**Minutes of the Regular**

**Meeting of the 2018 Council of the**

**City of Linden, held Tuesday**

**January 2, 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 2, 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.

President of Council Jorge Alvarez announced that the Members of Council who were elected in the November 7, 2017 General Election subscribed to their Oaths of Office prior to January 1, 2018, but, for the benefit of the public in attendance, the Officials will repeat the process.

Council President Alvarez called each of the following members up, one at a time and announced the details of those that would be participating in the swearing in.

COUNCILMAN OF THE FOURTH WARD, Alfred D. Mohammed – Was sworn-in by Mayor Derek Armstead. The Quran was held by wife, Fatimah Morgan. Joined at the podium were, Alfred and Joseph Mohammed, his daughter Naiamar Tucker, East Orange Mayor Ted R. Green, and his friend Jimmy Small.

COUNCILMAN OF THE SIXTH WARD, John Francis Roman – Was sworn-in by Freeholder Christopher Hudak. Bible was held by his father, Thomas Roman. Joined at the podium were, mother, Melinda Roman, brother, Brian Roman, sister, Danielle Roman, and nephew Finn.

COUNCILMAN OF THE EIGHTH WARD, Michele Yamakaitis– Was sworn-in by City Clerk Joseph C. Bodek. Bible was held by her husband, Luke Yamakaitis. Joined at the podium were, sons, Daniel and Thomas Yamakaitis.

COUNCILWOMAN OF THE TENTH WARD, Gretchen Hickey – Was sworn-in by Senator Raymond J. Lesniak. Bible was held by Ryan Vasquez, who was covering for Ann J. Ferguson, who was ill. Joined at the podium were also, husband Joseph Hickey, sons, Joseph and Patrick Hickey, sister Jennifer Brook, brothers Doug and Jeff Brook and sister-in-laws Julie & Robyn Brook and Jamal Thompkins.

Prior to Senator Lesniak swearing-in Mrs. Hickey, he asked the President Alvarez permission to say a few words. The Senator spoke about his 40 years in office, and how his political career began, here in Linden under the mentorship of Mayor John T. Gregorio. He noted that he represented Linden, in the State legislature for twenty-four years. The Senator noted several dignitaries in the room, and praised them. Senator Lesniak stated that his last day in office would be January 9, 2018, but he would still be there to help Linden in any way that he could, and promised Mayor Armstead that he would win his lawsuit, against Exxon Mobile, and get Linden the funds they deserve.

Mayor Armstead thanked Senator Lesniak for his years of service, to Linden. The Mayor stated that he does hope that the Senator wins the litigation, with Exxon Mobile, as they contaminated our town, and they should pay for it. He stated Linden’s appreciation for all of the Senators efforts, on behalf of Linden, and thanked him for his service.

**PRESENTATION OF CERTIFICATES OF ELECTION**

President Alvarez called upon the City Clerk would be asked to present the Certificates of Election, from the County Clerk’s Office to those elected in the November 8, 2017 election. The Clerk then presented the certificates to each of the elected and re-elected officials.

A roll call showed the following members were present:

Councilwoman Lisa Ormon

Councilman“ Barry Javick

“ Alfred D. Mohammed

Councilwoman Rhashonna Cosby- Hurling

Councilman John Francis Roman

“ Ralph Strano

Councilwoman Michele Yamakaitis

Councilman Armando Medina

Councilwoman Gretchen Hickey

Council President Jorge Alvarez

Mayor Derek Armstead

Mr. Brown was excused from the meeting.

**STATE OF THE CITY ADDRESS**

President Alvarez called upon Mayor Derek Armstead to give his 2018 State of the City Address.

THE STATE OF THE CITY 2018

Good Evening Council President, Elected Officials, Family, Friends and Residents.

Before I begin my address I would like to take this opportunity to congratulate our

Newly elected Councilman of the 4th ward Alfred Mohammad, and newly elected Councilman of the 6th ward John Francis Roman. The Mayor then spoke about the Mr. Mohammed and his long relationship with him. Mayor Armstead noted that Mr. Mohammed had achieved a first, the first Muslim to serve on this governing body.

Congratulations to Councilwoman Michele Yamakaitis on her re-election to the 8th ward and to Councilwoman Gretchen Hickey on her re-election to the 10th ward.

I want to make it absolutely clear to each member of this governing body -- that I pledge to work with you.

I believe if you want to go quickly, GO ALONE, if you want to go far, GO TOGETHER.

I ask you don’t allow self-imposed political obstacles to get in the way of the progress of our city. When we have conflicting views let them be REAL and not a product of political motivation.

When working TOGETHER we can accomplish great things for our city.

In 2018 -- our city will be stronger because of our accomplishments this past year, and our aggressive plan for the New Year. Let me go over some of the things we accomplished in 2017.

* We eliminated the garbage tax which was a personal priority of mine since taking office (……)
* The Blue Apron warehouse, which is located on Linden Ave on the old GM property - a 500,000 sq. ft. warehouse --- it is now completed, open and is employing over 1000 workers, many of which I am proud to say are Linden residents.
* The Cantor property, on Stiles St., which has been a perennial eyesore, and a source of many complaints, has been cleaned up, redeveloped, and is now an attractive site we can all be proud of. We are in discussions for the development of the remaining parcel on US 1 and 9 for restaurants and a potential hotel which will also create jobs and ratables for Linden residents.
* The Linden First Program continues to be a total success, under the direction of Pamela Jones who is a part of our Economic Development Team. This is a jobs program I started after I first took office. In 2018 we will expand this program to include a summer employment program for both High School and College Students.

* On the former General Motors property, now known as the Duke property -- the construction of a new Super Walmart is scheduled to break ground January 30, 2018. Duke and their partners Cypress are also proposing a hotel, 2 restaurants and are in conversation with the FAA to build a WAWA between Pleasant Ave. and Hampden St.
* Park Plastics on Park Ave. across route 1 & 9 at Bedle Pl. has been demolished and the redevelopment agreement is close to being signed and I am cautiously optimistic that there will be a shovel in the ground 2nd quarter of 2018 – developing 14 beautiful single family homes. I would like to personally thank Councilwoman Michele Yamakaitis, and our former LEDC Director Rich Puschel for bringing this to fruition.
* On the United Lacquer site, located on W. Elizabeth Ave., we have a developer who once the redevelopment agreement is signed will build over 300 modern rental units with retail space and a restaurant below. This will finally eliminate this contaminated site.
* At the JTG Scaffolding site the redeveloping project on Elizabeth Ave. is scheduled for a closing on January 25th, 2018. This will bring an additional 200 rental units in our transit area.
* The 2nd phase of the Capodagli/Meridia project has started and the demolition has begun. I believe that this section of South Wood Avenue will change the whole dynamic of the area. This new building will have a different architectural design then Phase 1. With this area redeveloped -- I am recommending that Council support my efforts to have a new train station built, which is long overdue.
* Ammon Analytical is now operating in the building next to the promenade building on Wood Ave., which had been vacant since the early 2000’s and is now fully utilized. There are over 100 employees in the building -- with approximately 30 of these employees being Linden residents. These employees will add a needed boost to the local economy.
* This past year -- we signed a redevelopment agreement with VVR Developers for the development of St. George’s Ave. between E. Baltimore Ave. and Charles St. We are one property away from having a shovel in the ground, hopefully by the end of the 2nd quarter. This project is transformative and it will be an economic boost to the entire area – making this another major accomplishment of my administration.

Not only will VVR develop this site, they will take an active role in securing micro loans for qualified residents who are interested in establishing business in their development.

One of the things we have been considering and have communicated to industry for 2018 is the Hazardous Materials Storage Fee. I firmly believe that this fee would generate substantial additional revenue which would negate the increased costs for our police and fire departments. It is time these companies pay their fair share in the protection of their assets.

As you have heard we have an aggressive agenda for 2018. All these projects are geared toward stabilizing taxes here in the city of Linden.

Our commitment to stabilize taxes is ongoing. I will be talking to the Board of Education, our Union County Freeholders and asking them for a tax holiday in the City of Linden. I feel very strongly that just

because we have a 2% cap, that does not mean we have to utilize and raise taxes that 2%. I am proposing a ZERO tax increase for 2018. It is time TO STOP TALKING about it and

LET’S JUST DO IT.

Let’s sit down and talk to our Board of Education, who have members who I know are committed to tax stabilization and hopefully with a cooperative effort we can get it done. LET’S JUST DO IT.

Let’s sit down and talk to our Board of Chosen Freeholders, who have members who I know are committed to tax stabilization and hopefully with a cooperative effort we can get it done. LET’S JUST DO IT.

I’m asking this council to take the same approach. LET’S JUST DO IT.

In closing -- I would like to thank all of our department heads for the cooperation they have given us, along with our city employees. I want to thank Alex Lospinoso on his new assignment, as Director, of the

Linden Economic Development Corporation. A special thanks to our police and fire departments, I rate them at the top of the list in the State of New Jersey.

There are times when I am in this chamber and my eyes drift to the pictures of the

former Mayors of this City. All of them outstanding public servants -- however there is one who I will never forget – The late Mayor John T. Gregorio -- and here is why. He told me on a number of occasions -- that his priorities in life -- were his family and the City of Linden. I have never forgot what he told me -- and I try every day to remember – Family and City.

So -- at this time -- I thank my family --- 1st my wife, children, mother and siblings for their patience, understanding, and support in my efforts as Mayor.

The job as your Mayor is a major project in my life and if you choose to re-elect me to this office this June -- I will continue working tirelessly to keep our city safe, financially sound and a city we will all be proud of. Remember -- Community, Diversity and Progress.

May your New Year be healthy and happy and may God Bless all of us and may God

Bless the City of Linden.

Thank you and good night!

**PRESENTATION’S AND PUBLIC COMMENT**

Senator Nicholas Scutari. Senator Scutari stated that he was here as Chairman of the Linden City Democratic Committee, to make a presentation. He was also here, on behalf of the Linden City Democratic Club, and its president, Joseph Bodek, to make a presentation. He congratulated all of newly elected and re-elected members of Council, and also congratulated all of the members of the governing body, who do such a great job for the City of Linden. He then called forth each of the newly elected and re-elected members of Council, congratulated them individually, and presented them with a gift on behalf of the Linden City Democratic Committee and Linden City Democratic Club.

Daniel Yamakaitis. Mr. Yamakaitis stated that he was here tonight, on behalf of himself, his brother and his father, to congratulate their amazing mother on the start of her fifth term. He spoke about Mrs. Yamakaitis first swearing in, and how they admire her courage to be a leader in the community. He spoke about her accomplishments and expressed the families love for her.

Patti Murgo, Eighth Ward Democratic Club. Ms. Murgo offered her congratulations to everyone. She noted that she was here tonight both for personal reasons, and on behalf of the Eighth Ward Democratic Club. She noted that this is the 4th term that she worked with Mrs. Yamakaitis, and the relationship that developed between them. Ms. Murgo spoke about all that Mrs. Yamakaitis has done for the Eighth Ward, and her level of community activity in the ward. She also spoke about how Mrs. Yamakaitis has transformed the Eighth Ward Democratic Club, into one with real political leadership. Ms. Murgo reminisced about their first meeting, the people who she met, and the challenges that the ward faced. She concluded by offering her congratulations to Mrs. Yamakaitis.

**COMMENTS FROM MEMBERS OF COUNCIL**

Fourth Ward

Mr. Mohammed noted several dignitaries, in the room, and thanked them for their attendance. He then pledged his dedication to the citizens of the Fourth Ward. He thanked his family for their hard work on his behalf. He spoke about stabilizing the taxes, in the City, and developing an economic development plan. He spoke about a friend, in the audience. Mr. Mohammed asked for all present to join him in a moment of silence to recognize the passing of a resident of the City. He then talked about the need to work hard to bring peace to our neighborhoods, and to make Linden the greatest City in the United States.

Sixth Ward

Mr. Roman noted that he spent a lot of time trying to figure out what he was going to say when he got here, and now he was at a loss for words. He thanked the Lord for providing him with these opportunities. He spoke about his father, his work ethic, and all to provide his children with a better life. He detailed the car accident that changes his family’s life. He told his father, that he is his hero. Mr. Roman informed all as to what his mother did, to step up and meet the challenges that the family faced. He thanked his brother and sister, and the members of his extended family for their help and guidance. Mr. Roman thanked Mr. Sadowski for his service to the Sixth Ward, and asked for his help and guidance. Next he thanked President Alvarez for his help, with the campaign. He pledged to work with all of the members of the Council, the employees, and his commitment to the residents of the Sixth Ward. He also addressed the issues facing the Sixth Ward.

Eighth Ward

Mrs. Yamakaitis thanked the residents, of the Eighth Ward, for allowing her the honor and privilege to serve as their councilperson. She assured the residents that she does not take this job lightly, and that none of this would be possible without the love and support of her family. Mrs. Yamakaitis thanked her campaign manager, Patti Murgo. She spoke about their relationship, both personnel and political, and Ms. Murgo’s willingness to get into battles on behalf of Mrs. Yamakaitis. Mrs. Yamakaitis thanked the Eighth Ward Democratic Club for their support, noting the passing of some of the longtime members, this year. She thanked the Linden Democratic Club, for their support, and particularly its president Joseph Bodek. She spoke about the reasons that she choose him to swear her in this evening. Mrs. Yamakaitis concluded by congratulating the newly elected and re-elected members of Council.

Tenth Ward

Mrs. Hickey thanked all of the appointed and elected officials who came out, tonight, for this event, to support all the members of Council. She addressed Mr. Roman’s parents and spoke about the amazing job they did in raising their son. She noted for all of the residents of her ward, and the City, that she is always a phone call away. She gave her campaign manager, Ryan Vasquez, a special thank you. Mrs. Hickey thanked a number of individuals, in the room for their work on her campaign and for being her friend. Next she thanked her sons and family for their support, and expressed her love for her husband. Mrs. Hickey congratulated the other elected and re-elected members of Council and thanked Ann Ferguson for her support.

First Ward

Mrs. Ormon wished the people of the First Ward, and the residents of Linden a very happy New Years. She noted that tonight was about four amazing people, and then took a few minutes to congratulate each of them. She talked about how she found working on Council and pledged to work with the team.

Second Ward

Mr. Javick congratulated each of the re-elected and newly elected council members. He wished all a happy New Year.

Fifth Ward

Ms. Cosby congratulated the newly elected council members, and stated that she was looking forward to working with them. She also congratulated Mrs. Hickey and Mrs. Yamakaitis. She stated that she would hold her New Year comments to next week, and wished all a happy New Year.

Seventh Ward

Mr. Strano stated that he would like to congratulate those re-elected and elected council member, by their first name, to attempt to build comminatory, and did so. He stated that he was looking forward to working together in the New Year.

Ninth Ward

Mr. Medina congratulated all of the elected and re-elected members of Council. He wished all a happy New Year.

**ELECTION OF PRESIDENT OF COUNCIL PRO TEMPORE**

President Alvarez opened the floor for nominations for the office of President of Council Pro Tempore. Mr. Strano nominated Mrs. Yamakaitis as President of Council Pro Tempore. The nomination was seconded by Mrs. Ormon. There were no other nominations. Mrs. Yamakaitis was elected President of Council Pro Tempore by a roll call vote, with Mrs. Yamakaitis abstaining. The City Clerk administered the oath of office to Mrs. Yamakaitis as President of Council Pro Tempore. Her sons Daniel and Thomas held the bible.

**CONSENT AGENDA**

There were no items on the consent agenda.

**PERSONNEL REPORT**

Mrs. Yamakaitis gave the following personnel report:

1. In the Fire Department – the following actions to be taken:
2. The promotion of Lt. Jason Holobinko to the position of Captain effective 1/1/2018 at the annual salary of $124,000.
3. The promotion of Firefighter Grzegorz Wronski to the position of Lieutenant effective 1/1/2018 at the annual salary of $108,000.
4. The amending of the hiring of two of the following candidates as fire fighters to 1/8/18: Ryan Evan, Joseph P. Conte, Justin A Peters, Sr., Alan Kielian, Patrick J. Valenza, Robert C. Hendricksen, and Michale D. Viana. At the annual salary of $40,000 pending completion of successful completion of the medical evaluation and the City’s background check.
5. In the Police Department –the following actions to be taken:
6. The promotion of Captain David Hart to Chief of Police effective 1/1/2018 at the annual salary of $171,955.
7. The promotion of Lieutenant Don Geisheimer to the Rank of Captain effective 1/1/2018 at the annual salary of $149,000.
8. The promotion of Lieutenant Abdul Williams to the Rank of Captain effective 1/1/2018 at the annual salary of $149,000.
9. The promotion of Sergeant Danny Tristao to the Rank of Lieutenant effective 1/1/2018 at the annual salary of $124,000.
10. The promotion of Sergeant Vincenzio Wegkryznek to the Rank of Lieutenant effective 1/1/2018 at the annual salary of $124,000.
11. The promotion of Sergeant Ivan Ordonez to the Rank of Lieutenant effective 1/1/2018 at the annual salary of $124,000.
12. The promotion of Police Officer Andrew Perrella to the Rank of Sergeant effective 1/1/2018 at the annual salary of $108,000.
13. The promotion of Police Officer Nicole Melchionna to the Rank of Sergeant effective 1/1/2018 at the annual salary of $108,000.
14. The promotion of Police Officer Ian Conk to the rank of Sergeant effective 1/1/2018 at the annual salary of $108,000.

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

Mrs. Yamakaitis asked all promoted to stand and be recognized.

**RESOLUTIONS**

PUBLIC COMMENTS WILL BE PERMITTED FOR THOSE SPECIFIC RESOLUTIONS TO BE REMOVED FROM THE CONSENT APPROVAL. PLEASE READ THE SYNOPSIS OF THE RESOLUTIONS, WHICH HAVE BEEN PREPARED BY THE CITY CLERK’S OFFICE. EACH IS INFORMATIVE AND SELF-EXPLANATORY. HOWEVER, IF YOU WISH TO ADDRESS A SPECIFIC RESOLUTION, THE COUNCIL, WILL ENTERTAIN QUESTIONS ON IT.

Mrs. Ormon moved to remove resolutions #2018-3 and #2018-4 from consideration. The motion was seconded by Mr. Javick and was ordered approved by a roll call vote.

President Alvarez noted that the date, on Resolution 2018-6, was wrong, and that the ending date of the contract should be February 28, 2018, Mr. Bodek provided a correction to the total dollar amount of the contract, for a total of $15,833.00. Mayor Armstead noted that resolution 2018-22 should read chief David Hart, and not Chief Johnathan Parham.

Mrs. Ormon moved for approval of Resolutions #2018-1 through #2018-22, as corrected. The motion was seconded by Mr. Javick and was ordered approved with all voting yes with the exception of Ms. Cosby who was excused from the room.

**RESOLUTION: 2018-1**

**A RESOLUTION DESIGNATING OFFICIAL**

**NEWSPAPERS FOR THE YEAR 2018**

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

That the following newspapers be and they hereby are designated as the official newspapers for the City of Linden for the year 2018:

The Star Ledger

Union County Local Source

Home News Tribune

News Record/Patriot

**RESOLUTION: 2018-2**

**A RESOLUTION FIXING THE RATE OF INTEREST TO BE**

**CHARGED FOR THE NON-PAYMENT OF TAXES**

**OR ASSESSMENTS**

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

Section 1. That interest at the rate of eight percent (8%) per annum on the first $1,500.00 of delinquency and eighteen percent (18%) per annum on any amount in excess of $1,500.00, shall be charged for the non payment of taxes or assessments to be calculated from the date the taxes or assessments were payable until the date of actual payment, and an additional penalty of six percent (6%) of the amount of delinquency in excess of $10,000.00 on any delinquent balance remaining at the end of the calendar year.

Section. 2. That no interest be charged if payment of any installment of taxes is made within ten (10) days after the date upon which the same became due.

Section 3. All resolutions or parts of resolutions which are inconsistent with the provisions of this Resolution are hereby repealed to the extent of such inconsistency.

Section 4. This Resolution shall take effect pursuant to law.

**RESOLUTION: 2018-5**

**RESOLUTION APPOINTING A**

**MUNICIPAL PROSECUTOR FOR 2018**

**WHEREAS,** pursuant to N.J.S.A. 2B:25-4, a municipality shall appoint a Municipal Prosecutor for a one year term;

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LINDEN** that Nicholas P. Scutari, Esq. be and hereby is designated and appointed Municipal Prosecutor for the City of Linden for the year 2018; and

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

**RESOLUTION: 2018-6**

**RESOLUTION FOR ASSOCIATED HUMANE SOCIETIES, INC. FOR ANIMAL CONTROL SERVICES SOLICITED BY QUOTATIONS FOR THE CITY OF LINDEN**

**WHEREAS**, the City of Linden wishes to purchase animal control services from Associated Humane Societies Inc., 124 Evergreen Ave, Newark, NJ 07114 for the City of Linden; and

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

**WHEREAS,** Associated Humane Societies, Inc. was solicited for quotations; and

**WHEREAS,** Associated Humane Societies, Inc. provided the most advantageous quote, price and others factors considered in the total amount not to exceed $15,833.00 for services rendered from January 1, 2018 through February 28, 2018; and

**WHEREAS**, the Chief Finance Officer has certified the availability of funds for this award, which will be charged to 8-01-27-340-187-271; and

**NOW THEREFORE BE IT RESOLVED** Associated Humane Societies, Inc. be awarded a contract to supply animal control services at the low quote not to exceed $15,833.00 for services rendered from January 1, 2018 through February 28, 2018.

**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: 2018-7**

**CITY OF LINDEN RESOLUTION TO**

**ESTABLISH THE CURRENT FUND**

**OPERATING BUDGET FOR THE PERIOD OF**

**JANUARY 1, 2018 THROUGH MARCH 31, 2018**

**WHEREAS,** N.J.S. 40A:4-19 provides that where any contract, commitment or payments are to be made prior to the final adoption of the 2018 Current Operating Budget, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided; and

**WHEREAS,** the total appropriations in the 2017 Current Operating Budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance, is the sum of $97,208,515.58 and

**WHEREAS,** three months of the total appropriations in the 2017 Current Operating Budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance in said Current Operating Budget is the sum of $25,517,235.34; and

**NOW, THEREFORE, BE IT RESOLVED** that the following appropriations be made for current fund and that a certified copy of this resolution be transmitted to the Chief Financial Officer for his records.

**RESOLUTION: 2018-8**

**CITY OF LINDEN RESOLUTION TO**

**ESTABLISH THE SANITARY LANDFILL**

**UTILITY OPERATING BUDGET**

**FOR THE PERIOD OF**

**JANUARY 1, 2018 THROUGH MARCH 31, 2018**

**WHEREAS**, N.J.S. 40A:4-19 provides that where any contract, commitment or payments are to be made prior to the final adoption of the 2018 Sanitary Landfill Utility Operating Budget, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided; and

**WHEREAS**, the total appropriations in the 2017 Sanitary Landfill Utility Operating Budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance, is the sum of 145,100.00; and **WHEREAS,** three months of the total temporary appropriations for the Sanitary Landfill Utility Operating Budget cannot exceed the sum of $36,275.00; and

**NOW, THEREFORE, BE IT RESOLVED** that the following temporary appropriations be made in the amount of $36,275.00 and that a certified copy of this resolution be transmitted to the Chief Financial Officer for his records.

**Resolution: 2018-9**

**A RESOLUTION APPOINTING THE MEMBERS**

**OF THE STANDING COMMITTEES OF THE**

**CITY COUNCIL**

**WHEREAS,**  municipal code, section 2-7.2 creates the following standing committees of the City Council: 1)Personnel; 2) Budget Review and Finance; 3) Public Works/Clean Communities; 4) Airport/Airport Lease; 5) Fire; 6) Construction Code/Lighting; 7) Engineering/Affordable Housing; 8) Public Property and Community Services; 9) Real Estate, Revenue Enhancement and Development; 10) Negotiations and Labor Relations; 11) Cable TV, Technology and Communications; 12) Law; and 13) Accident Review; and

**WHEREAS,**  Section 2-7.2 further provides that the membership of each standing committee shall be composed of three (3) or more members of the Council, but not to exceed four (4) members of Council; and

**WHEREAS,**  said section also provides that the membership of the standing committees shall be appointed by a majority of the members of Council then present and voting at the organizational meeting of the Council to serve until the next organizational meeting; and

**NOW THEREFORE BE IT RESOLVED,** that a majority of the members of the Council have determined that the membership of the Standing Committees of Council shall be appointed as per the attached list; and

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

**Resolution: 2018-10**

**A RESOLUTION ESTABLISHING AD HOC COMMITTEES**

**OF THE COUNCIL AND APPOINTING THEIR MEMBERS**

**WHEREAS,** municipal code 2-7.1 provides that a majority of the members of Council then present and voting at the annual reorganization meeting shall establish such ad hoc committees as they deem necessary and appoint the members thereof; and

**WHEREAS,** Council has determined that the need exists for the following Ad Hoc committees of Council: 1) Linden Landfill/Linden Greenway; 2) Scout Day Activities; 3) City Clerk; 4) FAA Committee Newark Airport Noise Pollution); 5) Pot legalization.

**NOW THEREFORE BE IT RESOLVED,** that the Council does hereby create the following Ad Hoc Committees of Council: 1) Linden Landfill/Linden Greenway; 2) Scout Day Activities; 3) City Clerk; 4) FAA Committee Newark Airport Noise Pollution; 5) Pot legalization

**BE IT FURTHER RESOLVED,** that a majority of the members of Council have determined that the membership of the Ad Hoc Committees of Council shall be appointed as per the attached list: and

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

**RESOLUTION: 2018-11**

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

**THE CITY OF LINDEN DEPARTMENT OF FINANCE**

**BE IT RESOLVED** by the Council of the City of Linden, County of Union that for the year 2018, the following shall serve as the cash management plan of the City of Linden.

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

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

Wells Fargo Bank

Northfield Savings

Bank of America

Bank of New York

TD Bank

JP Morgan Chase Bank

Capital One

Unity Bank

US Bank

Morgan Stanley Trust

Trust Company of New Jersey

Wilmington Trust

Regal Bank

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

Derek Armstead, Mayor

Alexis Zack, CFO/Municipal Treasurer

Christine Figueiredo, Fiscal Analyst/ Assistant Municipal Treasurer – escrow accounts only

Department Turn Over ONLY for the following :

Joseph Bodek, Municipal Clerk/ Chairman of Insurance Commission

Jennifer Honan, Deputy Municipal Clerk

Joan Turbett, Licensing Clerk

Stacey Carron, Tax Collector

Cassandra Corbett, Municipal Judge

Dave Hart, Acting Police Chief

Alfred MacDonald, Superintendent of Public Property

Mary Ellen Tango, Director of Community Services

Susan Sanchez, Municipal Court Administrator

Jessica Sheehy, Supervisor of Personnel/Insurance Commission Secretary

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

Alexis Zack, CFO / Municipal Treasurer

Christine Figueiredo, Fiscal Analyst/ Assistant Municipal Treasurer

Janice Brown, Supervising Clerk

Stacey Carron, Tax Collector

The following are authorized as suitable investments:

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

\* Certificates of deposit in GUDPA approved banking institutions.

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

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

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

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

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

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

\* New Jersey Cash Management Fund.

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

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

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

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

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

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

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

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

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

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

\* Best Practices to be followed.

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

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

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

**Resolution: 2018-12**

**RESOLUTION TO ESTABLISH 2018 DEBT SERVICE CITY OF LINDEN**

**WHEREAS,** N.J.S. 40-A:4-19 provides authority for appropriating in a temporary resolution the permanent debt service requirements for the coming fiscal year providing that such resolution is not made earlier than December 20, of the year preceding the beginning of the fiscal year; and

**WHEREAS,** the date of this resolution is subsequent to December 20, 2017; and

**WHEREAS,** principal and interest will be due on various dates from January 1, 2018 to December 31, 2018, inclusive, on sundry bonds issued and outstanding:

**NOW, THEREFORE, BE IT RESOLVED** that the following appropriations be made to cover the period from January 1, 2018 to December 31, 2018 inclusive:

**DEBT SERVICE-CITY OF LINDEN BUDGET**

Payment of Bonds $2,895,000.00

Interest on Bonds $1,880,000.00

Interest on Notes $500,000.00

Payment of BANS $885,000.00

**DEBT SERVICE-GREEN TRUST LOAN PROGRAM**

Payment of Principal & Interest $117,000.00

**DEBT SERVICE-N.J. ENVIRONMENTAL INFRASTRUCTURE**

Payment of Principal & Interest $ 1,295,000.00

**DEBT SERVICE-UNION COUNTY IMPROVEMENT**

1998 Lease (Airport) $200,000.00

2010 Lease (Airport) $1,200,000.00

2003 Lease (P.A.L.) $136,000.00

2004 Lease (Wood Avenue) $255,000.00

2010 Morningstar $475,000.00

2016 Refunding Series $2,800,000.00

**BE IT FURTHER RESOLVED** that a certified copy of this resolution be

transmitted to the Chief Financial Officer for his record.

**RESOLUTION: 2018-13**

**CITY OF LINDEN RESOLUTION TO ESTABLISH DEBT SERVICE FOR SANITARY LANDFILL**

**WHEREAS,** N.J.S. 40-A:4-19 provides authority for appropriating in a temporary resolution the permanent debt service requirements for the coming fiscal year providing that such resolution is not made earlier than December 20, of the year preceding the beginning of the calendar year; and

**WHEREAS,** the date of this resolution is subsequent to December 20, 2017; and

**WHEREAS,** principal and interest will be due on various dates from January 1, 2018 to December 31, 2018, inclusive, on sundry bonds issued and outstanding:

**NOW, THEREFORE, BE IT RESOLVED** that the following appropriations be made to cover the period from January 1, 2017 to December 31, 2018 inclusive:

**DEBT SERVICE-CITY OF LINDEN - DEDICATED LANDFILL BUDGET**

Payment of Bond Anticipation Notes $194,000.00

Interest on Notes $ 0.00

**BE IT FURTHER RESOLVED** that a certified copy of this resolution be transmitted to the Chief Financial Officer for their record.

**RESOLUTION: 2018-14**

**RESOLUTION FOR EDMUNDS & ASSOCIATES, INC.**

**WHEREAS**, there exists a need to provide maintenance and technical support for the City of Linden’s Financial Accounting and Electronic Requisition System for the period of January 1, 2018 through December 31, 2018; and

**WHEREAS**, pursuant to NJSA 19-44A-20 et seq, the City Treasurer has determined and certified in writing that the anticipated value will not exceed $28,000.00; and

**WHEREAS,** Edmunds and Associates Inc 301 A Tilton Road Northfield, NJ 08225 has agreed to provide the necessary services as outlined in the sum not to exceed $28,000.00; and

**WHEREAS**, pursuant to NJSA 19:44A-20.4 Edmunds and Associates Inc is prohibited from making reportable contributions through the term of the contract to any political or candidate committee prohibited in the Business Entity Disclosure Certification; and

**WHEREAS**, the services required to be performed constitutes an exception to public bidding pursuant to the Local Public Contracts Law NJSA 40A:11-5 (1)(dd); and

**BE IT FURTHER RESOLVED**, that the said sum not to exceed $28,000.00 be charged to 8-01-20-131-113-273; and

**NOW THEREFORE BE IT RESOLVED**, by the City Council of the City of Linden that Edmunds and Associates is hereby awarded a contract to provide necessary services.

**Resolution: 2018-15**

**A RESOLUTION AUTHORIZING THE MUNICIPAL TREASURER TO INVEST AND REINVEST FUNDS IN 2018 FOR THE CITY OF LINDEN**

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

That Alexis Zack, Chief Financial Officer / Municipal Treasurer, be and she is hereby authorized to invest and reinvest in treasury obligations of the United States, certificates of deposit and savings certificates at such time and in such amounts as she deems necessary.

**BE IT FURTHER RESOLVED** that the CFO/Treasurer shall make a monthly report to the City Council of the investments made by her.

**Resolution: 2018-16**

**RESOLUTION OF THE CITY OF LINDEN, IN THE COUNTY OF UNION,**

**NEW JERSEY, APPOINTING NW FINANCIAL GROUP INC. AS**

**FINANCIAL AND INVESTMENT ADVISORS TO THE**

**CITY OF LINDEN, NEW JERSEY**

**WHEREAS,** the City of Linden, (the “City”) is a municipal corporation and public body politic and corporate under the laws of the State of New Jersey (the “State”); 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, submitted a qualification to the City and has qualified for the aforesaid services for 2018; and

**WHEREAS,** the City desires to appoint NW Financial Group to serve as financial and investment advisors to the City of Linden on every transaction the City of Linden enters into relating to the City’s financial profile and debt issues and instruments, in an amount not to exceed $ 50,000.00 to be charge to account 8-01-20-130-115-255; 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 competitive bids and the contract itself must be available for public inspection; and

**WHEREAS,** the Chief Financial Officer of the City has certified that funds are or will be available for this purpose;

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

**1.** NW Financial Group is hereby appointed to serve as financial and investment advisors to the City of Linden on all transactions, effective immediately.

**2.** The Mayor, the Chief Financial Officer and the City Clerk (including their designees, each an Authorized Officer) are hereby authorized to prepare, execute and deliver a professional services agreement setting forth the terms and conditions (including those set forth above) governing the provisions of such services.

**3.** That a copy of this resolution be published according to law.

**Resolution: 2018-17**

**RESOLUTION OF THE CITY OF LINDEN TO AUTHORIZE PARTICIPATION IN THE STATE HEALTH BENEFITS PLAN**

**WHEREAS**, the City of Linden wishes to provide quality and affordable health benefits to eligible employees and retirees; and

**WHEREAS**, the City wishes to continue participation in the State Health Benefits Plan (SHBP) for medical benefits for eligible employees and retirees, based upon a review of marketplace options for the period January 1, 2018 through March 31, 2018, and

**WHEREAS**, the award of the health benefits services for the SHBP is done in accordance with state law for such professional services; and

**WHEREAS**, acceptance of this proposal shall result in the renewal of the existing medical plan;

**NOW, THEREFORE, BE IT RESOLVED**, the City of Linden wishes to continue enrollment in the SHBP in accordance with the following costs:

Health Insurance Premiums not to exceed $

**RESOLUTION: 2018-18**

**RESOLUTION ENGAGING SUPLEE, CLOONEY & COMPANY AS AUDITORS**

**WHEREAS,** there exists within the City of Linden the need for a municipal auditor for the year 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,** Suplee, Clooney & Company submitted a qualification to the City and has qualified for the aforesaid services: and

**WHEREAS,** pursuant to the Local Public Contracts Law (N.J.S. 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,** Registered Municipal Accountants, of Suplee, Clooney & Company, Certified Public Accountants, possesses the requisite professional certification and experience necessary to serve in said position; and

**WHEREAS,** the Finance Director has certified to the availability of funds for this purpose, to be charged to Account No. 8-01-20-135-114-255 (audit) and 8-01-20-130-115-255 (professional services);

**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 Suplee, Clooney & Company at a fee not to exceed $79,350 for the audit and $11,700 for professional services; and

**BE IT FURTHER RESOLVED,** that the scope of such services shall include the audit; the rendition of financial advice; assistance in the preparation of the yearly financial statement and budget; and such other necessary services as may be required by the City within the limitations of the fee set forth above; and

**BE IT FURTHER RESOLVED**, that the Mayor and City Clerk be and hereby are empowered and directed to execute a contract with Suplee, Clooney & Company to effectuate the foregoing; and

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

**Resolution: 2018-19**

**RESOLUTION AUTHORIZING AWARD**

**OF CONTRACT FOR PROFESSIONAL**

**SERVICES OF BOND COUNSEL**

**WHEREAS,** there exists the need for retaining the specialized legal services of bond counsel in connection with the authorization, issuance and sale of bonds or notes of the City of Linden in the County of Union, State of New Jersey, including the review of such procedures and the rendering of approving legal opinions acceptable to the financial community for the year 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,** Gibbons, P.C. submitted a qualification to the City and has qualified for the aforesaid services: and

**WHEREAS,** Gibbons, P.C. is a law firm which can provide such specialized legal services as bond counsel; and

**WHEREAS,** the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires that notice of the adoption of a resolution authorizing the award of a contract for professional services without competitive bids must be publicly advertised;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN IN THE COUNTY OF UNION AND STATE OF NEW JERSEY,** as follows:

**1.** The law firm of Gibbons, P.C., a Partnership including Professional Corporation, One River Front Plaza, Newark, New Jersey 07102 is hereby retained as Bond Counsel for the City to provide the specialized legal services necessary in connection with the authorization, issuance and sale of bonds or notes by the City.

**2.** The Mayor and City Clerk are hereby authorized and directed to execute and deliver on behalf of the City a contract with said Bond Counsel in the form attached to this resolution.

**3.** The contract is awarded without competitive bidding as a "professional service" under the provisions of the Local Public Contracts Law, (N.J.S.A. 40A:11-5 (1) (a)) because the contract is for specialized services to be performed by persons authorized by law to practice a recognized profession, whose practice is regulated by law.

**4.** A copy of this resolution, as well as the contract attached hereto, shall be placed on file in the office of the City Clerk.

**5.** A notice of contract award and the adoption of this resolution shall be published as required by law within ten (10) days of the passage of this resolution.

1. This resolution shall take effect immediately.

**RESOLUTION: 2017-20**

**RESOLUTION AUTHORIZING A CHANGE IN THE CUSTODIAN OF THE PETTY CASH FUND IN THE POLICE DEPARTMENT**

**WHEREAS,** Johnathan Parham was custodian of the Police Department Petty Cash Fund; and

**WHEREAS,** in accordance with N.J.S.A. 40:5-21, the City of Linden is changing custodians to David Hart; and

**WHEREAS,** David Hart is bonded in the amount of $1,000,000.00 by virtue of a surety bond.

**NOW, THEREFORE, BE IT RESOLVED** that the City of Linden, County of Union hereby authorizes such action and two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

**RESOLUTION: 2017-21**

**RESOLUTION AUTHORIZING A CHANGE IN THE CUSTODIAN OF THE PETTY CASH FUND IN THE DIVISION OF PUBLIC WORKS**

**WHEREAS,** John Venditto was custodian of the Division of Public Works Petty Cash Fund; and

**WHEREAS,** in accordance with N.J.S.A. 40:5-21, the City of Linden is changing custodians to Frank Dann; and

**WHEREAS,** Frank Dann is bonded in the amount of $1,000,000.00 by virtue of a surety bond.

**NOW, THEREFORE, BE IT RESOLVED** that the City of Linden, County of Union hereby authorizes such action and two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

**RESOLUTION: 2018-22**

**Resolution authorizing re-establishment of Petty Cash Funds**

Whereas, the Police Chief, Fire Chief, Director of Community Services, Director of Public Property and Recreational Services, Purchasing Agent and OEM Coordinator all have permission from the State of New Jersey, Division of Local Government Services to maintain petty cash funds; and

Whereas, in accordance with the law, all petty cash funds must be turned over to the Chief Financial Officer/Municipal Treasurer at the end of each year in the same amount as was originally issued.

Now therefore be it resolved by the Governing Body of the City of Linden that the Chief Financial Officer/Municipal Treasurer is hereby authorized to re-establish the petty cash funds for the year 2018 as follows:

Fire Chief Joseph Dooley $100.00

Police Chief David Hart $200.00

OEM Coordinator David Hart $200.00

Director of Public Property and Recreational Services Alfred MacDonald $200.00

Director of Community Services Frank Dann $200.00

Purchasing Agent Annmarie Whelan $100.00

**ORDINANCES ON FIRST READING**

**There were no Ordinances on introduction.**

**ANNOUNCEMENT**

**President Alvarez announced that on behalf of Mayor Armstead, himself, Councilman Mohammed, Councilman Roman, Councilwoman Yamakaitis, Councilwoman Hickey, the Linden City Democratic Committee, and Democratic Chairman Nicholas Scutari all are invited to the JTG Center for sandwiches and refreshments.**

**President Alvarez announced the following Council Meetings:**

**Conference meeting prior to the Council meeting: Tuesday, January 16, 2018 at 5:00 p.m., Council Office, City Hall, Linden, NJ.**

**Council meeting: Tuesday, January 16, 2018 at 7:00 p.m., Council Chambers, City Hall, Linden, NJ.**

**ADJOURNMENT**

**There being no further business to come before Council, Mr. Strano moved to adjourn the meeting. The motion was seconded by Mrs. Ormon, and was unanimously ordered approved by a roll call vote. The meeting was adjourned at 8:33 pm.**

**Respectfully submitted,**

**Joseph C. Bodek**

**City Clerk**