**Meeting of the 2018 Council of the**

**City of Linden, held Tuesday**

**November 20, 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, November 20, 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

Councilman Alfred Mohammed

Councilwoman Rhashonna Cosby

Councilman John F. Roman

Councilman Ralph Strano

Councilwoman Michele Yamakaitis

Councilman Armando Medina

Council President Jorge Alvarez

Mayor Derek Armstead

President Alvarez stated that Mrs. Hickey was excused.

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**APPROVAL OF MINUTES**

Ms. Cosby moved for the approval of the October 16, 2018 Regular Council Meeting Minutes. The motion was seconded by Mr. Medina and on a roll call vote was ordered approved, with all voting in favor except Ms. Cosby who abstained.

President Alvarez announced that he would begin with continued ordinances, while waiting for the Mayor, before proceeding with the presentations. He asked for a motion to remove Ordinance 62-71 from consideration.

62-71 An Ordinance to amend and supplement Chapter XXXI, Zoning, of an ordinance entitled, “an ordinance adopting and enacting the Revised General Ordinances of the City of Linden, 1999,” passed November 23, 1999 and approved November 24, 1999, and as amended and supplemented. (Banning the operation of retail marijuana stores or retail sales of marijuana, allowing medical marijuana growth and distribution).

Mr. Roman moved to remove Ordinance 62-71 from consideration. The motion was seconded by Mrs.

Yamakaitis and was ordered approved by a roll call vote, with all voting in favor except Mr. Strano and

Mrs. Yamakaitis, who voted no.

Mayor Armstead arrived and President Alvarez moved onto to presentation.

**PRESENTATIONS**

**Union County Teacher of the Year 2018**

**Barbara Brady**

President Alvarez called upon Mrs. Ormon and Mayor Armstead to do a presentation recognizing Barbara Brady as Union County Teacher of the Year 2018. Mrs. Ormon spoke about Mrs. Brady, her credentials, and her work teaching dance to Linden High School students. She then read the resolution honoring Mrs. Brady. Mayor Armstead talked about what an awesome teacher Mrs. Brady is.

**2017 Tree City USA Award**

President Alvarez called up the following members of the Shade Tree Commission: Jeff Tandul, Ron Martins, Judy McCarthy, Joseph Lindsay, and Renee Banks. Mr. Tandul spoke on behalf of the Commission, noting that this is the twelfth year that Linden has received the Tree City USA designation. He explained what the qualifications were, in order to receive the designation, and thanked the Mayor, Council, Shade Tree Commission members and residents for their support of the Commission. He presented the latest Tree City USA flag to the Mayor.

**PROCLAMATION**

**Ammon Labs**

Mayor Armstead spoke the reasons that Giving Tuesday was created, and about Ammon Labs history in Linden. He talked about the size of Mr. Haupt’s heart and how through Ammon Labs he supports our community activities. The Mayor read the following proclamation, honoring Ammon Labs, for Giving Tuesday, and presented it to Stephen Haupt, the CEO of Ammon Labs.

**PROCLAMATION**

**WHEREAS,** Giving Tuesday was established as a National Day of Giving on the Tuesday following Thanksgiving; and,

**WHEREAS,** Giving Tuesday is a celebration of Philanthropy and Volunteerism where people give whatever they are able to give; and,

**WHEREAS,** Giving Tuesday is a day where citizens work together to share commitments, rally for favorite causes, build a stronger community and think about other people; and,

**WHEREAS,** it is fitting and proper on Giving Tuesday and on every day to recognize the tremendous impact of Philanthropy, Volunteerism and Community Service in the City of Linden, in the State of New Jersey; and,

**WHEREAS,** Giving Tuesday is an opportunity to encourage citizens to serve others throughout this holiday season and during other times of the year; and,

**WHEREAS,** The Ammon Foundation be named the City of Linden’s Giving Tuesday Ambassadors because of their outstanding philanthropic contribution to individuals within our community and throughout the State of New Jersey, in supporting their mission of empowering individuals in addiction recovery to sustain long-term recovery and personal success and to also support their **“Empowerment Hero Campaign”.**

**NOW THEREFORE BE IT RESOLVED** that I, Derek Armstead, Mayor of the City of Linden, in the State of New Jersey do hereby proclaim November 27th, 2018 as Giving Tuesday in our City, and encourage all citizens to join together to give back to the community in any way that is personally meaningful.

Derek Armstead

Mayor City of Linden

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**ORDINANCE – TABLED FROM THE OCTOBER 16, 2018 MEETING**

* 1. Ordinance to adopt the redevelopment plan entitled “Route 1/9 Stiles Street – Block 469,

Lots 33.01, 34, 35.01 and 36.01,” pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.

Mr. Roman moved to table Ordinance 62-58 till the December meeting. The motion was seconded by Mrs. Yamakaitis, and was unanimously ordered approved by a roll call vote.

**ORDINANCE – HEARING**

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

#62-78 An ordinance to amend and supplement Chapter VII, Traffic, of an ordinance entitled, “An Ordinance adopting 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:

7-33 HANDICAPPED PARKING REGULATIONS, 7-33.1A HANDICAPPED PARKING

ON-STREET

Name of Street No. Spaces

ADD:

2139 Dill Avenue 1

2515 Grier Avenue 1

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

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

There being no persons to be heard, Mrs. Yamakaitis moved for the approval of Ordinance #62-78. The motion was seconded by Ms. Cosby and was unanimously ordered approved by a roll call vote.

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

#62-79 Bond ordinance authorizing Brook, Storm and Sanitary Sewer improvements and removal of underground storage tanks in and for the City of Linden, appropriating $330,000 therefore and authorizing the issuance $313,500 bonds or notes to finance part of the cost thereof.

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

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

Craig Halloran, 120 Donaldson Place. Mr. Halloran stated that the City was appropriating money, for this work, and asked if there were bids out, for the work, otherwise how do we know what the work cost. Mrs. Zack explained the process, and that the bonding is based on engineering estimates.

There being no other persons to be heard, Mr. Javick moved for the approval of Ordinance #62-79. The motion was seconded by Mr. Medina and was unanimously ordered approved by a roll call vote.

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

#62-80 Bond ordinance authorizing various roadway improvements for the Engineering Department in and for the City of Linden, appropriating $2,766,500 therefore and authorizing the issuance of $1,122,425 bonds or notes to finance part of the cost thereof.

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

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

Craig Halloran, 120 Donaldson Place. Mr. Halloran noted that there was a difference of almost $1.6 million between the appropriation and the bond, and asked why. Mrs. Zack the additional funding was coming from a truck traffic grant.

There being no other persons to be heard, Ms. Cosby moved for the approval of Ordinance #62-80. The motion was seconded by Mr. Javick and was unanimously ordered approved by a roll call vote.

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

#62-81 Rental Registration

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

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

Ed Kaminski, 201 Maple Avenue. Mr. Kaminski asked what does it affect, and in what way. Mr. Antonelli responded that it would require landlords to register rental units, and that inspections of those units would be required. He answered additional follow up questions from Mr. Kaminski regarding the requirements of the ordinance. President Alvarez asked if there were any fees involved, to which Mr. Antonelli responded yes and detailed the fees involved. He answered additional questions from President Alvarez. Mayor Armstead stated that the City had just eliminated the garbage tax, as it was burdensome to the taxpayers. He noted that this fee, falls into the same category, as a burdensome fee to the taxpayers, he asked that the ordinance be removed or voted down. Ms. Cosby stated she agreed with the Mayor, and explained her concerns with the ordinance. Mrs. Ormon stated that all members of Council were in agreement with removing this ordinance.

There being no persons to be heard, Mrs. Ormon moved to close the public hearing on Ordinance #62-81, and remove it from consideration. The motion was seconded by Ms. Cosby and was unanimously ordered approved by a roll call vote.

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

#62-82 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 2-13.1 Creation of Department, Supervision, in its entirety

ADD New Section 2-13.1 Creation of Department, Supervision, as follows”

Chief 1

Deputy Fire Chiefs 5

Fire Captains 17

Fire Lieutenants 15

Firefighters 79

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

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

There being no persons to be heard, Mr. Javick moved for the approval of Ordinance #62-82. The motion was seconded by Mr. Strano and was unanimously ordered approved by a roll call vote.

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

#62-83 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-8

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

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

There being no persons to be heard, Mr. Strano moved for the approval of Ordinance #62-83. The motion was seconded by Mr. Javick and was ordered approved by a roll call vote, with all voting in favor except for Ms. Cosby who voted no.

**CONSENT AGENDA**

**(\*\*\*) TAX COLLECTOR:**

1. The amount of money collected during the month of October 2018 and turned over to the treasurer’s office is as follows:

2019 Taxes $302,974.41

2018 Taxes $20,230,843.18

2017 Taxes $102.90

2017 Garbage Fee Balance $10.00

Municipal Lien Redemption $1,006.49

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 $20.00

Returned Sewer Clean out ($0.00)

Returned Sewer Interest ($0.00)

Returned Check 2018 ($2,154.46)

Returned Check Interest ($39.63)

Returned Online Payment 2018 Taxes ($2,956.93)

Returned Online Interest ($88.13)

Adv. Before Tax Sale $0.00

State Audit Payment $0.00

Premium $0.00

Sewer Clean out charge $1,200.00

DPW Reso payments $0.00

Interest $23,403.35

Total $20,554,321.18

**Veteran Deduction** Refund of Property Taxes, Block 100 Lot 8.01

Hilary Waye, 1027 Essex Avenue – 2 Family Home

2018 Refund Overpayment

This property owner was deemed a 100% Disabled Veteran by the V.A. as of 12/4/17, and is entitled to the refund of 55% of the taxes from the date of purchase as this is a 2 family home. This property will be tax exempt going further for the portion of the 2 family in which Mr. Waye resides per Michael Frangella. The property owner is entitled to a refund of $3,573.17.

**Refund 2018 Overpayment**

**$3,573.17**

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $3,573.17. payable to: Hilary Waye, 1027 Essex Avenue, Linden, NJ 07036, charging same to account #-8-01-55-288-999-904.

**Veteran Deduction** Refund of Property Taxes, Block 258 Lot 7

Andrew Kupka, 120 Morristown Road

This property owner has been deemed a 100% Disabled Veteran by the V.A. as of 4/14/15 and purchased this property on 6/18/04. Mr. Kupka is entitled to the 50 % for part of 2018 and 100% Disabled Veteran Status for part of 2018 per Michael Frangella. The following is the amount paid by the mortgage company and the property owner is entitled to a refund in the amount of $3,173.25.

Over Paid 2018 R**efund $3,173.25**

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $3,173.25 payable to: Andrew Kupka, 120 Morristown Road, Linden, NJ 07036, charging same to account #-8-01-55-288-999-904.

**Overpayment** Block 282 Lot 15, David & Patricia Juliano

306-308 Knopf Street, 2018 4th qtr. overpayment

The above referenced owner’s Mortgage Company and the Owner have paid the 2018 4th quarter property taxes creating this overpayment and the owner is entitled a refund in the amount of $2,401.32.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $2,401.32 ;payable to: David & Patricia Juliano, 306-308 Knopf Street, Linden, NJ 07036, charging same to # 8-01-55-288-999-904.

**Overpayment** Block 524 Lot 22, Vincent H. Jackson

1805 Clinton Street, 2018 4th qtr. overpayment

The above referenced owner’s Mortgage Company have paid the 2018 4th quarter property taxes creating this overpayment and the owner is entitled a refund in the amount of $4,132.20.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $4,132.20 :payable to: Vincent H. Jackson, 22 Ireland Brook Drive, North Brunswick, NJ 08902, charging same to # 8-01-55-288-999-904.

**Overpayment** Block 529 Lot 19, Maxine Marcano

1411 Clinton Street, 2018 3rd qtr. overpayment

The above referenced owner’s Mortgage Company and Closing attorney have paid the 2018 4th quarter property taxes creating this overpayment and the owner is entitled a refund in the amount of $3,220.35.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $3,220.35.payable to: Maxine Marcano, 1411 Clinton Street, Linden, NJ 07036, charging same to # 8-01-55-288-999-904.

**Tax Court Judgment** Block 580 Lot 31.08, Ghanshyam Hospitality, LLC - 501-599 W. Edgar Road

2015 Tax Court Docket# 002406-2015, 2016 Tax Court Docket# 001778-2016

2017 Tax Court Docket# 001354-2017

The below referenced property owner is entitled to a refund due to a Tax Court of New Jersey judgment reducing the assessment by Tax Court for tax year 2015 by 568,600, 2016 by 568,600 & 2017 by 852,600.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $130,246.03, payable to: Archer & Greiner, P.C. c/o Ghanshyam Hospitality, LLC , 101 Carnegie Center, Suite #-30, Princeton, NJ 08540, charging same to account #8-01-55-275-999-000 ($91,380.33) & #8-01-55-300-055-000 ($38,865.70).

**Tax Sale** Requesting the refund of the premium paid at the 2018 tax sale on the following block &

lot.

**Block Lot Redemption Date CTF# Amount**

7 12 10/24/18 17-00006 $20,800.00

119 12 10/17/18 17-00096 $23,800.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $44,600.00 payable to: Phoenix Funding, Inc, 1148 Springfield Avenue, Mountainside, NJ 07092 charging same to account #-8-01-55-276-999-956.

**Tax Sale** Requesting the refund of the premium paid at the 2018 tax sale on the following blocks & lots.

**Block Lot Redemption Date Cert# Premium**

16 27 10/4/18 17-00016 $800.00

30 7 10/30/18 17-00026 $800.00

104 3 10/23/18 17-00080 $1,100.00

377 24 10/26/18 17-00258 $1,000.00

421 32 10/9/18 17-00277 $800.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $4,500.00 payable to: Fig as Custodian for Fig NJ18, LLC, Secured Party, P.O. Box 54472, New Orleans, LA 70154, charging same to account #8-01-55-276-999-956.

**Tax Sale** Requesting the refund of the premium paid at the 2018 tax sale on the following block & lot.

**Block Lot Redemption Date CTF# Amount**

21 3.01 10/26/18 17-00019 $31,200.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $31,200.00 payable to: Sunshine State Certificates VII, LLP, Bank United Trustee, 7900 Miami Lakes Drive West, Miami Lakes, FL 33016, charging same to account

#-8-01-55-276-999-956.

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

**Block Lot Redemption Date Cert# Premium**

45 3 10/16/18 15-00025 $13,600.00

537 10 10/23/18 15-00309 $4,500.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $18,100.00 payable to: MTAG Cust Fig Cap Invest NJ, 13, P.O. Box 54472, New Orleans, LA 70154, charging same to account #8-01-55-276-999-956.

**Tax Sale** Requesting the refund of the premium paid at the 2018 tax sale on the following block & lot.

**Block Lot Redemption Date CTF# Amount**

51 2 10/19/18 17-00041 $13,200.00

51 30 11/1/18 17-00042 $1,000.00

148 9 11/1/18 17-00124 $1,000.00

174 3 10/9/18 17-00141 $1,100.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $16,300.00 payable to: US Bank Cust for PC7, LLC Firstrust Bank, 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 2018 tax sale on the following block & lot.

**Block Lot Redemption Date CTF# Amount**

57 6 10/30/18 17-00045 $9,500.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $9,500.00 payable to: Christiana T C/F, CE/1 Firsttrust, P.O. Box 5021, Philadelphia, PA 19111-5021, 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**

122 7 10/12/18 16-00092 $16,200.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $16,200.00 payable to: TLOA of NJ, LLC, C/O TLOA Servicing’s, LLC, P.O. Box 54077, New Orleans, LA 70154-4077, 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 blocks & lots.

**Block Lot Redemption Date CTF# Amount**

127 4 10/16/18 14-00098 $43,000.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $43,000.00 payable to Stonefield Investment Fund, IV LLC, 21Suite #-207, Monsey, NY 10952, charging same to account #8-01-55-276-999-956.

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

**Block Lot Redemption Date CTF# Amount**

193 9 11/2/18 16-00150 $1,400.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,400.00 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**

201 11 C0105 10/26/18 16-00161 $16,800.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $16,800.00 payable to: Ripple Creek Investors of New Jersey, LLC, P.O. Box 144, LaFox, IL 60167 charging same to account #-8-01-55-276-999-956.

**Tax Sale** Requesting the refund of the premium paid at the 2018 tax sale on the following block &

lot.

**Block Lot Redemption Date CTF# Amount**

261 10 10/9/18 17-00203 $500.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $500.00 payable to: DSHC Enterprises, LLC, P.O. Box 524, Plainsboro, NJ 08536, charging same to account #-8-01-55-276-999-956.

**Tax Sale** Requesting the refund of the premium paid at the 2018 tax sale on the following blocks

& lots.

**Block Lot Redemption Date CTF# Amount**

363 13 10/23/18 17-00253 $23,900.00

537 22.01 10/30/18 17-00324 $5,600.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $29,500.00 payable to: Lillian Zhang, 11 Walnut Street, Livingston, NJ 07039, charging same to account #8-01-55-276-999-956.

**Tax Sale** Requesting the refund of the premium paid at the 2018 tax sale on the following blocks & lots.

**Block Lot Redemption Date CTF# Amount**

363 13 10/23/18 17-00253 $23,900.00

537 22.01 10/30/18 17-00324 $5,600.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $29,500.00 payable to: Lillian Zhang, 11 Walnut Street, Livingston, NJ 07039, charging same to account #8-01-55-276-999-956.

**Tax Sale** Requesting the refund of the premium paid at the 2017 & 2018 tax sale on the following block & lot.

**Block Lot Redemption Date CTF# Amount**

300 1 10/17/18 16-00212 $1,100.00

540 7 10/2/18 17-00328 $1,100.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $2,200.00 payable to 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.

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

1. Requesting approval of the following Bingo/Raffle Application which have been submitted to the Clerk’s Office:

**Application Organization Raffle** **Fee**

RA-1817 PTSA LHS 50/50 $20.00

RA-1818 Presbyterian Church 50/50(2) $40.00

RA-1819 PTA School #10 50/50 $20.00

RA-1820 PTA School #10 50/50(3) $60.00

RA-1821 PTA School #9 50/50(2) $40.00

RA-1822 PTA School #9 Tricky Tray $20.00

**(\*\*\*) BOARD OF HEALTH:**

1. Advising that the Board of Health issued sixty (60) Certificates of Occupancy during the month of October, 2018.

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

1. Requesting approval of the following refunds:
2. Robert Gates is entitled to a refund in the amount of $50.00 for service that was provided on 6/6/2018. Therefore, it would be in order for the council to authorize the treasurer to issue a check payable to Robert Gates, 314A Street Middlesex, NJ 08846 charging same to 8-01-08-629-011.
3. Aetna is entitled to a refund in the amount of $191.12 for service that was provided on 11/19/2015. 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 8-01-08-629-011.
4. CSDCMAC Refund, Alma Karamus is entitled to a refund in the amount of $50.00 for a Certificate of Smoke Detector and Carbon Monoxide Alarm Compliance that was already paid for by the previous bank owner. Therefore, it would be in order for the council to authorize the treasurer to issue a check payable to Alma Karamus, 867 N. Stiles Street, Linden, NJ 07036 charging same to 8-01-08-629-011.

Craig Halloran, 120 Donaldson Place. Mr. Halloran asked about the $23,403.35 of interest in the very first item. Mrs. Zack noted it was the interest received on delinquent taxes, when they are paid.

Mrs. Ormon moved for approval of the Consent Agenda, items #1 -#4. The motion was seconded by Mr. Javick and was unanimously ordered approved by a roll call vote.

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

First Ward

Mrs. Ormon congratulated those that ran, in the general election, and won. She thanked those that had run, and did not win, for being part of the process. She also offered congratulations to the successful Board of Education candidates, thanking them for their willingness to serve. Mrs. Ormon also thanked the residents of the First Ward, for coming out in really big numbers, and showing their support for her.

Mrs. Ormon spoke about the issue of the repaving of Gesner St. The street was due to be repaved, however due to the recent weather conditions, the project will be put off till the spring, however the weather conditions do allow for the necessary concrete work to move forward, so that work will be done now. Next she provided an update on the new supermarket that will be moving into the old Pathmark site. She then provided a report on the leaf collection, speaking about the unusual season it has been, due to the weather, and that DPW is working to collect the leaves. She thanked DPW for their efforts during the recent snow storm. She announced that she had leaf bags available for residens of the First Ward. She invited residents to call her to receive updates on the other redevelopment projects going on.

Mrs. Ormon wished all a happy Thanksgiving and asked all to think of those who are less fortunate. She spoke about her purchasing a $12.00 food basket, where the number came from, what she purchased, and why. She challenged the other members of Council to do the same during the month of November. She concluded by speaking about the recent celebration honoring the veterans of Linden.

Second Ward

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

Approval is requested for the following finance actions:

1. The payment of bills totaling $ 2,582,114.00. Bills have been signed by the Mayor, Council President and Finance Chairman and a detailed check register and vouchers are on file in the Clerk’s Office.
2. We are in receipt of the investments made by the City Treasurer for the month of October at the rate of 2.75%.
3. In the Department of Finance the approval was granted for the CFO to submit the Best Practices worksheet to the Division of Local Government Services by the November 12, 2018 deadline.

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

Mr. Javick spoke about a toy drive that was being conducted, provided details on the event, and explained where residents can drop toys off to. Next he spoke about the upcoming Breakfast with Santa, and the City’s holiday tree lighting ceremony, and provided details on each.

Mr. Javick informed residents that the City was providing free firewood to the residents, and provided the location from which residents could come and pick it up. He concluded by congratulating those that won in the November election and provided his contact information.

Fourth Ward

Mr. Mohammed reported that all was good in the Fourth Ward, and then provided a report and updates on various municipal improvements and projects that were being done in the Ward. Next he gave the report of the Board of Health, including the types and amounts of the various licenses issued. He informed residents about the annual flu vaccination program, provided the phone number for the Board of Health, and urged residents to call and register to get their flu shots.

Mr. Mohammed stated that he was saddened by Linden’s State Senators support of legislation legalizing marijuana, and asked for a moment of silence for those suffering from addiction. He then spoke about the greatness of America, wished all a happy Thanksgiving, and congratulated those elected and those that ran, stating voting does matter.

Fifth Ward

Ms. Cosby moved to approve to install a street light on pole #65695, on Rebecca Street. The motion was seconded by Mrs. Yamakaitis and was unanimously ordered approved by a roll call vote.

Ms. Cosby noted that she did not have a report of the Construction Code Department, this month, but it would be on file in the Clerk’s office. She then spoke about the awesome job that was being done by that department. Next she thanked those that had participated in the Fifth Ward Community meeting, noting that at the meeting Hispanic Heritage was recognized. She announced the Fifth Wards annual breakfast with Santa, and provided details on the event.

Ms. Cosby informed residents about her community survey and explained as to how they could participate. She also spoke about the purpose of the survey, and provided her contact information. She then spoke about a grant that she had pursued, which partnered the City with NJ After School All Stars, what the program, that was being put in place, would do, and the opportunities that would be available to residents of Linden.

Ms. Cosby reported on the networking being done by a group of ladies who meet at the Linden Library. She asked that if anyone was interested in participating, to call her, and she would connect them with the group. Next Ms. Cosby spoke about activities that she has been doing, in the Fifth Ward, but they are not just for the people of the Fifth Ward. She named some of them, and asked the Cultural Committee to look into doing them as City wide events.

Ms. Cosby wished all a happy Thanksgiving, and asked all, on Giving Tuesday, to consider making a donation to Hooked On Fishing, Not On Drugs. She talked about the growth of the program over the past few years.

Sixth Ward

Mr. Roman stated that he was still kind of a member of the Cultural Committee, helping them when he can, and stated that he thought Ms. Cosby’s idea was a great one. Next he congratulated all that won there elections, and all that had run, and wished all a happy Thanksgiving.

Mr. Roman gave the report of the Division of Transportation, for the month of October. A total of $53,000.00 was collected from all sources. Mr. Roman announced that last month, the Union County Health Department was out, and issued summons to trucks that were idling on South Stiles St., at the site of the new factory. He spoke about how this issue affects the quality of life for residents in that area, adding that tonight he got a call about the truck idling, again. He called that Linden Police Department, and thanked them for their quick response.

Mr. Roman spoke about the recent Veterans Day event, how amazing it was, and thanked a number of individuals for their hard work in making it happen. Next he addressed a number of issues, related to leaf collection and informed Sixth Ward residents that he has leaf bags if they need them. Mr. Roman then talked about an auto accident, on Clinton Street, and his efforts to get a four-way stop sign installed to prevent these kind of accidents. He then talked about the issue of truck traffic being on Woodlawn Ave and Clinton Street and working with the police to address the issue. He detailed plans to help keep trucks from using certain streets in the Sixth Ward. Mr. Roman provided updates on the Merida Lifestyles II project that is under construction. He then provided details on the upcoming Christmas tree lighting.

Mr. Roman spoke about the ordinance banning the sale of legalized marijuana in the City,that was removed from consideration earlier tonight. He talked about the need for Council too look at it, again, and re-exam it and where these facilities can be, and should be located. He concluded by providing his contact information.

Seventh Ward

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

1. Police Department:

a. Permission to hire Edward Chabak and Keith Aslin as SLEO III’s at the hourly rate of $30.00 pending successful completion of background requirements effective November 30, 2018.

b. Permission to begin the background checks for the hiring of 4 Police Recruits for the UC Police Academy from the attached list.

c. Permission to hire 4 Public Safety Telecommunicators pending the successful completion of background requirements, from the attached list, at the annual salary of $38,000.00 effective December 4, 2018.

d. Amending the hire date of Marquita Thompson as a Public Safety Telecommunicator Trainee to November 10, 2018 from October 23, 2018.

2. Municipal Court:

a. Promotion of Lindsey Parker to Deputy Municipal Court Administrator effective November 22, 2018 at the annual salary of $55,000.00

b. Permission to close the court office on Friday November 23, 2018.

3. Treasury:

a. Permission to post internally and externally for a full time Clerk I in the Treasurer’s office.

b. The increase in the part-time hours of Lucy Miranda, in the Tax Collectors office, as needed for the division, not to exceed 28 hours per week.

4. Construction Code:

a. Amending the hire date of Joseph Edigio to November 19, 2018 from November 12, 2018

5. Personnel:

a. FMLA/NJFLA:

Emp #107871 October 1, 2018 through January 1, 2019

Emp#106893 October 5, 2018 through November 19, 2018

Emp#909085 Intermittent July 22, 2018 through January 22,2019

Emp#000076 October 19, 2018 through November 30,2018

Emp#909595 September 14, 2018 through October 8, 2018

Emp#908938 July 30, 2018 through October 31, 2018

Emp#108135 September 5, 2018 through October 9, 2018

Emp#009078 July 3, 2018 through October 3, 2018

Emp #106919 October 23, 2018 through December 5, 2018

Mr. Strano asked if there were any questions.

Joseph Lindsey, 326 Fernwood Terrace. Mr. Lindsey asked (item 1c) if the salary, $38,000.00 if that was the minimum in the contract, and if it was upped. Mr. Roth responded that it was. He then asked about the change (item 2a) for Ms. Parker. Mr. Roth provided a response.

Mr. Strano moved for approval of the Personnel Report. The motion was seconded by Mrs. Ormon and was ordered approved by a roll call vote, with all voting in favor except Ms. Cosby who abstained.

Mr. Strano gave his Seventh Ward report. He began by thanking the Shade Tree Commissioners for their hard work and volunteer services, addressing particularly the tree trimming that took place in the Seventh Ward. He also commented on the great job that DPW did during the recent snow storm. Mr. Strano also spoke about the warehousing project, being done by Advanced Greek, in Tremely Point. He stated that he recently visited the site and was impressed by the progress of the work being done on building the bridge over the railroad line. He commended the developer, the Mayor, and the LEDC for getting this done.

Mr. Strano congratulated all that had run in the recent election, and wish all a safe and happy Thanksgiving.

Eighth Ward

Mrs. Yamakaitis gave the report of the Fire Committee. The Fire Prevention Bureau collected a total of $9,365.54 in fees for the month of October. Also the ambulance reimbursement system collected a total of $69,436.80 for the month of October, bringing the year to date total to $688,928.26.

Mrs. Yamakaitis announced that a redevelopment agreement is on the agenda tonight, for the former Park’s Plastic site. She thanked the Mayor and administration for moving this project forward. Next she noted the postponement of street paving projects, in the 8th Ward, and the reason why. She also informed all about a WAWA that would be built in the Park Avenue, Route 1&9 area. She then talked about the work being done to the Turnpike entrance at exist 13.

Mrs. Yamakaitis spoke about the Neighborhood Watch, an alert they issued, and how the use of a Ring camera helped catch individuals stealing packages from porches. She then talked about the holiday tree lighting, and provided details on the event. She announced that the Cultural and Heritage Committee would once again be conducting a contest regarding home holiday decorations. Mrs. Yamakaitis spoke about the Eighth Ward Holiday Open house and provided details on the event.

Mrs. Yamakaitis announced that she has leaf bags available for Eighth Ward residents and provided her contact information. She commented on statements made, by Mr. Roman, and the need for four-way stop signs, noting some locations in the Eighth Ward that needed them. She wished all a happy Thanksgiving.

Ninth Ward

Mr. Medina joined with Mrs. Yamakaitis and Mr. Roman regarding the need for four-way stop signs, and getting them done, next year. He thanked DPW for the job they did removing snow, during the recent storm. He spoke about remembering the veterans.

Mr. Medina thanked Ninth Ward residents for coming out and voting, and also thanked those that came out the recent community meeting. He reported on the delays in the sidewalk replacement program, being done in the Ninth Ward and the illegal dumping that the ward is experiencing. He wished all a happy Thanksgiving.

**MAYOR’S REPORT**

Mayor Armstead reported on the City’s efforts to have solar panels installed on the old landfill. The first offers that the City received, the developers were offering to pay the City $100,000.00 per year for use of the site. After working hard, on this project, the offer is now at $250,000.00 per year, and that he would still like to see a better number. The Mayor congratulated Mr. Roman, as Landfill Committee Chairman, for his hard work in getting this accomplished.

Mayor Armstead reported on the activity of the Linden-Roselle Sewerage Authority. The Authority was close to entering into an user/occupancy agreement addressing the sludge that the Authority generates. This would provide the Authority with additional revenue, lessening the burden on the taxpayers of Linden and Roselle. He hoped that the agreement could be signed next month. The Mayor then congratulated the new commissioners, on the Board of Education, and stated that he looked forward to working with them to reduce taxes, and seeing that money reaches down to the needs in the classrooms. His goal was to stabilize taxes. He congratulated all of the winners in the general election, and thanked all that came out and voted, particularly those that came out to vote for his re-election. Mayor Armstead stated that it was an honor to be the mayor of Linden, that his heart is in the town, and that he will work to move the City forward. The Mayor wished all a happy Thanksgiving.

**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.**

**Resolutions #2018-414 and #2018-418 were removed at the request of Mr. Halloran.**

**Mr. Mohammed moved for the approval of Resolutions #2018-412 through #2018-428 with the exception of Resolutions #2018-414 and #2018-418. The motion was seconded by Mrs. Yamakaitis and was ordered approved by all with the exception of Ms. Cosby who voted no on Resolutions #2018-422 and #2018-423, and Mr. Roman who voted no on Resolution #2018-413.**

**RESOLUTION: 2018-412**

RESOLUTION FIXING THE REGULAR MEETING

DATES OF THE COUNCIL AND PRESCRIBING THE

RULES GOVERNING THE PROCEDURE AT ALL

MEETINGS OF THE COUNCIL FOR 2019.

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

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

CONFERENCE MEETINGS

CONFERENCE MEETINGS PRIOR TO COUNCIL MEETINGS COUNCIL MEETINGS

(Organization Meeting) (Organization Meeting)

Jan. 2, 6:00 p.m. to 6:00 p.m. Jan. 2, at 7:00 p.m.

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

Feb. 19, 5:00 p.m. to 7:00 p.m. Feb. 19, at 7:00 p.m.

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

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

Apr. 23, 6:30 p.m. to 7:00 p.m. Apr. 23, at 7:00 p.m.

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

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

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

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

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

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

Nov. 11, at 6:00 p.m. Nov. 12, 6:00 p.m. to 7:00 p.m. Nov. 26, at 7:00 p.m.

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

- - - - - - - - - - - - Dec. 30, 6:00 p.m. to 7:00 p.m. Dec. 30, at 7:00 p.m.

BE IT FURTHER RESOLVED, that the procedure of all meetings for the year 2019 shall be in compliance with the Open Public Meetings Act, Chapter 231, P.L. 1975.

**RESOLUTION: 2018-413**

**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**

03 TAURUS 1FAFP53U54A100506

MG51990 02 CROWN VIC. 2FAP71W93X107822

MG46429 03 CVPF 2FAFP71WX1X182512

MG72822 06 CVPI 2FAHP71W37X108740

10256MG 06 CVPI 2FAHP71W97X108743

MG65756 05 CVPI 2FAFP71W45X149320

MG39848 2000 FORD EXP. 1FMPU16LXYLC00304

MG39844 2000 FORD EXP. 1FMRU1669YLC14438

MG55390 02 CVPI 2FAFP71W73X209426

MG78290 2008 CVPI 2FAHP71V48X179468

MG39802 2000 FORD EXP. 1FMPU16LXYLA21423

MG39849 2000 FORD EXP. 1FMPU16L4YLC14439

MG52011 2002 DODGE VAN 287HB11Y12K140812

MG64678 2000 FORD EXP. 1FMPU16LXYLC00304

03 FORD TAURUS 1FAFP53UX3A137324 YBH93H

|  |  |  |
| --- | --- | --- |
| 2003 FORD CROWN VIC. | 2FAFP71W53X209425 |  |
| 2005 FORD TAURUS | 1FAFP53UX3A137324 |  |
| 1979 CHEVY TOW TRUCK C60 | C16DB9V143044 |  |
| 2000 INT'L 2674 | 1HTGLAHT3YH258667 |  |
| 1991 INT'L 2645 | 1HTGHNHT1MH338312 |  |
| 2000 CRANE CAR | 1CYCCG483YT044466 |  |
| 1996 GMC DUMP TRUCK | 1GDP7H1J5TJ507003 |  |
| 1992 FORD L7000 | 1FDXR72P8NVA22096 |  |
| 1983 FORD VACTOR | 1FDYU80Y4DVA43074 |  |
| 2005 FL. FC80 JOHNSTON SWPR. | 1FVAB6BV25DN91740 |  |
| 1978 CAT LOADER | 41K8140 |  |
| 1980 SULLAIR AIR COMPRESSOR | SUL7642780 |  |
| STUMP CUTTER | 1VRN151U2Y1000461 |  |
| 1995 HENDERSON SALTER | 16626 |  |
| 1976 HUDSON PAV. | HTRB187610 |  |
| 14 WESTERN SNOW PLOWS |  |  |
| 2ft. VAULK PLOWS |  |  |
| 1 GOOD ROADS PLOW |  |  |
| 1 SMALL TRAILER | LR666 |  |
| 1 BALDERON BUCKET (TOOTH) | 107074 |  |
| 1 HENKE #56 10FT. PLOW |  |  |
| 1 HENDERSON PLOW 10FT. (G-1) |  |  |
| KOMATSU DOZER D61-24 | MOD.# 6CB41 SER.#D145547 | |

**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:**

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

**RESOLUTION: 2018-414**

**RESOLUTION AUTHORIZING THE USE OF A STATE CONTRACT FOR THE PURCHASE OF TENNANT MODEL ATLV4300 SIDEWALK LITTER VACUUM AWARDED TO W.W. GRAINGER, INC. FOR THE PUBLIC WORKS DEPARTMENT**

**WHEREAS**, the City of Linden wishes to obtain a Tennant Model ATLV4300 Sidewalk Litter Vacuum from an authorized vendor under the State of New Jersey contract 19-FLEET-00566 awarded to W.W. Grainger, Inc., 55 Jackson Drive, Cranford, NJ 07016 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**, W. W. Grainger, Inc. has been awarded Contract No. 19-FLEET-00566; 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 $47,056.00 and,

**WHEREAS**, the Chief Finance Officer has certified the availability of funds for this contract, which will be charged to account number C-04-55-907-695-919.

**NOW THEREFORE BE IT RESOLVED** by the City of Linden that W. W. Grainger, 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.

Craig Halloran, 120 Donaldson Place. Mr. Halloran asked where the equipment would be used. Mr. Dann responded that it would be used in the various business districts, and detailed his plans to clean those areas, beginning at 4:00 am.

Refer to resolution #2018-418 for roll call.

**RESOLUTION: 2018-415**

**RESOLUTION CHAPTER 159**

**DRIVE SOBER OR GET PULLED OVER**

**YEAR END HOLIDAY CRACKDOWN**

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

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

**WHEREAS,** the City of Linden will receive $5,500.00 from the State of New Jersey Law and Public Safety and wishes to amend its 2018 Budget to include this amount as a revenue, and

**NOW, THEREFORE, BE IT RESOLVED** that the Council of the City of Linden hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2018 in the sum of $5,500.00 which item is now available as a revenue from:

Miscellaneous Revenues

Special items of General Revenue Anticipated with

Prior Written Consent of the Director of Local

Government Services:

Public and Private Revenues off-set with Appropriations:

DRIVE SOBER OR GET PULLED OVER YEAR END HOLIDAY

**BE IT FURTHER RESOLVED** that a like sum of $5,500.00 be and the same is hereby appropriated under the caption of:

General Appropriations

(A) Operations excluded from "CAPS"

Public and Private Programs off-set by revenues:

DRIVE SOBER OR GET PULLED OVER YEAR END HOLIDAY

**RESOLUTION: 2018-416**

**CITY OF LINDEN**

**RESOLUTION CHAPTER 159**

**GREENING UNION COUNTY GRANT**

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

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

**WHEREAS,** the City of Linden will receive $11,250.00 from the County of Union and wishes to amend its 2018 Budget to include this amount as a revenue, and

**NOW, THEREFORE, BE IT RESOLVED** that the Council of the City of Linden hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2018 in the sum of $11,250.00 which item is now available as a revenue from:

Miscellaneous Revenues

Special items of General Revenue Anticipated with

Prior Written Consent of the Director of Local

Government Services:

Public and Private Revenues off-set with Appropriations:

Greening Union County 2018

**BE IT FURTHER RESOLVED** that a like sum of $11,250.00 be and the same is hereby appropriated under the caption of:

General Appropriations

(A) Operations excluded from "CAPS"

Public and Private Programs off-set by revenues:

Greening Union County 2018

**BE IT FURTHER RESOLVED** that the sum of $11,250.00 will be appropriated for a 50% matching funds requirement of the grant by the municipality and appears in the budget of the year 2018 under the caption “Matching Funds for Grants – Greening Union County”.

**RESOLUTION: 2018-417**

**RESOLUTION TO ESTABLISH A**

**DEDICATION BY RIDER FOR VETERAN’S CELEBRATION DONATIONS**

**WHEREAS,** the City of Linden will receive donations from various entities; and

**WHEREAS,** these funds will be deposited into a dedicated fund to be used specifically for Veteran’s Celebrations;

**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: 2018-418**

**CITY OF LINDEN**

**RESOLUTION TO CLOSE OUT CAPITAL ACCOUNTS**

WHEREAS, the City of Linden hereby authorizes the cancellation of various capital appropriations,

WHEREAS, there remains appropriations balances which can now be cancelled,

NOW, THEREFORE, BE IT RESOLVED that the following appropriation balance totals are hereby cancelled as set forth herein:

Acct # Project Name ORD. # Funded Unfuded

C-04-55-901-504-919 West Brook/Peach Orch 727-09 $36,087.72 $40,000.00

C-04-55-901-504-920 Sect 20 - West Brook/Peach Orch 727-09 $37,955.22

C-04-55-901-506-919 Storm Sewer Improvements 729-09 $444.31

C-04-55-901-519-919 Resurface DeWitt/Linden 742-10 $25,638.07

C-04-55-901-524-919 Storm/Sanitary Sewers 747-10 $1,710.64

C-04-55-901-541-919 Sanitary Sewer Improvements 764-12 $14,731.21

C-04-55-901-541-920 Sect 20 - Sanitary Sewer Improve 764-12 $37,621.64

C-04-55-901-563-919 Storm & Sewer Improvements 786-13 $3,442.29 $82.41

C-04-55-901-565-919 Resurfacing Various Streets 788-13 $269.28

C-04-55-901-565-920 Sect 20 - Resurfacing Various Streets 788-13 $24,358.53

C-04-55-901-569-919 State Aid Street Resurfacing 792-13 $89,650.92

C-04-55-901-569-920 Sect 20 - State Aid Street Resurfacing 792-13 $46,727.61

C-04-55-901-570-920 Sect 20 - Curb & Sidewalk Reconst 793-13 $4,602.94 $70.26

C-04-55-901-598-919 State Aid Street Resurfacing 821-14 $73,323.55

C-04-55-901-598-920 Sect 20 - State Aid Street Resurf 821-14 $45,913.62

C-04-55-904-518-919 LMPC Paving PP 741-09 $22,990.74 $32,000.00

C-04-55-904-564-919 Resurfacing Courts Lawson Park 787-13 $19,963.00

C-04-55-904-564-920 Sect 20 - Resurfacing Courts 787-13 $1,424.82

C-04-55-904-606-919 Roof Replacement City Hall 829-14 $12,550.71 $55,549.29

C-04-55-904-606-920 Sect 20 - Roof Replacement 829-14 $40,095.54

C-04-55-904-619-919 Replace HVAC Unit LMPC 842-15 $44,102.00 $34,500.00

C-04-55-904-619-920 Sect 20 - Replace HVAC Unit LMPC 842-15 $8,514.90

C-04-55-904-680-919 Pay Per Space Kiosk Stations 903-17 $52,000.00

C-04-55-904-680-919 Sect 20 - Pay Per Space Kiosk Stations 903-17 $2,860.00 $2,340.00

C-04-55-907-558-919 Bobcat All Purpose Machine 781-13 $501.61

C-04-55-907-558-920 Sect 20 - Bobcat 781-13 $3,775.27

C-04-55-907-560-920 Various Equipment 783-13 $12,515.16 $33.33

C-04-55-907-561-919 Asphalt 784-13 $62.79

C-04-55-907-561-920 Sect 20 - Asphalt 784-13 $5,634.97

C-04-55-907-582-919 2 Mason Dump Trucks 805-13 $18.00

C-04-55-907-582-920 Sect 20 - 2 Mason Dump Trucks 805-13 $8,920.74 $77.78

C-04-55-907-586-919 Automated Garbage Truck 809-14 $757.00 $-

C-04-55-907-586-920 Sect 20 - Automated Truck 809-14 $14,616.13 $9,206.30

C-04-55-907-592-919 Bucket Truck - DPW 815-14 $13,156.00 $11,494.00

C-04-55-907-592-920 Sect 20 - Bucket Truck 815-14 $27,309.45

C-04-55-907-593-919 Front End Loader 816-14 $14,850.45 $82,249.55

C-04-55-907-593-920 Sect 20 - Front End Loader 816-14 $30,940.97

C-04-55-907-615-919 Acq Ground Master Cutter 838-15 $648.15

C-04-55-907-615-920 Sect 20 - Ground Master Cutter 838-15 $1,059.02

C-04-55-907-616-919 Acq Hot Patch Trailer 839-15 $2,418.00

C-04-55-907-616-920 Sect 20 - Hot Patch Trailer 839-15 $2,474.43

C-04-55-907-631-919 Pickup Truck w/Plow 854-15 $119.00

C-04-55-907-631-920 Sect 20 - Pickup Truck w/Plow 854-15 $2,202.62

C-04-55-907-633-919 Portable Truck Lifts 856-15 $663.75

C-04-55-907-633-920 Sect 20 - Portable Truck Lifts 856-15 $6,813.30

C-04-55-907-617-919 Brush Chipping Machine 840-15 $14,709.00

C-04-55-907-617-620 Sect 20 - Brush Chip Machine 840-15 $5,268.70

C-04-55-907-659-919 Two Mason Dump Trucks 882-16 $500.00

C-04-55-907-659-920 Sect 20 - Two Mason Dump Trucks 882-16 $4,875.91 $4,550.00

C-04-55-907-678-919 Stump Cutter DPW 901-17 $1,041.00

C-04-55-907-678-920 Sect 20 - Stump Cutter DPW 901-17 $2,734.42

C-04-55-909-572-919 Animal Control Van 795-13 $3,520.82

C-04-55-909-572-920 Sect 20 - Animal Control Van 795-13 $3,873.08

C-04-55-900-626-919 Non Public Safety Computer Equip 849-15 $28.65

C-04-55-905-640-920 Sect 20 - Citywide Vehicles 863-16 $758.19

C-04-55-905-660-919 Vehicle Lifts & Equipment - MG 883-16 $74.95

C-04-55-905-660-920 Sect 20 - Vehicle Lifts & Equipment - MG 883-16 $800.94

C-04-55-905-661-919 Tow Truck/Wrecker - MG 884-16 $1,742.00

C-04-55-905-661-920 Sect 20 - Tow Truck/Wrecker - MG 884-16 $3,752.13 $4,658.00

C-04-55-902-668-919 Public Safety Technology 890-17

C-04-55-902-668-920 Sect 20 - Public Safety Technology 890-17 $3,212.92 $825.00

TOTALS: $628,322.24 $492,642.46

NOW, THEREFORE, BE IT RESOLVED that the City of Linden grand total of all appropriations to be cancelled are $ 1,120,964.70.

Craig Halloran, 120 Donaldson Place. Mr. Halloran asked what happens to the money, and how is it spent. Mrs. Zack explained that purpose of the resolution and how the unexpended funds are used.

**Mr. Mohammed moved for the approval of Resolutions #2018-414 and #2018-419. The motion was seconded by Ms. Cosby and was ordered approved by all voting yes with the exception of Ms. Cosby who voted no on Resolution #2018-414.**

**RESOLUTION: 2018-419**

**RESOLUTION DECLARING SURPLUS SCRAP FOR**

**SALE OR DISPOSITION**

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

**WHEREAS,** the City of Linden desires to sell or dispose of certain surplus property; and **WHEREAS,** the item listed below is being declared surplus and not needed for municipal purpose; (2) Validators (1) Smart-UPS SC 1500 Various software CDs (3) Dell Monitors

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY 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 auction or dispose of, as appropriate, the attached items; and

**BE IT FURTHER RESOLVED** that the Purchasing Agent is hereby authorized to confirm the sale/disposal of said item as scrap.

**RESOLUTION: 2018-420**

**A RESOLUTION REQUESTING THE UNION COUNTY COMMUNITY**

**DEVELOPMENT REVENUE SHARING COMMITTEE TO APPROVE THE PROPOSALS HEREINAFTER LISTED AND PRIORITIES FOR YEAR 45 FUNDING (2019-2020)**

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

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

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

**WHEREAS**, the City of Linden has conducted a public hearing on November 19, 2018 in order to receive project funding requests and recommendations.

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

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

**Project Priority**

Street Improvements 1

Home Improvement Program 2

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

**RESOLUTION: 2018-421**

**A RESOLUTION AUTHORIZING THE CANCELATION OF TAX SALE CERTIFICATE BY STACEY L. CARRON, CTC, TAX COLLECTOR**

**WHEREAS**, a tax sale certificate #13-00111 on Block 91 lot 4 aka 1109 Union Street was sold on June 27, 2014 to MTAG Cust Fig Cap Invest, NJ;

**WHEREAS**, IN accordance with Resolution # 2017-301 the above referenced property was acquired through condemnation action, and all funds for were held in escrow at the Union County Superior Court with the required order to withdraw funds. This was done by the lien holder on June 12, 2018.

**THEREFOR,** Stacey L. Carron, Tax Collector has verified that no redemption has taken place in the office, and the lien holder of tax sale certificate #13-00111 MTAG Cust Fig Cap Invest NJ13, has been paid in full and has forwarded the Original Tax Sale Certificate to the office endorsed for cancellation, as this redemption was not done through the Tax Collector’s Office, the Tax Collector is requesting approval from the Governing Body to have said Tax Sale Certificate brought to Union County Clerk’s Office with payment not to exceed $11.00 from account #8-01-20-155-123-255 to be recorded and cancelled as a matter of record.

**WHEREAS,** Chief Financial Officer 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** that the Mayor and Council of the City of Linden that it does hereby authorize the cancellation of Tax Sale Certificate # 13-00111 by Stacey L. Carron, CTC, Tax Collector.

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

**RESOLUTION: 2018-422**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **CITY OF LINDEN** | | | | |
|  | | | | |
| **RESOLUTION TO TRANSFER 2018 APPROPRIATIONS** | | | | |
|  |  |  |  |  |
| **BE IT RESOLVED,** by the City Council of the City of Linden, County of Union, New Jersey, that the following transfers of 2018 appropriations be made in accordance with the provisions of Revised Statute 40A: 4-58. | | | | |
|
|
|  |  |  |  |  |
|  | **CURRENT BUDGET** |  |  |  |
|  |  |  |  |  |
| From: | Salary Adjustment - Salaries & Wages |  | $ 200,200.00 |  |
| To: | Mayor's Office - Salaries & Wages |  |  | $ 2,200.00 |
| To: | City Clerk - Salaries & Wages |  |  | $ 10,000.00 |
| To: | Purchasing - Salaries & Wages |  |  | $ 9,500.00 |
| To: | Assessment of Taxes - Salaries & Wages |  |  | $ 1,000.00 |
| To: | Police Department - Other Expenses |  |  | $ 55,000.00 |
| To: | Celebrations of Public Holiday - Other Expenses |  |  | $ 30,000.00 |
| To: | Railroad Station - Other Expenses |  |  | $ 92,500.00 |
| From: | Municipal Garage - Salaries & Wages |  | $ 110,000.00 |  |
| To: | Municipal Garage - Other Expenses |  |  | $ 110,000.00 |
| From: | Engineering Services/ Costs - Salaries & Wages |  | $ 55,000.00 |  |
| To: | Legal Services & Costs - Other Expenses |  |  | $ 55,000.00 |
| From: | Other Public Work Functions - Salaries & Wages |  | $ 42,000.00 |  |
| To: | Gas - Other Expenses |  |  | $ 20,000.00 |
| To: | Buildings & Grounds - Other Expenses |  |  | $ 22,000.00 |
| From: | Business Adminstrator - Salaries & Wages |  | $ 68,000.00 |  |
| To: | Interest on Bonds (M.D.S.) - Other Expenses |  |  | $ 68,000.00 |
|  |  |  |  |  |
|  |  |  |  |  |
|  | Total Transfers Needed: |  | $ 475,200.00 | $ 475,200.00 |
|  |  |  |  |  |

**RESOLUTION: 2018-423**

**CITY OF LINDEN RESOLUTION**

**WHEREAS,** there were certain payments made by the Municipal Treasurer during the month of October 2018 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:

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

171120 10/2/18 Rosebure, Carlton PA System Community Day $1,500

10/3/18 Express Scripts/Medco Prescription Invoices 8/25-9/7 $40,809.61

10/8/18 Payroll Payroll $1,699,807.91

10/8/18 Payroll Payroll $71,608.93

10/8/18 Payroll Payroll $6,172.41

10/8/18 Payroll Payroll $576.80

10/8/18 Payroll Payroll $215.33

10/10/18 Express Scripts/Medco Prescription Invoices 9/22-10/5 $71,686.59

10/10/18 Unity Bank Workers Comp Claims 9/24-9/30 $63,766.93

10/10/18 Unity Bank Workers Comp Claims 10/1-10/7 $13,654.86

10/12/18 SHBP Active August Health Premium $627,941.19

10/12/18 SHBP Retirees October Health Premium $651,688.21

10/15/18 NJ State Health Benefits Health Claims $1,279,629.40

10/15/18 Dental City of Linden Dental Premium October 2018 $38,903.29

10/15/18 Dental Sewerage Dental Premium October 2018 $2,969.74

10/15/18 Dental Housing Dental Premium October 2018 $863.31

10/15/18 Dental Library Dental Premium October 2018 $1,223.22

10/16/18 Delta Dental of NJ October Dental Claims $43,959.56

10/17/18 Unity Bank Workers Comp Claims 10/8-10/14 $8,171.02

10/17/18 Vision Service Plan October Vision Plans $4,372.28

10/22/18 Payroll Payroll $1,705,545.59

10/22/18 Payroll Payroll $65,979.00

10/22/18 Payroll Payroll $6,884.01

10/22/18 Payroll Payroll $360.50

10/22/18 Payroll Payroll $198.51

171361 10/22/18 Farese, Jaqueline Missing Aimee Summer Concert $800.00

171362 10/22/18 Vasfalio, Joseph Band Wine/Cheese Event $500.00

171363 10/22/18 Rutgers Opportunity Zone Conference $390.00

171364 10/22/18 MTAG Cust. Fig. Cap. Tax Sale Premium $1,500.00

10/24/18 TD Bank, NA Debt Payment $2,358,364.69

10/24/18 Depository Trust Co. Debt Payment $173,937.50

10/25/18 Unity Bank Workers Comp Claims 10/15-10/21 $47,650.21

10/25/18 Express Scripts/ Medco Prescription Invoices 10/6-10/19 $82,080.71

10/31/18 Unity Bank Workers Comp 10/22-10/28 $20,311.70

**RESOLUTION: 2018-424**

**RESOLUTION AUTHORIZING THE CITY OF LINDEN TAX COLLECTOR**

**TO HOLD A TAX SALE**

**WHEREAS,** a property known as Block 54, Lot 1 & Block 54 Lot 1 X, also known as 701Cranford Avenue is the subject of a P.I.L.O.T agreement dated December 19, 1995, between the City of Linden and Morning Star S/C Urban Renewal and,

**WHEREAS,** the City of Linden Municipal Treasurer and Tax Collector reports that the tax amounts listed below have not been collected through said P.I.L.O.T. agreement and.

**WHERAS,** the Municipal Treasurer and Tax Collector have properly noticed all required parties per said agreement and,

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN,** in the County of Union and State of New Jersey on this \_20th day of November, 2018 as follows:

The City of Linden Tax Collector is hereby authorized and directed to hold a tax sale per N.J.S.A. 54: 5-1 for Block-54 Lot-1 X in the amounts listed below plus additional costs and fees:

2011 $15,770.45

2012 $16,266.67

2013 $16,925.43

2014 $17,552.83

2015 $17,900.75

2016 $18,610.85

2017 $63,529.91

Total $166,556.89

**RESOLUTION: 2018-425**

**RESOLUTION OF THE CITY OF LINDEN, COUNTY OF UNION, NEW JERSEY DESIGNATING A REDEVELOPER AND AUTHORIZING THE EXECUTION OF A REDEVELOPMENT AGREEMENT RELATING TO THE PROPERTY COMMONLY KNOWN AS BLOCK 496, LOTS 3 AND 4 ON THE TAX MAPS OF THE CITY**

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

**WHEREAS**, on July 22, 2015, the City Council of the City (the “**City Council**”), pursuant to *N.J.S.A.* 40A:12A-6, authorized the Planning Board of the City (the “**Planning Board**”) to determine whether the property identified as Block 496, Lot 3 on the official tax map of the City (“**Study Area**”), met the statutory criteria for designation as an “area in need of redevelopment” pursuant to the Redevelopment Law; and

**WHEREAS**, on February 9, 2016,the Planning Board undertook said investigation and conducted a public hearing, all in accordance with *N.J.S.A.* 40A:12A-6, and recommended to the City Council that the Study Area satisfied certain statutory criteria and thus constituted an area in need of redevelopment in accordance with the Redevelopment Law; and

**WHEREAS**, on March 16, 2016, the City Council adopted Resolution 2016-134, which designated an area consisting of certain properties identified on the tax map of the City as Block 496, Lot 3 as an area in need of redevelopment; and

**WHEREAS**, on May 15, 2018, the City Council authorized and directed the Planning Board of the City to conduct a preliminary investigation of the property identified as Block 496, Lot 4 on the tax maps of the City, to determine if the Property met the criteria of an area in need of redevelopment under the Redevelopment Law; and

**WHEREAS**, on June 12, 2018, the Planning Board recommended, and the City Council, on June 19, 2018, designated, the Block 496, Lot 4 on the tax map of the City as an area in need of redevelopment under the Redevelopment Law (Block 496, Lot 4, together with Block 496, Lot 3, the “**Property**”); and

**WHEREAS**, in order to facilitate the redevelopment of the Property, the City Council also authorized the preparation of a redevelopment plan, initially for Block 496, Lot 3 on the tax map of the City, pursuant to the authority granted under the Redevelopment Law; and

**WHEREAS**, on June 21, 2016, Ricci Planning prepared, and the City Council adopted, the redevelopment plan entitled “Redevelopment Plan Block 496, Lot 3,” providing the development standards for the Block 496, Lot 3 on the tax maps of the City (the “**Redevelopment Plan**”); and

**WHEREAS**, on July 17, 2018, the City Council adopted an amendment to the Redevelopment Plan to include Block 496, Lot 4 as part of the Redevelopment Plan; and

**WHEREAS**, Redeveloper is the contract purchaser of Block 496, Lot 4 on the tax maps of the City, which is adjacent to Block 496, Lot 3 on the tax maps of the City, and will purchase from the City Block 496, Lot 3 on the tax maps of the City, subject to the terms and conditions contained in this Agreement; and

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

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

**WHEREAS**, Redeveloper has agreed to develop a project consistent with the proposed Redevelopment Plan to include construction of construction of fourteen (14) town houses; six (6) town houses facing Park Avenue and eight (8) town houses facing Bedle Place (as more fully defined in the redevelopment agreement, the “**Project**”); and

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

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

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

**RESOLUTION: 2018-426**

**RESOLUTION CHAPTER 159**

**DRUNK DRIVING ENFORCEMENT FUND**

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

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

**WHEREAS,** the City of Linden has received $13,955.66 from the State of New Jersey Law and Public Safety and wishes to amend its 2018 Budget to include this amount as a revenue, and

**NOW, THEREFORE, BE IT RESOLVED** that the Council of the City of Linden hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2018 in the sum of $13,955.66 which item is now available as a revenue from:

Miscellaneous Revenues

Special items of General Revenue Anticipated with

Prior Written Consent of the Director of Local

Government Services:

Public and Private Revenues off-set with Appropriations:

Drunk Driving Enforcement Fund

**BE IT FURTHER RESOLVED** that a like sum of $13,955.66 be and the same is hereby appropriated under the caption of:

General Appropriations

(A) Operations excluded from "CAPS"

Public and Private Programs off-set by revenues:

Drunk Driving Enforcement

**RESOLUTION: 2018-427**

**RESOLITION TO APPLY FOR AND OBTAIN GRANT FUNDING FROM THE RAIL FREIGHT ASSISTANCE GRANT PROGRAM TO SUPPORT THE CONNECTING OF A TERMINAL IN TREMLEY POINT TO THE NATIONAL RAIL NETWORK.**

Whereas, the **City of Linden** desires to apply for and obtain a grant from the Rail Freight Assistance (RFA) Grant Program for approximately **$2,000,000.00** to carry out a project to support the **Linden Rail Freight Assistance** by connecting the JMR Terminal in Tremley Point to the national rail network**.**

Be it therefore RESOLVED,

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

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

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

CERTIFICATION:

I, **JOSEPH C. BODEK** the **CITY CLERK**, of **The City of Linden** hereby certify that at a meeting of the Board of Directors / Governing Body held on **November 20, 2018** the above RESOLUTION was duly adopted.

**RESOLUTION: 2018-428**

**A RESOLUTION HONORING BARBARA BRADY FOR**

**HER BEING NAMED 2018-2019 UNION COUNTY TEACHER OF THE YEAR**

**WHEREAS,** Barbara Jude Brady was born and raised in Linden, NJ and graduated from Kean College of NJ in 1995 with a Bachelor of Arts in Health and Physical Education. Barbara currently holds a Masters in the Art of Teaching, a supervisor’s certification and is the Linden High School Health and Physical Education Department Chairperson; and

**WHEREAS,** Mrs. Brady, in 1998, began her Linden teaching career at McManus Middle School and the following year was assigned to Linden High School where she taught Physical Education, Dance and to choreograph the spring musicals; and

**WHEREAS,** in 2001 she established a full time dance program at Linden High School that now has over 150 students enrolled who perform in an annual spring dance concert. The LHS Dance Company has performed throughout the State of NJ since 1998, performing for special needs children as well as the annual NJ Association for Health, Physical Education, Recreation and Dance Teachers’ Convention; and

**WHEREAS,** Mrs. Brady has also worked as a professional dancer and has worked with Broadway shows such as Cats and Jerome Robbins’ Broadway. She has also performed with the New Jersey Ballet Company, the Joffrey Ballet and the NJ State Opera. She has produced, directed and/or choreographed over 65 shows since 1992 and is a Co-founder and President of Mystic Vision Players; and

**NOW THEREFORE BE IT RESOLVED THAT** the Mayor and Council of the City of Linden do hereby wish to acknowledge and congratulate Barbara Jude Brady on her being named Union County Teacher of the Year 2018-2019; and

**BE IT FURTHER RESOLVED** that this Resolution be entered in the minutes of the Council of the City of Linden and that a copy hereof be presented to Barbara Jude Brady in recognition of her achievements.

**ORDINANCES FOR INTRODUCTION**

**An Ordinance entitled:**

* 1. 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-9 (Department Heads)

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

Ordinance #62-84 was introduced by Mr. Strano and was read on first reading by the Clerk.

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

ordered approved by all present voting yes with the exception of Ms. Cosby who voted no.

**An Ordinance entitled:**

* 1. An ordinance creating Chapter 2-25 entitled “Department of Community Service” by the City Council of the City of Linden.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LINDEN as follows:

Section 1. Chapter 2-25 entitled, “Department of Community Services” shall be deleted in its entirety and replaced as follows:

2-25.1 Department Established; Director of Community Services: Divisions

1. There is hereby created a Department of Community Services. Said Department shall have the following Divisions”
   1. Division of Engineering
   2. Division of Public Works
   3. Division of Vehicle Maintenance
   4. Division of Transportation and Parking
   5. Division of Buildings and Grounds

2-27.1 Created

There is hereby created a Departments of Parks and Recreation which shall be responsible for the providing of leisure services, recreation programs for the various populations in the community, the planning, development and maintenance of all recreational facilities, and performing background checks on employees and all volunteers.

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

Ordinance #62-85 was introduced by Mr. Strano and was read on first reading by the Clerk.

Ms. Cosby stated that this was discussed a long, long time ago, and thought it was ‘funny that it was coming back around now. She stated her agreement with the ordinance. She noted the positions would be publicly posted, and stated her hope that the City would look at promotions from within, first. She stated that she is looking forward to recreation doing programs, as there is a lot of programs we could be doing, in our community that we are not. She added she hoped that we would get programs that would benefit our residents.

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

unanimously ordered approved.

**PUBLIC COMMENT**

Craig Halloran, 120 Donaldson Place. Mr. Halloran congratulated everyone that won their elections, and everyone voted. He wished all a happy Thanksgiving.

Mike Broderick, DPW and Clerical Workers representative. Mr. Broderick congratulated, on behalf of himself and his members, all those who were elected or re-elected. He stated that he looked forward to working with them. He noted that at the October meeting he had asked for adjusting or eliminating the City’s residency requirement. He stated his membership was asking why no one responded to him, when he made that request. He explained the protocol.

Ed Kaminsky, 201 Maple Ave. Mr. Kaminsky wished all a happy holiday, and offered congratulations always that all that ran in the past election. Next he spoke about the need for a business administrator, and his hope that we get one, in the near future. He noted his experience, in business, and detailed several qualifications that he thought the business administrator should have. Mr. Kaminsky spoke about the recent veteran’s event, how wonderful it was, and it was nice to see everyone getting along. He added that what impressed him the most was the kids present, the members of the ROTC. He stated that it gave him a positive feel for the future of Linden. He concluded by saluting all the veterans that have served and those following in their footsteps.

Hans Herberg, 51 Westover Road, Mr. Herberg repeated the concerns of Mr. Kaminsky, regarding the qualifications for a business administrator, and suggested other requirements that the person should have. He wished all a happy Thanksgiving.

Henry Mack. Mr. Mack spoke about a wake, for a Mrs. Smith, going on at the First Baptist Church. He asked the Mayor, and Chief of Police to go to the website and follow up appropriately. Next he stated that the people asked him to come here tonight to talk about the travel times during the recent snow storm. He added that the people also asked him to come and congratulate those that won, and those that had run.

Hugh O’Hara, 23 West 18th St. Mr. O’Hara congratulated those who were elected and re-elected. He noted that he had moved to West 18th Street, seven years age. He called the properties, in the area, in a decline. He noted that there has been some improvements, with the occupying of homes that were once vacant. Mr. O’Hara added that the downside, to this, is that a number of the two families, are now being used as three families. He spoke about this affects the community.

Mrs. Ormon moved to close the public comment partition of the meeting. The motion was seconded by Ms. Cosby and was unanimously ordered approved by a roll call vote.

**COMMENTS FROM MEMBERS OF THE GOVERNING BODY**

Mayor Armstead stated that he forgot to talk about the Mayor’s Youth Commissions, Breakfast with Santa, and provided the details on the event. He named several individuals, and groups, and thanked them for helping to put the event together. He informed the public on how, if they wished, could donate toys for the event. Next the Mayor addressed the issue of employee residency raised from the floor. He stated that he has lived here all of his life, and his grandfather came to Linden in 1926. He noted that he knows what Linden, was, is and can be, adding that he would like to see all that work here, live here, and that it makes Linden a community. He went on to explain his reasoning. President Alvarez stated that most of the dais, if not all of it, agreed with the Mayor on residency.

Mayor Armstead address the comments, from the resident of Eighteenth Street, noting that was the area where his grandfather came to, in 1926, and where he spent the first years of his life. He spoke about the amount of industry, in that area, and how there were no empty apartments. The Mayor hoped that as the town is turned around, that there will be a resurgence of people moving back into that area. With it the business community will re-establish itself in that area.

Mr. Roman addressed the comments made by Mr. Kaminsky regarding the position of business administrator, and how he had made similar comments, in 2014, to Mayor Gerbounka. Next he spoke about the number of foreclosures in Linden, and agreed with Mayor Armstead, that as the industry does come back the areas will improve. He urged those with problems, like illegal apartments, to call the Construction Code Department. He spoke about the great job the individuals, in that department do.

Ms. Cosby noted that she was not able to make the veterans program, but it was an awesome program. She stated that her only concern, was that a member of Council she had no idea about the application process. She recognized a number of residents who didn’t have the opportunity to apply, and hoped, in the future this would be rectified, for next year. Ms. Cosby spoke about Woman’s history and who should be recognized. Next she addressed Mr. Kaminsky’s comments regarding a business administrator, and the requirements for the person to have in order to hold that position. Ms. Cosby noted that with the coming of a Chief of Staff, in the Mayor’s office she doubted that we will ever see a business administrator. She talked about the need for a business administrator. She concluded by stating she could care less about residency, and that they could live wherever they want.

**ANNOUNCEMENTS**

President Alvarez announced the following:

\* Council Conference meeting:

Monday, December 17, 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, December 18, 2018 at 6:00 pm in the Council Conference Room, City Hall, 301 N. Wood Ave.

\*Council Meeting:

Tuesday, December 18, 2018 at 7:00 p.m. in the Council Chambers, City Hall, 301 N. Wood Ave.

There being no further business to come before Council, Mr. Roman 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 9:07 pm.

Respectfully submitted,

Joseph C. Bodek   
City Clerk