of the firm Lubiner Schmidt & Palumbo 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 such contracts, if needed, with Michelle D. Welsh, Esq. of the firm Lubiner Schmidt & Palumbo LLC to effectuate the foregoing; and

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

**RESOLUTION: 2018-28**

**RESOLUTION AMENDING THE CONTRACT WITH**

**APPRAISAL CONSULTANTS CORP. FOR THE APPRAISAL**

**OF BLOCK 91, LOT 4 MORE COMMONLY KNOWN AS 1109 UNION STREET IN THE CITY OF LINDEN**

**WHEREAS**, the City of Linden passed a Resolution, No. 2017-164 dated March 21, 2017 retaining the services of Appraisal Consultants Corp. for the appraisal of Block 91, Lot 4, more commonly known as 1109 Union Street; and

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

**WHEREAS**, Appraisal Consultants Corp. submitted a qualification to the City and has qualified for the aforesaid services for 2017; and

**WHEREAS**, due to the ongoing nature of the various tax appeals, it is necessary to provide for additional funds for said purpose in an amount not to exceed $9,180.00; and

**WHEREAS,** inclusive of these additional funds the total expenditures paid to date to Appraisal Consultants Corp. for services rendered under the said contract is $12,680.00; and

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

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that the agreement for Professional Services awarded to Appraisal Consultants Corp., Presidential Center, 293 Eisenhower Parkway, Livingston, New Jersey 07039 is hereby amended to increase the contract by the additional sum of $9,180.00, for a total contract of $12,680.00; and

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

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk be and hereby are empowered and directed to execute said amendatory agreement with Appraisal Consultants, Corp. to effectuate the foregoing; and

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

**Resolution**: **2018-29**

**RESOLUTION AMENDING THE CONTRACT WITH NW FINANCIAL GROUP INC. AS FINANCIAL AND INVESTMENT ADVISORS TO THE**

**CITY OF LINDEN, NEW JERSEY**

**WHEREAS,** the City Council of the City of Linden passed a Resolution on January 3, 2017 retaining the services of NW Financial Group, Inc., as financial and investment advisors to 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 $20,000.00 for 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** NW Financial Group, Inc. submitted a qualification to the City and has qualified for the aforesaid services for 2017; and

**WHEREAS,** inclusive of these additional funds the total expenditures paid to date to NW Financial Group, Inc. for services rendered under the original or substantially related contract is $65,000.00; and

**WHEREAS,** the Chief Financial Officer or his designee has certified to the availability of funds for this purpose, to be charged to Account No. 7-01-20-130-115-255;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that they do hereby approve the additional amount not to exceed $20,000.00 for services rendered by NW Financial Group, Inc. and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary amendatory contract documents between NW Financial, 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 for Professional Services consistent with the above; and

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

**RESOLUTION: 2018-30**

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

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

Section 1. That the City of Linden hereby appoints **DEREK ARMSTEAD,** residing in the City of Linden, New Jersey an alternate member of the Union County Development Revenue Sharing Committee for a (1) one year term commencing January 1, 2018 and terminating December 31, 2018 until his successor has been appointed and qualifies. Said appointment is without any monetary stipend.

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

Virginia Malick, 1633 Lenape Rd. Ms. Malick asked what does the Union County Revenue Sharing Committee do. Mr. Bodek responded.

John Principato, 1706 Westover Rd. Mr. Principato asked for further clarification on the role of the UC Revenue Sharing Committee. Mr. Bodek and Mr. Antonelli provided responses. Mr. Principato asked if this has anything to do with the redevelopment program that was out of Linden, because of certain issues. Mr. Principato asked if the Mayor’s sitting on this was a conflict of interest. Mr. Antonelli responded that it certainly was not. The Mayor noted that each fights to make sure their town gets their fair share.

See the vote after 2018-81

**RESOLUTION: 2018-31**

**CITY OF LINDEN RESOLUTION**

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

12/1/17 Workers Comp. claims 31,922.72

12/1/17 Payroll payroll 1,995,612.09

12/6/17 Workers Comp. claims 12,978.80

12/6/17 Medco claims 90,359.96

167998 12/7/17 Bruce Riccitelli Men’s Christmas party 495.00

167996 12/7/17 Kiczek Kazimierz REPLACEMENT CK 92.99

168000 12/11/17 National Tree Company LMPC 171.88

167999 12/11/17 Councilwoman Cosby NJLM reimb. 422.38

12/11/17 City Dental Dec. premium 38,715.33

12/11/17 Sewerage “ 2,886.25

12/11/17 Housing “ 1,214.87

12/11/17 Library “ 900.31

12/11/17 Cobra “ 207.86

12/11/17 SHBP Retirees “ 629,580.08

12/11/17 SHBP Active Oct. premium 658,366.20

12/13/17 Workers Comp. claims 50,548.12

12/15/17 Payroll payroll 1,732,507.03

12/19/17 Medco claims 69,647.79

12/19/17 Workers Comp. claims 28,089.10

12/27/17 Workers Comp. claims 59,574.91

168514 12/28/17 UCIA admin fee 5,200.00

168513 12/28/17 Comcast lease 898.50

168512 12/28/17 Annmarie Whelan petty cash reimb. 41.13

12/29/17 Payroll payroll 1,806,282.70

**TRUST**

12/1/17 Payroll payroll 60,974.57

12/15/17 Payroll payroll 36,541.27

12/29/17 Payroll payroll 36,183.27

**GRANT**

12/1/17 Payroll payroll 6,057.40

12/15/17 Payroll payroll 8,112.09

12/29/17 Payroll payroll 7,043.54

**SANITARY LANDFILL**

12/1/17 Payroll payroll 2,560.00

12/15/17 Payroll payroll 2,560.00

12/29/17 Payroll payroll 2,560.00

**CAPITAL**

12/1/17 Payroll payroll 2,836.63

167997 12/7/17 P&A Const. REPLACEMENT CK 74,456.55

12/15/17 Payroll payroll 668.49

12/29/17 Payroll payroll 1,407.95

**UNEMPLOYMENT**

12/1/17 Payroll payroll 112.96

12/15/17 Payroll payroll 108.69

12/29/17 Payroll payroll 128.48

**RESOLUTION: 2017-32**

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

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

Section 1. That the City of Linden hereby appoints **JOSEPH CHROBAK,** residing in the City of Linden, New Jersey a member of the Union County Development Revenue Sharing Committee for a (1) one year term commencing January 1, 2018 and terminating December 31, 2018 until his successor has been appointed and qualifies. Said appointment shall be with a $2,500.00 stipend.

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

**RESOLUTION: 2018-33**

**RESOLUTION AUTHORIZING THE CITY OF LINDEN TO ENTER AN AGREEMENT WITH THE COUNTY OF UNION COOPERATIVE PRICING SYSTEM FOR THE PURCHASE OF WORK, MATERIALS AND SUPPLIES 2018**

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

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

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

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

**WHEREAS, The City of Linden in the County of Union, desires to participate in the Union County Cooperative Pricing Agreement for 2018 at no cost to the City of Linden.**

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

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

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

**RESOLUTION: 2018-34**

**A Resolution AUTHORIZING THE CITY OF linden TO PARTICIPATE IN THE U.S. COMMUNITIES NATIONAL CO-OP AT NO COST for 2018**

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

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

**WHEREAS**, the U.S. COMMUNITIES NATIONAL CO-OP, hereafter referred to as the Lead Agency, has offered voluntary participation in a renewal of its Cooperative Pricing System for the purchase of work, materials and supplies; and

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

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

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

Virginia Malick, 1633 Lenape Rd. Ms. Malik asked what this is. Mr. Bodek provided an explanation.

See the vote after 2018-81

**RESOLUTION: 2018-35**

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

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

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

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

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

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

**BE IT FURTHER RESOLVED** that the duration of the contracts between the City of Linden and the State Contract Vendors shall be from January 1, 2018 – December 31, 2018.

**RESOLUTION: 2018-36**

**RESOLUTION AUTHORIZING THE CITY OF LINDEN TO ENTER AN AGREEMENT WITH THE COUNTY OF SOMERSET COOPERATIVE PRICING SYSTEM FOR THE PURCHASE OF WORK, MATERIALS AND SUPPLIES FOR 2018**

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

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

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

**WHEREAS, The City of Linden desires to become a member of the Somerset County Cooperative Pricing System #2-SCOOP, effective January, 2018 and each renewal at no cost to the City of Linden, thereafter of the system, unless The City of Linden elects to formally withdraw from the system; and**

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

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

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

**RESOLUTION: 2018-37**

**A RESOLUTION REAPPOINTING ANNMARIE WHELAN AS QUALIFIED PURCHASING AGENT**

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

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

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

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

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

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

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

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

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

Virginia Malick, 1633 Lenape Rd. Ms. Malik asked if this was a new person, Mrs. Zack responded.

John Principato, 1706 Westover Rd. Mrs. Zack responded to Mr. Principato’s questions.

See the vote after 2018-81

**RESOLUTION: 2018-38**

**A Resolution AUTHORIZING THE CITY OF linden TO PARTICIPATE IN THE NATIONAL JOINT powers alliance (njpa) for 2018**

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

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

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

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

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

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

Virginia Malick, 1633 Lenape Rd. Ms. Malik made a statement regarding a recent mailing, she received, about a power program, and opting out.

See the vote after 2018-81

**RESOLUTION: 2018-39**

**RESOLUTION AUTHORIZING THE CITY OF LINDEN TO ENTER AN AGREEMENT WITH THE EDUCATIONAL SERVICES COMMISSION (MIDDLESEX COUNTY) COOPERATIVE PRICING SYSTEM FOR THE PURCHASE OF WORK, MATERIALS AND SUPPLIES FOR 2018**

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

**WHEREAS, The Educational Services Commission (Middlesex County) Cooperative Pricing System has established a voluntary cooperative pricing system for the purchase of work, materials and supplies; and**

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

**WHEREAS, The City of Linden desires to become a member of the Educational Services Commission (Middlesex County) Cooperative Pricing System (MRCPS) “65MCESCCPS”, effective January 2018, and each renewal at no cost to the City of Linden, thereafter of the system, unless The City of Linden elects to formally withdraw from the system; and**

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

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

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

**RESOLUTION: 2018-40**

**RESOLUTION AUTHORIZING THE CITY OF LINDEN TO ENTER AN AGREEMENT WITH THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL(MCCPC) FOR THE PURCHASE OF WORK, MATERIALS AND SUPPLIES FOR 2018**

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

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

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

**WHEREAS, The City of Linden desires to become a member of the Morris County Cooperative Pricing Council (MCCPC), effective January 17, 2018 for an annual fee of $1,100.00; and**

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

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

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

**RESOLUTION: 2018-41**

**A RESOLUTION AUTHORIZING THE CITY OF LINDEN TO ENTER INTO A COOPERATIVE PRICING SYSTEM FOR THE YEAR 2018**

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

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

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

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

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

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

**CITY OF LINDEN** as follows:

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

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

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

4. This Resolution shall take effect immediately upon passage.

**RESOLUTION: 2018-42**

**RESOLUTION ACCEPTING THE RESIGNATION OF JOSETTE SOLLIVAN AS A MEMBER OF THE BOARD OF HEALTH**

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

That **JOSETTE SOLLIVAN,** a resident of the City of Linden, New Jersey, has tendered her resignation, on December 1, 2017, as a member of the Board of Health of the City of Linden, and said resignation is hereby accepted effective as of the date of this resolution.

**RESOLUTION: 2018-43**

**RESOLUTION AWARDING A CONTRACT TO EPG BROKERAGE FOR VOYA FINANCIAL RETIREMENT PLANNING SPECIALIST SERVICES FOR 2018**

**WHEREAS,** there exists a need for the provision of Retirement Planning Specialist Services for the City of Linden’s Deferred Compensation Plan for the period of January 1, 2018 through December 31, 2018; and

**WHEREAS,** pursuant to N.J.S.A. 19:44A-20 et seq., this Council determined to implement a “fair and open process” for the procurement of such services; and

**WHEREAS,** a “Request for Proposals” (RFP) was issued on October 4, 2017 and responses were received on November 2, 2017; and

**WHEREAS,** having considered the recommendation of the Finance Committee, this Council has determined that a contract for said services be awarded to EPG Brokerage; and

**WHEREAS,** EPG Brokerage, 333 Thornall Street Suite 9B Edison, NJ 08837 , has agreed to provide the necessary services as outlined above at no cost to the City; and

**WHEREAS,** N.J.S.A. 40A:11-5(1) authorizes Council to award a contract without competitive public bidding if the subject matter consists of an exception to such requirements as set forth therein; and

**WHEREAS,** the consulting and related services to be provided herein constitute an exception to the public bidding requirements of the Local Public Contracts Law under N.J.S.A. 40A::11-5(1)(m);

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** a contract is hereby awarded to EPG Brokerage, pursuant to a fair and open process, and to provide the necessary services as outlined above at no cost to the City; and

**BE IT FURTHER RESOLVED** that the Mayor is hereby authorized to execute said contract upon further approval by the Law Department for the aforesaid service.

Virginia Malick, 1633 Lenape Rd. In response to Ms. Malik’s questions, about who is paying for this service, Mrs. Zack provided an explanation.

See the vote after 2018-81.

**RESOLUTION: 2018-44**

**RESOLUTION TO ESTABLISH A**

**DEDICATION BY RIDER FOR VARIOUS PARK DONATIONS**

**WHEREAS,** the City of Linden has received a donation from Southern Company Gas, in the amount of $6,528.00, for; and

**WHEREAS,** these funds will be deposited into a dedicated fund to be used specifically for park improvements;

**WHEREAS,** under N.J.S.A. 40A:5-29 any local unit is authorized and empowered to accept bequests, legacies and gifts made to it;

**NOW, THEREFORE, BE IT RESOLVED** that such revenue received by the municipality be placed in a specific trust fund and such trust fund shall be considered a **“DEDICATION BY RIDER”** to the budget of the City of Linden per N.J.S.A. 40A:4-39 for the sole purpose stated above.

**RESOLUTION:2018-45**

**RESOLUTION APPROVING A CONTRACT WITH KEY TECH FOR TESTING AND INSPECTION OF MATERIALS FOR ANNUAL CONSTRUCTION PROGRAM FOR 2018**

**WHEREAS,** there exists a need for the testing and inspection of materials, under the supervision of a professional engineer, relative to the City of Linden’s annual construction program for 2018; and

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

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

**WHEREAS**, Key Tech submitted a qualification to the City and has qualified for the aforesaid services for 2018; and

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

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that a contract for Professional Services be and hereby is awarded to Key Tech, 210 Maple Place, P.O. Box 48, Keyport, New Jersey 07735, at a fee not to exceed $10,000.00, in accordance with their proposal dated October 26, 2017, ; and

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

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

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

Virginia Malick, 1633 Lenape Rd. Ms. Malik asked why this outside firm is needed, and can’t be handled internally. Mrs. Zack and Mr. Bodek provided response.

John Principato, 1607 Westover Rd. Asked what construction program is being discussed. President Alvarez responded, any program being run by the City.

See the vote after 2018-81

**RESOLUTION: 2018-46**

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

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

Section 1. That the City of Linden hereby appoints **CHRISTINE FIGUEIREDO,** residing in the City of Linden, New Jersey an alternate member of the Union County Development Revenue Sharing Committee for a (1) one year term commencing January 1, 2018 and terminating December 31, 2018 until her successor has been appointed and qualifies. Said appointment is without any monetary stipend.

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

**RESOLUTION: 2018-47**

**A RESOLUTION APPOINTING BARRY JAVICK A**

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

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

**ONE YEAR EXPIRING DECEMBER 31, 2018.**

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

Section 1. Barry Javick, Councilman of the 2nd Ward of the City of Linden, be and he hereby is appointed to serve as Class III member of the Planning Board of the City of Linden for a term commencing January 1, 2018 and terminating December 31, 2018.

**RESOLUTION:** **2018-48**

**RESOLUTION AWARDING A CONTRACT FOR ALTERNATE**

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

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

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

**WHEREAS**, Robert Renaud, Esq. of the firm Palumbo, Renaud & DeAppolonio, LLC submitted a qualification to the City and has qualified for the aforesaid services for 2017; 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. 8-01-20-156-117-271;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that a contract for Professional Services be and hereby is awarded to Robert Renaud, Esq. of the firm Palumbo, Renaud & DeAppolonio, LLC , 190 North Avenue East, Cranford, New Jersey 07016, at a fee not to exceed $10,000.00;

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents between Robert Renaud, Esq. of the firm Palumbo, Renaud & DeAppolonio, 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 said agreement with the Robert Renaud, Esq. of the firm Palumbo, Renaud & DeAppolonio, LLC to effectuate the foregoing; and

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

Virginia Malick, 1633 Lenape Rd. Ms. Malik asked why we need a tax counsel that is special. Mr. Antonelli provided an explanation. Mr. Antonelli referenced the resolution appointing a tax counsel, and distinguished between the assignments give to each.

John Principato, 1607 Westover Rd. Mr. Principato noted that his questions were answered.

See the vote after 2018-81

**RESOLUTION: 2018-49**

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

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

That Peter Brown**,** 800 Clark Street , Linden, County of Union and State of New Jersey, be and he hereby is appointed a member of the Board of Trustees of the City of Linden District Management Corporation according to an ordinance entitled, "AN ORDINANCE TO CREATE A SPECIAL IMPROVEMENT DISTRICT WITHIN THE CITY OF LINDEN AND TO ESTABLISH THE CITY OF LINDEN DISTRICT MANAGEMENT CORPORATION PURSUANT TO N.J.S.A. 40:56-65, ET SEQ.", Ordinance No. 31-63, adopted on October 19, 1994, to serve a one (1) year term, commencing January 1, 2018 and expiring December 31, 2018, and until his successor is appointed and qualifies.

Virginia Malick, 1633 Lenape Rd. Asked who the appointment was. President Alvarez responded Mr. Brown. Mr. Roman noted that he had requested the assignment, and that request was defeated in a vote in caucus.

See the vote after 2018-81

**RESOLUTION: 2018-50**

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

**TRENK, DIPASQUALE, DELLA FERA & SODONO FOR SPECIAL BANKRUPTCY COUNSEL SERVICES FOR 2018**

**WHEREAS,** the City Council of the City of Linden has determined that it would be in the best interests of the City of Linden to retain the services of Special Counsel to represent the City in connection with certain bankruptcy issues; and

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

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

**WHEREAS,** Trenk, DiPasquale, Della Fera & Sodono, P.C. submitted a qualification to the City and has qualified for the aforesaid services for 2018; 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. 8-01-20-155-123-255;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that an agreement for Professional Services be and hereby is awarded to the firm of Trenk, DiPasquale, Della Fera & Sodono, P.C., 347 Mt. Pleasant Avenue, Suite 300, West Orange, New Jersey 07052 at a fee not to exceed $7,000.00 at the rate of $150.00 to $175.00 per hour; and

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

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk be and hereby are empowered and directed to execute said agreement with Trenk, DiPasquale, Della Fera & Sodono, P.C. to effectuate the foregoing; and

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

Virginia Malik, 1633 Lenape Rd. Ms. Malik asked for an explanation of the bankruptcy that is being discussed here. Mr. Antonelli provided an explanation, and how it protects the City’s interest.

See the vote after 2018-81

**RESOLUTION: 2018-51**

**STATE CONTRACT RESOLUTION FOR MAINTENANCE SERVICES - POLICE & FIRE SYSTEMS FROM QUEUES ENFORTH DEVELOPMENT, INC. FOR 2018**

**WHEREAS**, the City of Linden wishes to obtain maintenance services for Police and Fire systems from an authorized vendor under the State of New Jersey contract A83889 awarded to Queues Enforth Development, Inc., 92 Montvale Avenue Suite 4350, Stoneham, MA 02180-3647 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**, Queues Enforth Development, Inc. has been awarded Contract No A83889 for the provision of radio communications accessories and service; 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 $44,328.00 and,

**WHEREAS**, the Chief Finance Officer has certified the availability of funds for this contract, which will be charged to account number 8-01-25-250-314-273.

**NOW THEREFORE BE IT RESOLVED** by the City of Linden that Queues Enforth Development, 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.

Virginia Malick, 1633 Lenape Rd. Mrs. Zack responded to the questions, and explained what the systems were that the subject of the resolution. Mr. Brown assisted.

See the vote after 2018-81

**RESOLUTION: 2018-52**

**A RESOLUTION APPROVING THE AGREEMENT**

**DATED JANUARY 1, 2018 BETWEEN THE CITY OF LINDEN**

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

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

**OF LINDEN**

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

That the Agreement dated the First day of January, 2018 between the City of Linden as the first party and Visiting Nurse and Health Services as the second party submitted by the Department of Community Services with the request that same be executed and that same hereby is approved and authorized to be executed on behalf of the City of Linden in the usual manner.

**RESOLUTION: 2018-53**

**RESOLUTION APPOINTING PETER BROWN AS CHAIRPERSON**

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

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

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

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

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

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** that they do hereby designate Peter Brown as Chairperson of the Board of Trustees of the Linden District Management Corporation for a term of one year commencing January 1, 2018 and terminating December 31, 2018, and until his successor is appointed and qualifies.

**RESOLUTION: 2018-54**

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

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

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

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

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

**WHEREAS,** the cost to the City of Linden for said services will be $10,000.00 for the period of December 15, 2017 through December 14, 2018; 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. 8-01-20-120-103-275;

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

1. The Mayor and City Clerk are hereby authorized and directed to execute any and all necessary documents in order to effectuate the foregoing, as approved by the Law Department.

2. Said Agreement shall be for the period of December 15, 2017 through December 14, 2018, at a fee of $10,000.00.

3. This Resolution shall take effect pursuant to law.

Virginia Malick, 1633 Lenape Rd. Ms. Malik asked questions about the work being provided to which Mr. Bodek responded.

See the vote after 2018-81

**Resolution #2018-55 was removed from further consideration.**

**RESOLUTION: 2018-56**

RESOLUTION AUTHORIZING A VOLUNTARY FURLOUGH PROGRAM

TO THE CITY OF LINDEN EMPLOYEES

WHEREAS, the City is under budgetary restraints for the period January 1, 2018 through December 31, 2018; and

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

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

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

NOW THEREFORE BE IT RESOLVED, that the City Council authorizes the City’s Division of Personnel to draft and submit a voluntary furlough plan to the Civil Service Commission in the interest of economy for the period January 1, 2018 through December 31, 2018. Said plan is to be drafted for each City department, with the exception of non-emergency services personnel.

**RESOLUTION: 2018-57**

**RESOLUTION APPROVING THE AWARD OF A CONTRACT TO APPRAISAL CONSULTANTS CORP. FOR REAL ESTATE APPRAISER SERVICES FOR STATE COURT TAX APPEALS FOR 2018**

**WHEREAS**, it is necessary to hire a real estate appraiser who is a member of the Appraisal Institute (M.A.I.) in order to defend the City of Linden on all industrial and commercial tax appeals filed before the Union County Board of Taxation for 2018 and also new and pending cases before the Tax Court of New Jersey; and

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

**WHEREAS**, Appraisal Consultants Corp. submitted a qualification to the City and has qualified for the aforesaid services for 2018; 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. 8-01-20-156-117-272;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that a contract for Professional Services be and hereby is awarded to Appraisal Consultants Corp., Real Estate Appraisers and Consultants, Presidential Center, 293 Eisenhower Parkway, Suite 200, Livingston, New Jersey 07039; and

**BE IT FURTHER RESOLVED** the terms of said agreement shall be for a period of one year at a fee not to exceed $12,000.00; and

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

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

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

**RESOLUTION: 2018-58**

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

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

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

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

**WHEREAS**, Ricci Planning submitted a qualification to the City and has qualified for the aforesaid services for 2018; and

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

**WHEREAS**, the Chief Financial Officer has certified to the availability of funds for this purpose, to be charged to Account No. 8-01-20-165-124-256.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that a contract for Professional Services be and hereby is awarded to Ricci Planning, 10 Georgian Drive, at a fee not to exceed $10,000.00, in accordance with their proposal dated October 30, 2017; and

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

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

Virginia Malick, 1633 Lenape Rd. President Alvarez responded and explained the services that Mr. Ricci was providing to the City.

See the vote after 2018-81

**Resolution: 2018-59**

**RESOLUTION ENGAGING SPECIAL TAX COUNSEL**

**WHEREAS**, the City Council of the City of Linden has determined that it would be advisable and in the best interests of the City to continue to retain the services of Special Tax Counsel to represent the City of Linden in defense of real property tax assessment appeals concerning the assessment of commercial, industrial and multi-family residential properties in the city for the year 2018, and to render legal advice and assistance to the city and to the Tax Assessor in preparing the trials of such proceedings; and

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

**WHEREAS**, Skoloff & Wolfe, P.C. submitted a qualification to the City and has qualified for the aforesaid services: and

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

**WHEREAS**, the Finance Director has certified to the availability of funds for this purpose, to be charged to Account No. 8-01-20-156-117-271;

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

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

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

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

4. For the services hereinabove described as Skoloff & Wolfe, P.C. shall be awarded an agreement in the amount of $170,000.00 for the calendar year 2018 and certifying funds of $40,000.00 pursuant to the temporary budget with the balance subject to the adoption of the permanent budget. The City shall not be liable for payment of any monies exceeding the contract price stated herein unless additional funds are approved by the governing body and the contract amended in accordance with applicable law.

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

Virginia Malick, 1633 Lenape Rd. Mr. Antonelli reviewed with Ms. Malik the services that would be provided, and the reasons why. Mr. Brown provided a further explanation as to the services Mr. Wolfe provided and the money that he has saved us.

Mr. Heller. Mr. Heller noted that his question has been answered.

See the vote after 2018-81

**RESOLUTION: 2018-60**

**RESOLUTION FOR STATE CONTRACT FOR PROVISION OF AN E-TICKETING TURNKEY SYSTEM FOR THE POLICE DEPT. FROM GOLD TYPE BUSINESS MACHINES FOR 2018**

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

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

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

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

**WHEREAS**, the amount of the service is not to exceed $60,000.00 (subject to the 2018 budget); and,

**WHEREAS**, the Chief Finance Officer has certified the availability of funds for this contract, which will be charged to account number 8-01-25-240-160-201; and,

**NOW THEREFORE BE IT RESOLVED** by the City of Linden that GTBM, be awarded a contract for a term of one year starting January, 2018 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: 2018-61**

**RESOLUTION APPROVING THE AWARD OF A CONTRACT TO SOCKLER REALTY GROUP FOR REAL ESTATE APPRAISER SERVICES FOR STATE COURT TAX APPEALS FOR 2018**

**WHEREAS**, it is necessary to hire a real estate appraiser who is a member of the Appraisal Institute (M.A.I.) in order to defend the City of Linden on all industrial and commercial tax appeals filed before the Union County Board of Taxation for 2018 and also new and pending cases before the Tax Court of New Jersey; and

**WHEREAS**, Sockler Realty Group submitted a qualification to the City and has qualified for the aforesaid services for 2018; 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. 8-01-20-156-117-272;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that a contract for Professional Services be and hereby is awarded to Sockler Realty Group, 299 Ward Street, Suite C, Hightstown, New Jersey 08520; and

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

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

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

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

**RESOLUTION: 2018-62**

**RESOLUTION AWARDING A CONTRACT TO WELLS FARGO ADVISORS FOR THE HARTFORD RETIREMENT PLANNING SPECIALIST SERVICES FOR 2018**

**WHEREAS,** there exists a need for the provision of Retirement Planning Specialist Services for the City of Linden’s Deferred Compensation Plan for the period of January 1, 2018 through December 31, 2018; and

**WHEREAS,** pursuant to N.J.S.A. 19:44A-20 et seq., this Council determined to implement a “fair and open process” for the procurement of such services; and

**WHEREAS,** a “Request for Proposals” (RFP) was issued on October 4, 2017 and responses were received on November 2, 2017; and

**WHEREAS,** having considered the recommendation of the Finance Committee, this Council has determined that a contract for said services be awarded to EPG Brokerage; and

**WHEREAS,** Wells Fargo Advisors 600 South Ave, Westfield, NJ, has agreed to provide the necessary services as outlined above at no cost to the City; and

**WHEREAS,** N.J.S.A. 40A:11-5(1) authorizes Council to award a contract without competitive public bidding if the subject matter consists of an exception to such requirements as set forth therein; and

**WHEREAS,** the consulting and related services to be provided herein constitute an exception to the public bidding requirements of the Local Public Contracts Law under N.J.S.A. 40A::11-5(1)(m);

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** a contract is hereby awarded to Wells Fargo Advisors, pursuant to a fair and open process, and to provide the necessary services as outlined above at no cost to the City; and

**BE IT FURTHER RESOLVED** that the Mayor is hereby authorized to execute said contract upon further approval by the Law Department for the aforesaid service.

**RESOLUTION: 2018-63**

**RESOLUTION APPOINTING BROWN & BROWN PUBLIC RISK ADVISORS OF NJ RISK MANAGER FOR THE CITY OF LINDEN**

**WHEREAS**, the City of Linden wishes to appoint Risk Manager for the period of January 1, 2018 to December 31, 2018; 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**, Brown & Brown Public Risk Advisors of NJ have submitted a qualification to the City and have qualified for the aforesaid services; and

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

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

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

1. That Brown & Brown Public Risk Advisors of NJ is awarded without competitive bidding as an “Extraordinary, Unspecifiable Service” in accordance with N.J.S.A. 40A:11-5 (1) (m) of the Local Public Contracts Law to provide Risk Manager services.

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

**RESOLUTION: 2018-64**

**RESOLUTION ENGAGING THIRD PARTY**

**ADMINISTRATOR FOR INSURANCE FUND COMMISSION**

**WHEREAS**, there exists a need for a Third Party Administrator for the Insurance Fund Commission to meet the requirements of the City of Linden; and

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

**WHEREAS**, Inservco Insurance Services submitted a qualification to the City and has qualified for the aforesaid services for 2018; and

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

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

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

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

1. Inservco Insurance Services, Inc., 3150 Brunswick Pike, Lawrenceville, New Jersey 08648 in accordance with their proposal submitted on December 27, 2017, providing Third Party Claims Administration Services for all coverage to be self-insured by the City of Linden at a base fee of $74,716.00 per year, for two years, effective January 1, 2018 through December 31, 2019.

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

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

**RESOLUTION: 2018-65**

**RESOLUTION APPROVING DENTAL PLAN**

**FOR THE CITY OF LINDEN**

**WHEREAS**, the City of Linden elects to provide a benefit program to its employees in the area of Dental Care for a period commencing January 1, 2018 to December 31, 2018; and

**WHEREAS**, the Chief Financial Officer has certified as to the availability of funds for this purpose, which will be charged to account/line No. 80123220141272, as attached hereto, subject to the approval of the 2018 budget; and

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

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

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

1. That RD Parisi Associates is hereby named as Broker of Record for Dental Insurance Coverage.

2. That Delta Dental of New Jersey shall be and hereby are engaged to provide dental coverage on a fully insured basis for the City of Linden employees at a cost not to exceed $550,000.00 per year.

3. This contract is awarded without competitive bidding as an "Extraordinary, Unspecifiable Service" in accordance with N.J.S.A. 40A:11-5 (1) (a) (m) of the Local Public Contracts Law because the firm of Delta Dental of New Jersey offers the City of Linden extensive administrative experience in the field of dental services. The quotations offered for services were the most favorable quotations affording the most coverage and lowest administrative fee for the best interests of the City of Linden.

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

**RESOLUTION: 2018-66**

**RESOLUTION APPOINTING INSURANCE BROKER FOR EMPLOYEE MEDICAL, PRESCRIPTION AND VOLUNTARY BENEFITS**

**WHEREAS**, the City of Linden wishes to appoint an insurance broker for employee medical, prescription and voluntary benefits January 1, 2018 to December 31, 2018; and

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

**WHEREAS**, Acrisure and BGIA have submitted a qualification to the City and have qualified for the aforesaid services; and

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

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

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

1. That Acrisure and BGIA is awarded without competitive bidding as an “Extraordinary, Unspecifiable Service” in accordance with N.J.S.A. 40A:11-5 (1) (m) of the Local Public Contracts Law to provide employee medical, prescription and voluntary benefits.

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

**RESOLUTION: 2018-67**

**RESOLUTION PROVIDING AN EMPLOYEE ASSISTANCE**

**PROGRAM FOR THE CITY OF LINDEN**

**WHEREAS**, there exists a need in the City of Linden for the retention of extraordinary unspecifiable services relative to providing an employee assistance program for the City of Linden; and

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

**WHEREAS**, this service qualifies as an extraordinary unspecifiable service under the rules of the Division of Local Government Services as contained in N.J.A.C. 5:34-2.1 et seq. and is certified as an extraordinary unspecifiable service in accordance with the requirements thereof; and

**WHEREAS**, the Chief Financial Officer or his designee has certified as to the availability of funds for this purpose, as attached hereto, which will be charged to account/line item No. 8-01-20-105-105-274; and

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

1. Trinitas Regional Medical Center, having offices at 300 North Avenue East, Cranford, New Jersey 07016 is hereby engaged to provide an employee assistance program to the City of Linden for a period commencing January 1, 2018 to December 31, 2018 at a cost not to exceed $12,500.00.

2. The Mayor and City Clerk are hereby authorized to execute an agreement with Trinitas Regional Medical Center for the aforesaid purposes.

3. This contract is awarded without competitive bidding as an “ Extraordinary Unspecifiable Service” in accordance with N.J.S.A. 40A:11-5(1) (a) of the Local Public Contracts Law because Trinitas Regional Medical Center has a proven reputation in the field of providing employee assistance programs.

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

**RESOLUTION: 2018-68**

**RESOLUTION APPOINTING GEORGE VIRCIK AS CITY ENGINEER FOR A THREE-YEAR TERM**

**BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF LINDEN:** that pursuant to the Ordinance entitled, "AN ORDINANCE OF THE CITY OF LINDEN APPOINTING A CITY ENGINEER, FIXING HIS TERM OF OFFICE AND SALARY AND DEFINING AND SETTING FORTH THE DUTIES OF THE SAID CITY ENGINEER," approved February 5, 1925, as amended and supplemented, that **GEORGE R. VIRCIK** be and he hereby is appointed Municipal Engineer of the City of Linden, to hold office for the full term of three (3) years, from the first day of January, 2018 and to the 31st day of December, 2020, and until his successor has been appointed and qualifies.

Section 1. The City Council hereby approves the appointment of George Vircik as City Engineer of the City of Linden.

Section 2. All resolutions or ordinances or parts thereof which are inconsistent with the provisions of the Resolution are hereby repealed to the extent of such inconsistency.

Section 3. This Resolution shall take effect as provided by law.

**Resolution: 2018-69**

**RESOLUTION ENGAGING AHS HOSPITAL CORP FOR MEDICAL SERVICES FOR 2018**

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

2016; and

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

**WHEREAS,** AHS Hospital Corp., submitted a qualification to the City and has qualified for the aforesaid services for the year 2018; and

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

**WHEREAS,** the Chief Financial Officer has certified to the availability of funds for this purpose, to be charged to Account Nos. 8-01-27-332-313-272, 8-01-20-105-105-272, 8-01-20-105-105-273, 8-01-20-105-105-271 and 8-01-20-105-105-270;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that a contract for Professional Services be and hereby is awarded to AHS Hospital Corp., 475 South Street, Morristown, New Jersey 07962, for the following assignments: random drug testing, which is not covered under stipend for police and fire physician, at a fee not to exceed $10,000.00; pre-employment examinations for new employees for a total not to exceed $5,000.00 for the examination of drivers holding a C.D.L. for the year 2018 for a total not to exceed $15,000.00; and for other medical examinations as required, other than those covered under this resolution and/or his appointment as the physician to the Police and Fire Departments and as MRO (Medical Review Officer) for the City of Linden, and all medical services under this agreement will be rendered at MultiCare Industrial Medicine, located at 100 Commerce Place, Clark, New Jersey 07066; and

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

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

John Principato, 1607 Westover Rd. Mr. Principato asked if this was something that was brought to bid. Mr. Bodek responded that it was part of the RFQ process, that this company is the same as one that the City has been using, but it is now part of AHS.

See the vote after 2018-81

**RESOLUTION: 2018-70**

**RESOLUTION APPOINTING Chasan Lamparello Mallon & Cappuzzo, PC TO SERVE AS SPECIAL COUNSEL FOR OPRA SERVICES**

**WHEREAS,** the City of Linden has a need for special counsel services with regard to OPRA; and

**WHEREAS,** the firm Chasan Lamparello Mallon & Cappuzzo, PC, have submitted qualifications for said services for 2018; 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. 8-01-20-120-103-255;

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

1. Chasan Lamparello Mallon & Cappuzzo, PC shall serve as Special Counsel for the City of Linden as aforesaid and shall be paid a fee not to exceed $17,500.00

2. This Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents between Chasan Lamparello Mallon & Cappuzzo, PC 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: 2018-71**

**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:

**various law books - see attached list**

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

**RESOLUTION: 2018-72**

**RESOLUTION APPOINTING ANTHONY PATTI**

**TO FILL THE UNEXPIRED TERM OF JOHN FRANCIS ROMAN ON**

**THE ZONING BOARD OF ADJUSTMENT**

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

That **ANTHONY PATTI** residing in the City of Linden, New Jersey, be and he hereby is appointed as Member of the Zoning Board of Adjustment of the City of Linden to fill the unexpired term of John Francis Roman, effective immediately and terminating December 31, 2019, and until his successor is duly appointed and qualifies.

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

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

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

This resolution shall take effect immediately.

**RESOLUTION: 2018-73**

**RESOLUTION APPOINTING RICHARD KOZIOL**

**ALTERNATE MEMBER No. 1 TO THE**

**ZONING BOARD OF ADJUSTMENT**

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

That **RICHARD KOZIOL** residing in the City of Linden, New Jersey, be and he hereby is appointed as Alternate Member No. 1 of the Zoning Board of Adjustment of the City of Linden to a two year term , beginning January 1, 2018 and terminating December 31, 2019, and until his successor is duly appointed and qualifies.

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

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

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

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

This resolution shall take effect immediately.

**RESOLUTION: 2018-74**

**RESOLUTION APPOINTING SALVATORE RENNA**

**AS ALTERNATE MEMBER No. 2 TO THE**

**ZONING BOARD OF ADJUSTMENT**

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

That Salvatore Rennaresiding in the City of Linden, New Jersey, be and he hereby is appointed as Alternate Member No. 2 of the Zoning Board of Adjustment of the City of Linden to fill the unexpired term of Richard Koziol and terminating December 31, 2018, and until his successor is duly appointed and qualifies.

Alternate members may participate in discussions of the proceedings but may not vote except in the absence or disqualification of a regular member. A vote shall not be delayed in order that a regular member may vote instead of an alternate member. In the event that a choice must be made as to which alternate member is to vote, Alternate No. 2 shall vote.

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

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

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

This resolution shall take effect immediately.

**RESOLUTION: 2018-75**

**RESOLUTION APPOINTING SUSAN MISKIEWICZ**

**A MEMBER OF THE**

**ZONING BOARD OF ADJUSTMENT**

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

That **SUSAN MISKIEWICZ** residing in the City of Linden, New Jersey, be and he hereby is appointed as Member of the Zoning Board of Adjustment of the City of Linden for a four year term beginning January 1, 2018 and terminating December 31, 2021, and until her successor is duly appointed and qualifies.

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

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

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

This resolution shall take effect immediately.

**RESOLUTION: 2018-76**

**RESOLUTION APPOINTING NICHOLAS NIGRO**

**A MEMBER OF THE**

**ZONING BOARD OF ADJUSTMENT**

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

That **NICHOLAS NIGRO** residing in the City of Linden, New Jersey, be and he hereby is appointed as Member of the Zoning Board of Adjustment of the City of Linden for a four year term beginning January 1, 2018 and terminating December 31, 2021, and until her successor is duly appointed and qualifies.

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

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

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

This resolution shall take effect immediately.

**RESOLUTION: 2018-77**

**RESOLUTION APPOINTING JOSEPH BODEK A COMMISSIONER**

**OF THE INSURANCE FUND COMMISSION**

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

That **JOSEPH BODEK,** residing in the City of Linden, County of Union and State of New Jersey, be and he hereby is appointed a Commissioner of the Insurance Fund Commission of the City of Linden according to a Resolution entitled “A RESOLUTION APPOINTING INSURANCE FUND COMMISSIONERS IN THE CITY OF LINDEN, PASSED FEBRUARY 7, 1984 AND APPROVED FEBRUARY 8, 1984", for a period of two years commencing February 7, 2018 and terminating February 6, 2020, and until his successor is appointed and qualifies.

**RESOLUTION: 2018-78**

**RESOLUTION APPOINTING JOSEPH DOOLEY A COMMISSIONER**

**OF THE INSURANCE FUND COMMISSION**

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

That **JOSEPH DOOLEY,** residing in the City of Linden, County of Union and State of New Jersey, be and he hereby is appointed a Commissioner of the Insurance Fund Commission of the City of Linden according to a Resolution entitled “A RESOLUTION APPOINTING INSURANCE FUND COMMISSIONERS IN THE CITY OF LINDEN, PASSED FEBRUARY 7, 1984 AND APPROVED FEBRUARY 8, 1984", for a period of two years commencing February 7, 2018 and terminating February 6, 2020, and until his successor is appointed and qualifies.

**RESOLUTION: 2018-79**

**RESOLUTION APPOINTING NANCY KOBLIS A COMMISSIONER**

**OF THE INSURANCE FUND COMMISSION**

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

That **NANCY KOBLIS,** residing in the City of Linden, County of Union and State of New Jersey, be and he hereby is appointed a Commissioner of the Insurance Fund Commission of the City of Linden according to a Resolution entitled “A RESOLUTION APPOINTING INSURANCE FUND COMMISSIONERS IN THE CITY OF LINDEN, PASSED FEBRUARY 7, 1984 AND APPROVED FEBRUARY 8, 1984", for a period of two years commencing February 7, 2018 and terminating February 6, 2020, and until his successor is appointed and qualifies.

**RESOLUTION: 2018-80**

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

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

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

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

**WHEREAS,** the anticipated term of this contract is (12) months, commencing on January 1, 2018 through December 31, 2018 for said programs at an amount not to exceed of $13,000.00; and

**WHEREAS**, funds have been previously certified and will be charged to account/line item 8-01-20-131-113-272; and

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

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

Virginia Malick, 1633 Lenape Rd. Mrs. Zack provided an explanation of the what the program was and its need.

See the vote after 2018-81

**Resolution: 2018-81**

**RESOLUTION AWARDING A CONTRACT TO**

**PASCACK DATA SERVICES FOR**

**COMPUTER CONSULTING SERVICES**

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

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

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

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

Non Public Safety 8-01-20-131-113-207 in the amount of $55,000.00, Public Safety 78-01-25-250-314-273 $46,000.00, 8-01-25-250-314-274 $27,000.00; and

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

**NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN**, that the contract for professional services be and hereby awarded to Pascack Data Services, 200 Central Avenue Suite 100 Hawthorne, NJ 07506 in accordance with their qualifications, in an amount not to exceed $55,000.00 for non public safety departments and $73,000.00 for public safety departments for the period of January 1, 2018 through December 31, 2018;

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

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

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

Virginia Malick, 1633 Lenape Rd. Mrs. Zack explained the services that were being provided and the need for these services. She also provided an explanation as the why the resolution broke funding out in two different ways.

**RESOLUTION: 2018-82**

**RESOLUTION AUTHORIZING THE FORGIVNESS OF THE PILOT PAYMENT FOR THE LINDEN HOUSING AUTHORITY AND THE LINDEN HOUSING CORPORATION**

**WHEREAS**, the Linden Housing Authority and the Linden Housing Corporation will make the required annual Payment in Lieu of Taxes (“PILOT”) payment; and

**WHEREAS**, it is in the best interests of the City of Linden to return said PILOT payments back to the Linden Housing Authority and the Linden Housing Corporation.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** that the City of Linden will forgive the PILOT payment for a period of five (5) years for the Linden Housing Authority and the Linden Housing Corporation.

RESOLUTION NO: 2018-83

**RESOLUTION DENOUNCING THE PRESIDENT’S COMMENTS CONCERNING PEOPLE COMING TO THE UNITED STATES AND OTHERS**

**WHEREAS**, it has been reported that the President of the United States, Donald Trump has referred to people coming to the United States as people coming from “shithole countries”; and

**WHEREAS**, President Trump’s reported comments are directed at countries such as Haiti El Salvador and other African counties; and

**WHEREAS**, President Trump’s comments in June 2017 that people from Haiti “all have AIDS” further shows an insensitivity towards the people of Haiti; and

**WHEREAS**, President Trump’s comment in 2016 referred to Mexican immigrants as criminals and rapists; and

**WHEREAS**, President Trump’s comments in June 2017 stated that 40,000 Nigerians, once seeing the United States, would never go back to their huts in Africa; and

**WHEREAS**, President Trump’s in 2015 called for a “total and complete shutdown of Muslims entering the United States,”; and

**WHEREAS**, President Trump’s insensitive, offensive and hurtful comments only serve to divide this Country rather than unite it; and

**WHEREAS**, the City of Linden, which prides itself on its diversity, and continually seeks to include all individuals of race, color, creed and religion hereby denounces and categorically rejects the President’s comments as having no useful purpose in this society.

**WHEREAS**, the City of Linden, supports the value, ideas and words of Martin Luther King Jr. such as “The Ultimate measure of a man is not where he stands in moments of comfort and convenience, but where he stands at times of challenge and controversy” and “Our lives begin to end the day we become silent about things that matter”

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Linden, in the County of Union, that the Cityhereby denounces and categorically rejects comments by the President of the United States, which are racially motivated, offensive, insensitive and hurtful and by their very nature serve no useful purpose in the City of Linden or in this Country; and

**BE IT FURTHER RESOLVED**, that copies of this Resolution be forwarded to New Jersey Governor Elect Phil Murphy, to Senate President Stephen Sweeney, to Assembly Speaker Craig Coughlin, to all State Senators and members of the Assembly, the Union County Board of Chosen Freeholders and to the New Jersey League of Municipalities.

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

Mr. Brown moved to approved resolutions #2018-30, 34, 37, 38, 43, 45, 48, 49, 50, 51, 54, 58, 59, 80, and 81. The motion was seconded by Mr. Javick, and was approved, by a roll call vote, with all voting in favor except Ms. Cosby, who voted no to #38 and #49, and Mrs. Hickey who voted no to #49.

President Alvarez asked the Clerk to read resolutions #2018-84 and #2018-85, in full as they were not on the agenda. The Clerk did so.

**RESOLUTION: 2018-84**

**A RESOLUTION CONFIRMING THE APPOINTMENT AND DESIGNATION OF CHIEF JUDGE OF THE MUNICIPAL COURT OF THE CITY OF LINDEN**

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

That the appointment made by DEREK ARMSTEAD, Mayor, with the advice and consent of this body as provided by law and in accordance with N.J.S.A. 2B:12-8, of **CASSANDRA CORBETT,** to serve as Chief Municipal Judge of the Municipal Court of the City of Linden, commencing as of the date of this resolution and appointing **CASSANDRA CORBETT** to serve as Municipal Judge of the Municipal Court of the City of Linden, for a term of three (3) years, commencing February 22, 2018 and terminating February 21, 2021 and until her successor is appointed and qualifies, shall be and the same is hereby confirmed.

The Chief Judge shall be paid a salary of $80,250.00 per year with no benefits.

**RESOLUTION: 2018-85**

**A RESOLUTION CONFIRMING THE APPOINTMENT**

**OF AN ASSOCIATE MUNICIPAL JUDGE OF THE MUNICIPAL**

**COURT OF THE CITY OF LINDEN**

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

That the appointment made by DEREK ARMSTEAD, Mayor, with the advice and consent of this body as provided by law, of **SUSAN MACMILLAN,** to serve as Associate Municipal Judge of the Municipal Court of the City of Linden, for a term of three (3) years, commencing January 20, 2018 and terminating January 20, 2021 and until her successor is appointed and qualifies, shall be and the same is hereby confirmed; and

**BE IT FURTHER RESOLVED THAT** due to the qualifications required for the position, and due to the qualifications and experience of **SUSAN MACMILLAN that a residency requirement waiver is herein granted; and**

**BE IT FURTHER RESOLVED THAT** the Associate Judge shall be paid a salary of $50,000.00 per year for 3 court sessions a week, with no benefits.

**Resolutions #2018-84 and 2018-85 were read into consideration by the Clerk.**

**Mr. Brown moved for approval of Resolution #2018-84 and Resolution #2018-85. The motion was seconded by Mr. Javick and was ordered approved by all voting yes with the exception of Mrs. Cosby who voted no on Resolution #2018-85 and Mrs. Hickey who was excused from the room.**

**ORDINANCES ON INTRODUCTION**

**An Ordinance entitled:**

**62-1 An ordinance to amend and supplement Chapter VII, Traffic, fo 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.**

**Section 1 That Chapter VII, Traffic Section 7-12, Parking Time Limited, shall be and the same is hereby amended as follows:**

**Two Hour Parking**

**DELETE:**

**Street Side Hours Days Location**

**St. Georges Avenue North 7:00 am to 5:00 pm Mon-Fri Summit Terrace to Stiles Street**

**St. Georges Avenue South 8:00 am to 5:00 pm Mon-Fri Summit Street to a point 50 feet North**

**of Erudo Street**

**ADD:**

**Street Side Hours Days Location**

**St. Georges Avenue North 7:00 am to 5:00 pm Mon-Sat Summit Terrace to Stiles Street**

**St. Georges Avenue South 8:00 am to 5:00 pm Mon-Sat Summit Street to a point 50 feet North**

**of Erudo Street**

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

Ordinance #62-1 was introduced by Mr. Medina and was read on first reading by the Deputy Clerk.

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

ordered approved with all voting yes with the exception of Mr. Mohammed who was excused from the

room and Ms. Cosby who abstained.

**An Ordinance entitled:**

**62-2 An ordinance to amend and supplement Chapter VII, Traffic, 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.**

**Section 1. That Chapter VII, Traffic, shall be and the same is hereby amended as follows: Chapter VII, Traffic**

**7-33 HANDICAPPED PARKING REGULATIONS**

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

***No. of***

**Name of Street Spaces Location**

**ADD:**

**510 Grant Street 1 On the northeasterly sideline of Grant Street, 140 feet more or less northwesterly from the projection of the northwesterly curbline of Dill Avenue in front of 510 Grant Street for a length of 22 feet. The aforesaid space is specifically reserved and designated for a vehicle for Adrian Leahy to be identified by license plate number and placard number P1851497 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.**

**604 W. Elm Street 1 On the northwesterly sideline of W. Elm Street, 65 feet more or less southwesterly from the projection of the southwesterly curbline of Lafayette Street in front of 604 W. Elm Street for a length of 22 feet. The aforesaid space is specifically reserved and designated for a vehicle for Tracey Malosky to be identified by license plate number and placard number 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.**

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

Ordinance #62-2 was introduced by Mrs. Hickey and was read on first reading by the Deputy Clerk.

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

ordered approved with all voting yes with the exception of Mr. Mohammed who was excused from the

room.

**An Ordinance entitled:**

**62-3 An Ordinance creating the position of Police Chaplain for the Linden Police**

**Department. (The Chaplain will serve without rank or salary)**

Ordinance #62-3 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

ordered approved with all voting yes with the exception of Mr. Mohammed who was excused from the

room.

**An Ordinance entitled:**

**62-4 An ordinance to amend an ordinance entitled, “an Ordinance establishing a schedule of titles, salary ranges and regulations for maintaining the classification and salary standardization plan of all employees of the City of Linden,” passed August 15, 1995 and approved August 16, 1995.**

**Adding Schedule 4-MM-1**

Ordinance #62-4 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

ordered approved with all voting yes with the exception of Mr. Mohammed who was excused from the

room and Mrs. Cosby who abstained.

**An Ordinance entitled:**

**62-5 An Ordinance to amend and supplement Chapter II, Administration, 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.**

**DELETE SECTION 2.12.1, CREATED – DEPARTMENT OF POLICE**

**ADD SECTION 2.12.1, CREATED – DEPARTMENT OF POLICE**

**(Keeping the compliment at 150, increasing the number of Sergeants to 17)**

Ordinance #62-5 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

ordered approved with all voting yes with the exception of Mr. Mohammed who was excused from the

room.

**PUBLIC COMMENT**

Cynthia Johnson, 10 E. Blancke St. Ms. Johnson thanked the Mayor, and Council, for allowing her the opportunity, earlier to bring a matter to their attention. She hoped that it would be addressed. She then commented, that as a newly elected Councilwoman, in Roselle, she was very impressed with how our meetings ran. She congratulated Mr. Mohammed and Mr. Roman, and thanked Mayor Armstead for informing the public about the Sam’s Club closing. She noted how it affected her, as a business owner.

Mr. Halloran, 120 Donaldson Place. Mr. Halloran spoke about PSE&G’s placement of solar panels on the pole in front of his house, and how it is blocking the light from the street light. Next Mr. Halloran stated that he understood the City’s legal obligation to fund the library, but questioned if the City could stipulate how the money is spent. President Alvarez responded that the City could not. He thanked the DPW, and the Mayor, for straightening out an issue with his garbage collection. In addition he spoke about the closing of Sam’s Club, and a State regulation, that companies, with over a certain number of employees have to provide notification so many days in advance of the closing. Mr. Roth provided a response, stating that it fell under the Warn Act.

John Principato, 1706 Westover Rd. Mr. Principato noted the previous discussion on the train station, and that, in his opinion, without Mr. Roman putting a microscope on the train station, the work would not have gotten done. He noted some of the activities of Mr. Roman, and Mr. Principato, believed that this was part of the reason the Governor-Elect came to Linden. He added that he did not want to take anything away from anyone else. He noted the amounts, spent in other towns, by NJ Transit, on their train station. He thought the numbers, quoted earlier, for work to the Linden station was low. Mr. Principato stated that he takes offense at someone, who doesn’t live in Linden, saying that he is attacking them. He noted that he comes up and asks questions that is all that he does, and anything more is the perception of the individual. He asks questions because he pays taxes here, and part of everyone salary, here.

Mrs. Ormon moved to close the Public Comment portion of the meeting. The motion was seconded by Mr. Roman, and was unanimously ordered approved by a roll call vote.

**COMMENTS BY MEMBERS OF THE GOVERNING BODY**

President Alvarez asked if any members of the Governing Body wanted to offer comment for one minute.

Mayor Armstead spoke about the comments made about the train station, and assured all that Mr. Brown spearheaded the efforts to get the issues there addressed. He noted that the issues with NJ Transit have been going on for over two years. The Mayor detailed his conversations, with Governor Murphy, in the hopes of Linden getting better results from NJ Transit regarding the train station. He thanked Mr. Brown and thanked Mr. Roman for his concern.

Mr. Brown stated that he had previously not addressed the train station, as he looks at Facebook and people are trying to claim credit. Everything is written down, about the train station, and Mr. Roman can check the facts. He noted the meetings that have been going on, for years, to address the issues at the train station. He criticized Mr. Roman for not being there and invited him to the Mayor’s office to review the record.

Ms. Cosby addressed Mr. Principato, and stated that she feels his pain, as she feels that she is also the target of many untrue statements. She invited all to look at her voting record, and if they want to know why she voted no, just ask. She spoke about support of recommendation from the governing body, but there haven’t been that many. She spoke about the need for commitment and consistency to get things done.

Mrs. Hickey stated that she was glad the Governor did come here, and we may get something done in the train station. She continued that she doesn’t care who takes credit for it, but let’s get something done for the people. She apologized to Mr. Roman for what he just had to sit and take. Lastly, she announced a free event, at the Union County Center for the Preforming Arts, details on the event, and how to obtain tickets.

Mr. Roman noted that he has done everything he could not to take credit for the train station. He thought that it was great the Mr. Brown and Mayor Armstead have been working so hard on this, for the last year. He noted that when the Governor visited the train station looked a lot better than it did in the past. He asked any Sixth Ward residents, who had problems with the snow, to call him and provided his contact information. He thanked two individuals who helped him a lot, during his campaign, that he had forgot to mention.

ANNOUNCEMENT

President Alvarez announced the following:

\*Council Conference meeting:

Monday, February 19, 2018 at 6:00 pm in the Council Conference Room, City Hall, 301 N. Wood Ave.

\*Council Conference meeting prior to the Council meeting:

Tuesday, February 20, 2018 at 6:00 pm in the Council Conference Room, City Hall, 301 N. Wood Ave.

\*Council Meeting: Tuesday, February 20, 2018 at 7:00 p.m. in the Council Chambers, City Hall, 301 N. Wood Ave.

ADJOURNMENT

There being no further business to come before Council, Mr. Strano moved to adjourn the meeting. The motion was seconded by Mrs. Yamakaitis, and was unanimously ordered approved by a roll call vote. The meeting was adjourned at 9:23 pm.

Respectfully submitted,

Joseph C. Bodek

City Clerk