**Meeting of the 2018 Council of the**

**City of Linden, held Tuesday**

**October 16, 2018**

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

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

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

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

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

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

A roll call showed the following members were present:

**ROLL CALL**

Councilwoman Lisa Ormon

Councilman Barry Javick

Councilman Peter Brown

Councilman Alfred Mohammed

Councilwoman Rhashonna Cosby

Councilman John F. Roman

Councilman Ralph Strano

Councilwoman Michele Yamakaitis

Councilman Armando Medina

Councilwoman Gretchen Hickey

Council President Jorge Alvarez

Mayor Derek Armstead

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**APPROVAL OF MINUTES**

Mrs. Ormon moved for the approval of the September 18, 2018 Regular Council Meeting Minutes, and the October 1, 2018 special meeting. The motion was seconded by Mrs. Hickey and on a roll call vote was ordered approved, with all voting in favor except Ms. Cosby who abstained on both sets, and Mrs. Yamakaitis who abstained on the minutes of the special meeting.

**PRESENTATIONS**

**Breast Cancer Awareness Month**

**Aida St. John**

**Joanna Colucci**

Ms. Cosby stated that neither individual could be present tonight, and explained why. She added that Mrs. Hickey would be presenting the resolutions to the two individuals, as she was their councilperson. Ms. Cosby explained that since she has become a member of Council she has honored breast cancer survivors and the reasons why. She gave a special thank you, to the person who drafted the resolutions.

**100th Birthday Celebration**

**Ralph Jerome**

Mrs. Hickey explained that she had received a phone call, from the son of Mr. Jerome, informing her that Mr. Jerome was a Tenth Ward resident and who would be celebrating his 100th birthday. Mr. Jerome was not present this evening, due to his wife’s passing. She read the resolution, honoring Mr. Jerome.

**PROCLAMATION**

**“Bells of Peace”**

Mayor Armstead spoke about his father’s thoughts on war, and spoke on the senselessness of war. He then read a proclamation entitled the “Bells of Peace’” relating to World War I, and called about all to toll the bells in memory of Armistice Day, November 11th at 11:00 am.

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**ORDINANCE – TABLED FROM THE SEPTEMBER 18, 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. Brown moved to table Ordinance 62-58 till the meeting of November 20, 2018. The motion was seconded by Mr. Medina and was ordered approved by a roll call vote, with all voting in favor except Ms. Cosby, who voted no.

**ORDINANCE – HEARING**

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. Brown moved to table Ordinance #62-71 till the meeting of November 20, 2018. The motion was

Seconded by Mrs. Yamakaitis 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:

62-72 An Ordinance approving the relocation of a water main and execution of a Deed of Easement over Block 587, Lot 20 in favor of the New Jersey American Water Company, Inc.

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. Hickey moved for the approval of Ordinance #62-72. The motion was seconded by Mr. Brown 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:

62-73 An Ordinance approving the application for a long term tax exemption and authorizing the execution of a financial agreement with 1700 South Stiles Street Urban Renewal, LLC.

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.

John Principato, 1607 Westover Rd. Mr. Principato stated that the City does not have to give anyone, a long term tax abatement, as the City needs taxes and retables. He noted that the property is in a desirable location, and is worth a lot of money. He noted his concerns with the granting of a tax exemption, and asked how much money the school district would be losing. Mr. Roman provided a breakdown. Mr. Principato reviewed his analysis of how beneficial this agreement is to the developer. Mr. Brown noted that Mr. Principato is doing calculations, on his phone, but the City does have financial professionals who analyze these matters, for the City, and make recommendations. He added that the bond rating agencies, through their rating of Linden, say we are doing the right thing. He concluded by noting that the Board of Education has not made an issue over the City’s use of PILOT agreements. Mrs. Ormon spoke about the City’s professionals, and the need to pay attention to what they are saying. She noted her preference to having sites, like the former Park Plastics, developed, so that they are no longer a drain on Linden taxpayers. Mrs. Cosby stated the purpose of a public hearing is for the public to ask questions, and be informed, noting that, that is exactly what Mr. Principato is doing, and it is his right. She discussed her disagreement with PILOTS, and that the City should not be giving this piece of property away. Mr. Roman informed all as to the location of this piece of property, and provided a brief history on the site, and what had originally been planned for it. He explained that the redevelopment agreed, which re-zoned the property and made it more valuable. He spoke about the RFP process, selecting the re-developer, possible relationships between the developer and elected officials. He noted some of the items, that were being questioned, by others, and that they are not illegal, having Mr. Antonelli confirm that. He talked about matters, in the RFP process that were of concern to him.

Mrs. Hickey spoke about her concerns, noting that to her something just doesn’t seem right, in the process. She spoke about her discussions, with another redeveloper, who came and offered $700,000.00 for the property, an offer that stated the City could have accepted. Mrs. Hickey spoke about the cost of educating, students, in Linden, and how each child in this apartment complex was going to be burdening the taxpayers. She spoke about the Zoning Boards denial of the application to rezone this site to residential. She felt that the PILOT programs, when residential units are involved, don’t provide the City with enough taxes. She objected to the way that residents were bullied and put down, tonight. Mr. Medina spoke next. He stated that he has voted for a number of PILOT programs, in the past. He stated that he believes in PILOT programs, and the reasons why. He suggested looking at how the City of Bayonne is structuring it’s PILOT programs, and having our professional examine it. He stated, that even though he has voted in favor of PILOT programs in the past, he will be voting no on this one, as he does not believe in this project. He explained. Mr. Brown responded and explained how Linden has to remain competitive. He addressed the issue of the RFP process, involving many people and agencies, He talked about the developer that Mrs. Hickey had referenced, that the developer did not follow the process, and came to a council meeting, waving a check. He also talked about that developer and alleged connections to members of the governing body. He speculated as to the reasons for, what he termed, bad information is being put out there. Mr. Principato asked Mr. Brown if a cost benefit analysis was done by the developer. A heated dialog took place between Mr. Principato and Mr. Brown. Mr. Antonelli interrupted, and spoke to the Authority of the Council President, and the rules by which Council operates, and asked all to respect them. He then spoke to the issues regarding the property, and a history of its development. He also talked about the RFQ process, and the PILOT agreement.

Virginia Malik, 1633 Lenape Rd. Ms. Malik asked for clarification as to the location of the site, and the changes in zoning that took place. Various individuals responded to her questions.

Theresa Villani, 225 Swathmore Road. Ms. Villani noted that she did not come here to speak on this ordinance, nor was she speaking on behalf of the Board of Education, as she was not authorized to do so. She noted that since she had been referred to by several speakers, she wanted to clarify some of the points made this evening, regarding the Board of Education, and provide the facts, which she then did.

Mrs. Hickey stated there was a red flag, the Zoning Board saying no to this project. Council then passed it. She then spoke about the offer made by Mr. Dennis Valvano, and his qualifications.

There being no other persons to be heard, Mr. Roman moved for the approval of Ordinance #62-73. The motion was seconded by Mrs. Ormon and was ordered approved by a roll call vote, with Ms. Cosby, Mr. Roman, Mr. Medina, Mrs. Hickey and President Alvarez voting no.

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

62-74 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.

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. Roman moved for the approval of Ordinance #62-74. The motion was seconded by Mr. Javick and was unanimously ordered approved by a roll call vote.

President of Council Jorge Alvarez asked for a motion to remove Ordinance #62-75 from consideration.

62-75 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 4

Fire Captains 17

Fire Lieutenants 20

Firefighters 79

Mr. Javick moved to remove Ordinance #62-75 from consideration. The motion was seconded by Mr.

Strano and 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:

#62-76 An ordinance to amend and supplement Chapter VII, Traffic of an ordinance entitled, An ordinance adopting and enacting the revised general ordinances of the City of Linden, 1999,” passed November 23, 1999 and approved November 24, 1999, and as amended and supplemented.

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

No. of

Name of Street Spaces

ADD:

418 W. Blancke Street 1

(on Spruce Street)

1013 Bower Street 1

625 Meacham 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. Ormon moved for the approval of Ordinance #62-76. 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:

#62-77 Ordinance adopting the redevelopment plan entitled “Route 1/9 Stiles Street – Block 469, Lots 33.01, 34, 35.01 and 36.01,” and referring same to the Planning Board for review and comment pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.

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. Mr. Halloran asked if this was the same property this is the subject of #62-58. Mr. Roman responded that it was not, and explained what the plan was.

There being no other persons to be heard, Mrs. Hickey moved for the approval of Ordinance #62-77. The motion was seconded by Mrs. Ormon and was unanimously ordered approved by a roll call vote.

**CONSENT AGENDA**

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

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

2019 Taxes $6,939.19

2018 Taxes $1,070,089.08

2017 Garbage Fee Balance $10.00

Municipal Lien Redemption $6,485.13

Duplicate Tax Sale Certificate $0.00

Tax Search $10.00

Lien Redemption Request Fee $0.00

Year End Penalty $0.00

Returned Check Fee Paid $0.00

Returned Sewer Clean out ($0.00)

Returned Sewer Interest ($0.00)

Returned Check 2018 ($191.75)

Returned Check Interest ($2.25)

Returned Online Payment 2018 Taxes ($7,399.40)

Returned Online Interest ($21.43)

Adv. Before Tax Sale $0.00

State Audit Payment $0.00

Premium $0.00

Sewer Clean out charge $1,000.00

DPW Reso payments $0.00

Interest $25,625.68

Total $1,102,544.25

**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**

20 1 10/1/18 17-00018 $1,000.00

86 1.02 10/2/18 17-00063 $1,000.00

132 3 9/18/18 17-00108 $7,100.00

299 5 10/1/18 17-00225 $17,700.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $26,800.00 payable to: 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 blocks

& lots.

**Block Lot Redemption Date CTF# Amount**

30 12 10/2/18 17-00027 $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: Actlien Holding, US Bank Cust, Actlien Holding, 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 blocks

& lots.

**Block Lot Redemption Date Cert# Premium**

72 11 9/14/18 17-00054 $13,200.00

73 3 9/24/18 17-00056 $1,100.00

108 8 9/28/18 17-00087 $800.00

218 6 9/14/18 17-00183 $800.00

276 25 9/20/18 17-00209 $1,100.00

546 13 10/2/18 17-00337 $400.00

570 21 10/2/18 17-00351 $900.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $18,300.00 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 blocks

& lots.

**Block Lot Redemption Date Cert# Premium**

72 11 9/14/18 17-00054 $13,200.00

73 3 9/24/18 17-00056 $1,100.00

108 8 9/28/18 17-00087 $800.00

218 6 9/14/18 17-00183 $800.00

276 25 9/20/18 17-00209 $1,100.00

546 13 10/2/18 17-00337 $400.00

570 21 10/2/18 17-00351 $900.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $18,300.00 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 2017 tax sale on the following blocks

& lots.

**Block Lot Redemption Date CTF# Amount**

135 8 9/28/18 16-00104 $11,400.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $11,400.00 payable to: Tower DBW VII Trust 2017-1, 50 South 16th Street, Suite 2050, Philadelphia, PA 19102, charging same to account #-8-01-55-276-999-956.

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

& lots.

**Block Lot Redemption Date Cert# Premium**

364 11 9/17/18 15-00212 $1,500.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,500.00 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 2017 tax sale on the following block &

lot.

**Block Lot Redemption Date CTF# Amount**

403 3.03 9/26/18 16-00266 $29,500.00

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: KCC Promised Lands, LLC, 2560 Route 22 East, # 175, Scotch Plains, NJ 07076 charging same to account #-8-01-55-276-999-956.

**Credit Balance** Block 228 Lot 33, J. Di Gregorio & M. Mac Donald

12 Lucien Place, 2018 County Board Judgment refund

There now exists a credit balance on the above referenced block & lot due to a 2018 county tax board judgment on the 2018-4th quarter taxes in the amount of $217.87.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $ 217.87 payable to: J. Di Gregorio & M. Mac Donald, 12 Lucien Place, Linden, NJ 07036, charging same to account #8-01-55-288-999-904.

**Disabled Veteran** Refund of Property Taxes, Block 154 Lot 5 Nathaniel Johnson Jr., 801 Bower Street

This property owner has been deemed a 100% Disabled Veteran by the V.A. as of March 7, 2016. Mr. Johnson is entitled to the 100% Disabled Veteran Status from this date on per Michael Frangella. The 2nd half of the Homestead Benefit for 2015 was forwarded to the City and the property owner is entitled to a refund in the amount of $220.76.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $220.76, payable to: Nathaniel Johnson Jr., 801 Bower Street, Linden, NJ 07036, charging same to account #-8-01-55-288-999-904.

**Disabled Veteran** Refund of Property Taxes, Block 570 Lot 22

Alfredo Rosado, 104 Main Street

This property owner has been deemed a 100% Disabled Veteran by the V.A. as of December 1, 1969. Mr. Rosado is entitled to the 100% Disabled Veteran Status for 2015 & 2016 per Michael Frangella. The Homestead Benefit for 2015 was forwarded to the City and the property owner is entitled to a refund in the amount of $360.20.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $360.20, payable to: Alfredo Rosado, 104 Main Street, Linden, NJ 07036, charging same to account #-8-01-55-288-999-904.

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

1. Advising that the following City employee has filed for retirement:

**Department Employee Title Date**

Public Property Jerzy Kowalik Maintenance Worker 1, Grounds Nov. 1, 2018

**(\*\*\*) 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 $20.00

**(\*\*\*) CULTURAL AND HERITAGE COMMITTEE:**

1. Requesting approval to close North Wood Avenue, on Friday, December 7, 2018 between the hours of 5pm and 10pm, from Elizabeth Avenue to Elm Street to hold the Annual Christmas Tree Lighting Ceremony.

**(\*\*\*) TRANSPORTATION AND PARKING:**

1. Advising that parking meters will be bagged for a period beginning December 14, 2018 through January 2, 2019 for the Holiday Season.

Mrs. Hickey moved for approval of Consent Agenda items #1 through #5. The motion was seconded by Mrs. Hickey and was unanimously ordered approved by a roll call vote.

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

First Ward

Mrs. Ormon provided highlights on the status of various redevelopment matters going on in the City. One of particular note was that the former Pathmark site had been sold, and a new supermarket should be opening soon. She thanked LEDC Director Alex Lospinoso and the Mayor for their hard work making this happen. Mrs. Ormon thanked all of those who participated in the September to Remember, and commented on the hard work that went into making this happen. She then announced details on the upcoming Halloween Parade, invited all to attend, and announced the Parade Grand Marshal.

Mrs. Ormon spoke about the event that her and Councilman Brown, were planning to create for the children of School 1. The date is yet to be determined. She then welcomed all of the new neighbors that have moved into the First Ward. She added that they bring a vast array of cultures to the community. She asked that everyone embrace them and get to know them.

Mrs. Ormon spoke about being Chairperson of the Revenue Enhancement and Redevelopment Committee. She noted that when she first got on the Committee, it was a little scary, as she did not understand a lot of the things going on. She kept quiet, and listened so that she can learn. She explained how she learned over the years, and the importance of meeting deadlines. Mrs. Ormon spoke about the projects and the need to beautify the City. She concluded by informing all that the Mayor has an open door policy.

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 $1,695,581.92; 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 September at the rate of 2.75%.

Mr. Javick moved for approval of the report. The motion was seconded by Mrs. Ormon and was ordered approved by a roll call vote, with all voting in favor except Mr. Medina, who abstained, and Ms. Cosby was absent from the room.

Mr. Javick announced that, for all Linden residents, a firewood drop-off sight was created in the Second Ward. Residents are welcome to come and pick up the firewood being placed there. He then spoke about the concerns that he has heard, regarding the Unite Lacquer property, and it was the hope of all that it would be demolished by the end of the year. He announced that the City is working on additional crossing guards, and noted locations, in the Second Ward, where he has requested some of them be assigned. Mr. Javick spoke about the posting of advertising type’s signs, in the City, of poles and trees is illegal, and residents can remove them. He noted they are also prohibited on the City right of way. Next he spoke about the recent up-swing in the real estate market, in Linden.

Mr. Javick spoke about the upcoming Halloween Parade, and provided details on the event, as well as a car show, being held the same day, at Aviation Plaza. He concluded by providing his contact information.

Fifth Ward

Ms. Cosby gave the report of the Construction Code Committee. 215 permits were issued, and processed 74 certificates, collecting a total of $184,411.00 for the month of September. She announced that Dill Avenue, has been marked out for the upcoming paving project.

Ms. Cosby announced that the polling place, for Fifth Ward residents, in districts 3 and 4 has been moved to School Four and provided information as to the correct door to use to enter the polling place. She also announced that this upcoming Sunday, she would be hosting the annual cancer awareness walk, and provided details for those wishing to participate. She then spoke about the upcoming Fifth Ward Community meeting, and the events that would occur there. She concluded her report, and was excused from the meeting by the Council President.

Third Ward

Mr. Brown thanked the Cultural and Heritage Committee for the recent September to Remember, spoke about the great job they did, and talked about events that were new to the event, this year. Mr. Brown thanked a number of individuals and what they did at the event. He urged seniors to sign up for the programs being offered at the Gregorio Center. He then announced plans to convert, the old Russell’s Tuxedo shop into an arts center, for the holidays, in the downtown.

Mr. Brown informed all that he was working to develop a community garden, in the Third Ward, at Dobson Park. He then announced plans, to honor Linden’s veterans, and provided details. He concluded by stating that he had to leave the meeting early and the reason why.

Fourth Ward

Mr. Mohammed gave the report of the Board of Health, noting the number of licenses issued by them. He provided contact information, for the Board of Health, so that residents can register for flu shots. He spoke about Frank Dann, and the great job he is doing running public works, and the need for citizens to have respect.

Mr. Mohammed provided an update on various street improvement projects taking place in the Fourth Ward. He provide his contact information for those wanting to speak with him.

Sixth Ward

Mr. Roman noted, for Mr. Brown, that the County of Union has grants available for community gardens. He then spoke about Hawk Rise, and various programs being run, by the Audubon Society, there. He also gave a report on the recent Sixth Ward Community meeting that he held, and thanked the people of the Sixth Ward for giving him this job. (Mr. Brown left.)

Mr. Roman talked about the recent “September to Remember” and the huge success it was. He then addressed the issue of trees, and the number of calls he was getting regarding them. He noted that DPW is working hard on addressing the issues, adding the Director is looking into the use of State approved vendors, to help eliminate the backlog. He noted his support for doing that.

Next Mr. Roman spoke, as a member of the Fire Committee and the upcoming vote promoting three individuals. He wished those individuals well and spoke about the delay in getting to these promotions. He noted the negative issues, regarding the Fire Department that have been in the newspapers, lately. He addressed each of those issues, and spoke about the need to investigate the complaints, by members of the Department, regarding the Chief. He concluded by providing his contact information.

Seventh Ward

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

1. Police Department:

a. The hiring of Marquita M. Thompson as F/T Public Safety Telecommunicator effective October 23, 2018 at the annual salary of $35,000 pending successful completion of all background requirements.

b. The change in salary for Alexandra Pirozzoli from $35,000 to $37,500 retroactive to April 3, 2017.

c. Posting for four SLEO police officers

2. Fire Department:

a. Promotion of Capt. Salvatore Principato to the rank of Deputy Chief at the annual salary of $148,000, effective November 1, 2018.

b. Promotion of Lt. Ronald Montes DeOca to the rank of Captain at the annual salary of $124,000, effective November 1, 2018.

c. Promotion of Fire Fighter Dominic Principato to the rank of Lieutenant at the annual salary of $108,000, effective November 1, 2018.

3. Department of Community Services:

a. Accepting the resignation in good standing of Paul D’Angelo, Mechanic Diesel effective September 29, 2018.

b. Accepting the resignation in good standing of Eric Doss, Laborer 1, effective 10/12/18.

d. Hiring of Ruben Rozadoz, Christopher Ott and Leroy Golden as Laborer 1 (tier 2) at the rate of $15.00 per hour effective October 29, 2018 pending the successful completion of all background requirements.

4. Public Property/Recreational Services:

b. Accepting the resignation in good standing of Herron Anderson, Laborer 1, effective September 25, 2018.

c. Posting for Laborer 1 (tier 2) to replace the above individual.

d. Accepting the resignation in good standing of Jennifer MacDonald, Recreation Leader effective August 17, 2018.

5. Municipal Court:

a. Rescinding the hiring of Dana Bernardo as P/T Clerk 1

b. Repost for (2) P/T Clerk 1 from POAA account at the hourly rate of $16.00 - $21.18.

6. Treasury:

a. The salary adjustment (add on) for Annmarie Whelan in the amount of $10,000.00 commensurate with the increase of duties associated described in the shared services agreement between the City and the Linden Housing Authority, at no additional cost to the City.

7. Construction Code:

a. The hiring of Joseph Egidio as Electrical Sub-Code Official at the annual salary of $80,000.00 effective November 12, 2018 pending the successful completion of all background requirements and granting a waiver of residency.

8. Personnel:

a. The hiring of Nancy Demesmin as a Clerk 1, in the Personnel Division, at the starting salary of $34,548 effective October 22, 2018 pending the successful completion of all background requirements.

b. FMLA/NJFLA:

Employee #000104 8/29/18-9/12/18

Employee# 000151 10/30/18-1/30/19

Employee ID#000127 9/25/18-11/6/18

Virginia Malik, 1663 Lenape Road. Ms. Malik asked about item 6a, and what was meant by “at no

Cost to the City.” Mr. Strano provided a n explanation, and detailed the shared services agreement that this payment was being made under.

Bedle Quikowski, Mr. Quikowski asked if there were no qualified individuals, in Linden, to fill this position. Mr. Roth explained the posting for this position. That it was initially posted for Linden residents only, with no responses. He explained the various other posting that took place, before the position was posted state wide.

Mr. Strano moved for approval of the Personnel Report. The motion was seconded by Mrs.

Yamakaitis and was ordered approved by a roll call vote, with Mr. Brown and Ms. Cosby absent from the room.

Mr. Strano announced that the designation of the railroad crossing, in the Seventh Ward, took effect yesterday. He also spoke about the ribbon cutting ceremony that took place, officially starting the quiet zone. He noted that this would impact positively on the quality of life for Tremely Point residents. He thanked the Cultural and Heritage Committee for a great job putting on the September to Remember. Mr. Strano spoke about the recent dedication and opening of the revamped Seventh Ward Park.

Mr. Strano reported on the recent meeting of the Tremely Point Civic association, and the topics discussed at that meeting. He noted that the vacant property, in the Seventh Ward, as a result of the Blue Acres Program, was of particular concern. Various recreational uses, of that site, were discussed. The potential uses would also help facilitate flood control in the area. Mr. Strano also spoke about Halloween, fast approaching, and to be careful driving, with the trick or treater’s being out and about. He spoke about recognizing and honoring veteran’s this upcoming Veterans Day.

Mr. Strano concluded by congratulating the promoted Firefighters and asked them to stand and be recognized.

Eighth Ward

Mrs. Yamakaitis announced that the Mayor’s Youth Commission and FMBA Locals 34 and 234, were inviting families to participate in Breakfast with Santa, and provided details on the event, adding that pre-registration was a requirement, for attendance. She explained how to pre-registration process. She thanked the Fire Department for co-sponsoring this event. Next, Mrs. Yamakaitis announced that the Mayor’s youth Commission would also be hosting the annual Harvest Party at the John’s Street center, and described the details of the event.

Mrs. Yamakaitis announced that the Linden and Cultural Heritage Committee would be holding a Holiday House Decoration contest. She described how the event would be run. She then gave her Eighth Ward report speaking about the large size of the tree trimming and removal list, noting that DPW was working on it. She announced various street paving projects, taking place, in the Eighth Ward this year. She concluded by providing hew contact information.

Ninth Ward

Mr. Medina began by giving his library report. He noted various activities that would be taking place at the library. Next he spoke about the Ninth Ward, informing all that the sidewalk replacement project has been held up by the inclement weather. Next he spoke about the Police presence, in the ward, and the issues of packages being stolen, from front porches, that had been ordered online. He stated that the police have been doing an excellent job.

Mr. Medina thanked all those residents, of the Ninth and Tenth Wards that had participated in the recent community yard sale. He stated his agreement, with the statements made by Mrs. Ormon, earlier, regarding meeting and greeting your new neighbors. Next Mr. Medina spoke about the great services that were being offered by the DPW, and the work being done to stabilize taxes, stating that it is going in the right direction. He asked the residences of Linden to offer prayers for the Police community, referencing the recent crash, in Linden, that killed an off duty Hillside Police officer. He concluded by thanking his wife for her patience and wishing her a happy anniversary.

Tenth Ward

Mrs. Hickey gave the report of the City Clerk’s office, for the month of September. A total of $2209.97 in City revenue and $825.00, in State revenue was collected. The City Clerks Licensing Division collected a total of $2,093.00 for the month of August, and a total of $1094.00 for the month of September. Next she gave the report of the Fire Committee. The Fire Prevention Bureau collected a total of $7,232.90, in fees, for the month of September.

Mrs. Hickey provided an additional response, to Ms. Malik, regarding the shared services agreement, between the City and the Housing Authority. Next she read a resolution authorizing that letters of commendation, from the Housing Authority, recognizing Kathy Sanders and Jennifer Brook for their actions, during a recent power outage at the Authority, be issued. She also spoke about the amazing job that the firemen do at the Housing Authority. She thanked the Ms. Sanders and Ms. Brook.

Mrs. Hickey announced that the Linden Kiwanis Club would be hosting their annual taste of Linden, and provided details on the event and how to purchase tickets. She then tanked Dawn Bevianno for her efforts in organizing the Ninth and Tenth Ward community yard sale. Next she praised the work of the Police Department, in the Tenth Ward, and noted the hard work of the Traffic Division in addressing the concerns of Council, in a timely manner. Mrs. Hickey announced the passing of a dear friend. She noted the role, played by the Traffic Division in providing a final salute to one of those individuals. She also noted the sudden passing of a City employee and offered her condolences to his family.

Mrs. Hickey spoke about redevelopment, raising issue she was concerned about regarding the property on South Stiles Street. She spoke about the process that was used and the amount of time that the RFP was advertised. She wished all a happy Halloween.

Mr. Medina spoke about the State and County of Union, going out and doing geo-targeting map for voting. As a result there was a realignment of the ward boundaries, between the First Ward and Ninth Wards. The realignment caused individuals, who previously were in the Ninth Ward, now are in the First Ward. Those individuals would have to vote at Linden High School, and not in their previous location. He noted he would be sending a letter, introducing Mrs. Ormon as their new council person, and offering to walk with her, to meet them.

**MAYOR’S REPORT**

Mayor Armstead noted that earlier, Ms. Cosby, had left the meeting. He explained that she had received word that a close friend of hers had passed. He offered his condolences to Ms. Cosby and the family. Next he noted the passing of a City employee, James Baird, who worked in the Department of Community Services and Public Property. He spoke about Mr. Baird, and offered his condolences to his family, The Mayor announced that tonight, there was a resolution renewing the Linden Emergency Response System (LERS). He explained that it was a low cost emergency response system, sponsored by the City, and how residents could sign up for the service.

Mayor Armstead spoke about his recent appointment to the Linden – Roselle Sewerage Authority, and the reason he had asked to be on the sewerage authority. He announced that a company had recently been selected to recycle the sludge from the authority. He spoke about the advantageous of the program, to the residents of the city, including a reduced cost, which would help stabilize the Authority cost and help build a surplus. He provided a financial explanation of the contract.

Mayor Armstead spoke about the demolition of the old United Lacquer factory, and the reasons that it had been stopped. He talked about his meeting with the owner of the former Pathmark site, and the plans to open a Super Fresh supermarket at the location. The Mayor reported on phase II of the Merdia project, on South Wood Ave.

Mayor Armstead announced that a car show would be held at Aviation Plaza, and provided the details, noting that it was being held as the same time as the Halloween Parade. He urged residents to stop at the car show first, and then come to Wood Avenue for the Halloween parade. Mayor Armstead urged all to get out and exercise their right to vote, in the upcoming election.

Mayor Armstead reminded all that he has an open door policy for his office. If you come to his office, he will try and find time for the person. He stated that if someone has questions about the PILOT agreements to come to his office and he will do his best to answer the questions, and if he doesn’t have the answers he will call the professionals and get them. It was the hope of the governing body to move the City forward and reduce the burden of taxes on the residents. He asked that all other government agencies do the same, and try to reduce the burden of taxes on the residents, noting what Linden had accomplished over the past few years.

Council President

President Alvarez reminded everyone that Halloween is coming, when the parade would be held and that he would holding his annual house, at his home, and all are welcome to attend. He guaranteed that the parade would be better than last years. He also told the story about how he came to host the haunted house.

**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.**

Virginia Malik, 1633 Lenape Rd. removed Resolutions #2018-379, 381, 382, 392, 394, 395, 398 and 411.

Ed Kaminski, 201 Maple Ave. removed Resolutions #2018-379 and 395.

Craig Halloran, 120 Donaldson Pl. removed Resolutions #2018-379, 376, and 403.

John Principato, 1706 Westover Rd. removed Resolutions #2018-392, 400, 402, 410 and 411.

John Roman, removed resolution 2018-402

Mr. Javick moved for approval of Resolutions 2018-376 through 2018-411 with the exception of Resolutions #2018-376,379, 381, 382, 392, 394, 395, 398, 400, 402, 403, 410 and 411. The motion was seconded by Mrs. Ormon and was ordered approved, by a roll call vote, with all voting yes except Mr. Brown and Ms. Cosby, who were absent.

**RESOLUTION: 2018-376**

RESOLUTION APPROVING A SHARED SERVICES AGREEMENT FOR A RESOURCE OFFICER AT THE LINDEN HIGH SCHOOL WITH

THE BOARD OF EDUCATION FOR THE 2018-2019 SCHOOL YEAR

WHEREAS. the Board of Education requires a Shared Resource Officer ("SRO") at the

Linden High School for th1e 2018-2019 school year; and

WHEREAS, the City of Linden has the ability to provide said services to the Board of

Education; and

WHEREAS, N J.S.A 40A:65-4 et seq., allows the City of Linden and the Board of Education to enter into a shared services agreement for the City of Linden to provide these services to the Board of Education.

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

1. That the Mayor and City Clerk be and hereby are directed and authorized

to execute a Shared Services Agreement with the Board of Education as aforesaid, upon approval of the Law Department.

2. The Board of Education shall pay the City of Linden an annual sum equal to the pensionable salary (exclusive of benefits) of one (1) Police Detective 1st Grade, payable in four (4) equal quarterly installments for said services, for 2018-2019

school year, and any subsequent year as approved, in accordance with the then-current

Agreement between the City of Linden and PBA Local 42.

3. This Resolution shall take effect immediately.

* + 1. This Resolution shall be published as required by law.

Craig Halloran, 120 Donaldson Place. Mr. Halloran asked what a resource officer was. Chief Hart explained the difference between a resource officer and a SLEO.

Please see the vote after resolution 2018-411.

**RESOLUTION: 2018-377**

**CITY OF LINDEN RESOLUTION**

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

9/4/18 Delta Dental of NJ Dental Claims 40,688.04

9/4/18 Delta Dental of NJ Dental Claims  41,273.50

9/5/18 Express Scripts Prescription Claims 78,094.71

9/5/18 Unity Bank Workers Comp. Claims 23,734.76

9/5/18 Unity Bank Workers Comp. Claims 27,259.29

9/5/18 Vision Service Plan Vision Claims 4,239.22

170888 9/7/18 Trystone Capital Assets Premium Tax Sale 13,000.00

9/10/18 Depository Trust Co. Debt Go Bonds 2015 149,000.00

9/10/18 Payroll PR-Current 1,743,103.45

9/10/18 Payroll PR-Trust 77,158.38

9/10/18 Payroll PR-Grants 11,921.49

9/10/18 Payroll PR-Capital 1009.40

9/10/18 Payroll PR-Unemployment 272.22

9/12/18 SHBP Retiree Health Claims 668,060.90

9/12/18 SHBP Active Health Claims 637,983.66

9/12/18 Unity Bank Workers Comp. Claims 64,037.07

9/12/18 Express Scripts Prescription Claims 61,480.59

9/19/18 Unity Bank Workers Comp. Claims 38,373.53

9/24/18 Payroll PR-Current 1,773,336.00

9/24/18 Payroll PR-Trust 65,773.78

9/24/18 Payroll PR-Grants 5050.19

9/24/18 Payroll PR-Capital 1110.34

9/24/18 Payroll PR-Unemployment 230.29

9/25/18 Elavon, Inc. Credit Card Fee 14.32

9/26/18 Unity Bank Workers Comp. Claims 30,479.27

9/26/18 Depository Trust Co. Debt Go Bonds 2018 386,197.78

9/26/18 US Bank Debt 2003 Refunding 81,762.50

9/26/18 US Bank Debt 2007 Morningstar 362,716.25

9/26/18 Webster Bank 2016 Bonds Interest 5,374.25

17118 9/28/18 Treasurer State of NJ Elevator Maintenance 258.00

17119 9/28/18 George Merette Youth Soccer 1,575.00

**RESOLUTION: 2018-378**

**RESOLUTION FOR THE AWARD OF A CONTRACT TO AMCEST/PERSYS FOR THE MONITORING OF THE LINDEN EMERGENCY RESPONSE SYSTEM SOLICATED BY QUOTATIONS FOR THE CITY OF LINDEN**

**WHEREAS**, the City of Linden wishes to obtain services for the monitoring of the Linden Emergency Response System 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,** Amcest/Persys, 1017 Walnut Street, Roselle, NJ was solicited for quotations; and

**WHEREAS,** Amcest/Persys provided the most advantageous quote, price and others factors considered in the amount not to exceed $19,200.00; and

**WHEREAS**, the Chief Finance Officer has certified the availability of funds for this award, which will be charged to T-03-56-800-100-013.

**NOW THEREFORE BE IT RESOLVED** Amcest/Persys be awarded a contract to supply trash receptacles at the low quote of $19,200.00.

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

**RESOLUTION: 2018-379**

**RESOLUTION AWARDING A CONTRACT TO BRUCE MEAKEM AT FITNESS SHOWROOMS LLC FOR THE PURCHASE OF GYM EQUIPMENT FOR THE POLICE DEPARTMENT SOLICITED BY QUOTATIONS**

**WHEREAS**, the City of Linden wishes to purchase gym equipment for the Police Department; 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,** Bruce Meakem at Fitness Showrooms LLC, 586 Route #17 North Paramus, NJ 07652 was solicited for quotations; and

**WHEREAS,** Bruce Meakem at Fitness Showrooms LLC provided the most advantageous quote, price and others factors considered in the amount not to exceed $22,000.00; and

**WHEREAS**, the Chief Finance Officer has certified the availability of funds for this award, which will be charged to account C-04-55-902-674-919.

**NOW THEREFORE BE IT RESOLVED** Bruce Meakem at Fitness Showrooms LLC be awarded a contract to supply gym equipment at the low quote of $22,000.00.

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

Ed Kaminski, 201 Maple Ave. Mr. Kaminski asked where the equipment was going. Chief Hart detailed the renovations to the Police gym and locker room area.

Craig Halloran, 120 Donaldson Place. Mr. Halloran asked if it would be more cost effective to give the police officers gym memberships.

Virginia Malik, 1633 Lenape Road. Ms. Malik stated her questions were answered.

Please see the vote after resolution 2018-411.

**RESOLUTION: 2018-380**

**RESOLUTION QUALYIFING CERTAIN PROFESSIONALS PURSUANT TO A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44A-20.4**

**WHEREAS,** in accordance with N.J.S.A. 40A:11-2(6) the City of Linden (the “City”), County of Union, a municipal corporation of the State of New Jersey, instituted a policy to negotiate agreements for Professional Services on the basis of demonstrated confidence and qualifications for types of Professional Services required by the City pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.4; and

**WHEREAS,** the Purchasing Agent of the City of Linden has received in accordance with a published notice, sealed qualifications for various positions; and

**WHEREAS,** pursuant to the fair and open process, and based upon review of the qualifications and recommendations therefore, certain professionals are qualified for certain positions for the calendar year 2018;

**FINANCIAL ADVISORY SERVICES**

Powell Capital Markets, Inc.

3 Becker Farm Road

Roseland, NJ 07068-1726

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** thatin accordance with N.J.S.A. 40A:11-2(6) on such basis as necessary, and for each of the approved and qualified vendors, a resolution approving each individual specific contract shall be considered by the Mayor and Council;

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

**RESOLUTION: 2018-381**

**RESOLUTION AUTHORIZING THE USE OF A STATE CONTRACT FOR THE PURCHASE OF SWENSON SPREADER AWARDED TO GREELCO INC. FOR THE PUBLIC WORKS DEPARTMENT**

**WHEREAS**, the City of Linden wishes to obtain from an authorized vendor under the State of New Jersey contract 89251 awarded to Greelco Inc., 50 Roanoke Avenue, Newark, NJ 07105 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**, Greelco Inc. has been awarded Contract No 89251; 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 $33,943.14 and,

**WHEREAS**, the Chief Finance Officer has certified the availability of funds for this contract, which will be charged to account number C-04-55-907-696-919.

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

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

Virginia Malik, 1633 Lenape Rd. Ms. Malik asked what a Swenson Spreader was. Mr. Dann responded a salt spreader, and explained.

Please see the vote after resolution 2018-411.

**RESOLUTION: 2018-382**

**RESOLUTION FOR STATE CONTRACT PURCHASE OF NETWORK INFRASTRUCTURE FOR NON PUBLIC SAFETY FROM PASCACK DATA SERVICES, AN AUTHORIZED DISTRIBUTOR**

**WHEREAS**, the City of Linden wishes to purchase network infrastructure for the City of Linden Non Public Safety IT from an authorized vendor under the State of New Jersey contract A89967 awarded to Pascack Data Services, 55 Harrison Road Suite 105, Glen Rock, NJ 07453, an authorized distributor 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**, Pascack Data Services has been awarded Contract No A89967 for the provision of Naspo Valuepoint Dell computer hardware; 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 $73,344.54 and,

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

C-04-55-900-491-919 $28,834.09

C-04-55-900-679-919 $29,198.00

C-04-55-900-525-919 $1,093.89

C-04-55-900-543-919 $11,000.00

C-04-55-900-663-919 $3,218.56

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

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

Virginia Malik, 1633 Lenape Road. Ms. Malik noted a past contact that had been given to Pascack Data. Mrs. Zack responded that this work involved replacing two servers that had reached the end of their life, and wiring work associated with it.

Please see the vote after resolution 2018-411.

**RESOLUTION: 2018-383**

**RESOLUTION HONORING Aida St. John**

**AS FIVE YEAR BREAST CANCER FIGHTER**

**WHEREAS,** every 69 seconds, somewhere in the world, a woman dies of breast cancer; every three minutes, a woman in the United States is diagnosed with breast cancer; and every 13 minutes, a woman loses her battle with the disease; and

**WHEREAS,** worldwide, breast cancer is the most frequently diagnosed life-threatening cancer in women and the leading cause of cancer death among women; and

**WHEREAS,** increased public awareness and improved screening have led to earlier diagnosis and the survival rates for breast cancer have improved significantly; and

**WHEREAS,** Aida St John received a mammography 6 years ago where she was given false information, which was to not further pursue examinations, like an ultrasound or M.R.I., because it was determined that Aida did not have any cancerous cells; and

**WHEREAS,** The following yearof 2013**,** Aida decided to get an ultrasound and was then diagnosed with Breast Cancer; and

**WHEREAS,** The next 4 months Aida underwent chemotherapy every 2 weeks, and following were 32 treatments of radiation; and

**WHEREAS,** Aidahas recently retired from being a nurse at Trinitas hospital, where she received support from her coworkers during these trying times; as well as support from her sister Mrs. Joanna Colucci; and

**WHEREAS,** this month Aida wants to make it known that all women must receive more than one breast exam, a mammography, an ultrasound, and an M.R.I.; these tests do not detect everything, which is why it is important for women to receive a second opinion and therefore a second or even third examination. Aida first handedly knows the importance of receiving a second opinion; if she was given a second exam the first time around the cancer would have been detected early, where then she would not have had to undergo such harsh treatment, which in turn affected her heart.

**WHEREAS,** the month of October has been declared Breast Cancer Awareness Month, nationwide.

**NOW THEREFORE BE IT RESOLVED,** by the Mayor and Council of the City of Linden recognize Aida St John for her courage in fighting this disease and wish to thank her for her dedication to increasing awareness about breast cancer and early detection; and

**BE IT FURTHER RESOLVED,** that a copy of this resolution be placed in the minutes of the City Council of the City of Linden and be appropriately presented to Aida

**RESOLUTION: 2018-384**

**RESOLUTION TO AMEND**

**THE 2018 CAPITAL BUDGET**

**WHEREAS,** the City of Linden, New Jersey desires to amend the 2018 Capital Budget of said municipality by inserting thereon or correcting and deleting the items therein as shown in such budget.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Linden of the County of Union as follows:

**Section 1.** The 2018 Capital Budget of the City of Linden is hereby amended by adding thereto a Schedule to read as follows:

**AMEND THE**

**CAPITAL BUDGET OF THE**

**CITY OF LINDEN, NEW JERSEY**

**Projects Schedules for 2018**

**Method of Financing**

**Est. Budget Capital Grants General**

**Project Cost Approp. Imp. Fund In Aid Bonds**

Roadway Improvements $2,271,500.00 $2,271,500.00 $51,075.00 $1,250,000.00 $970,425.00

S. Wood Ave

Roadway Improvements $495,000.00 $495,000.00 $8,000.00 $335,000.00 $152,000.00

S. Stiles St. - Lower Road

**RESOLUTION: 2018-385**

**RESOLUTION CHAPTER 159**

**COMCAST PGE/TECHNOLOGY 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 has received $100,000.00 from Comcast 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 $100,000.00 which item is now available as a revenue from:

Miscellaneous Revenues

Special items of General Revenue Anticipated with

Prior Written Consent of the Director of Local

Government Services:

Public and Private Revenues off-set with Appropriations:

COMCAST PGE/TECHNOLOGY GRANT

**BE IT FURTHER RESOLVED** that a like sum of $100,000.00 be and the same is hereby appropriated under the caption of:

General Appropriations

(A) Operations excluded from "CAPS"

Public and Private Programs off-set by revenues:

COMCAST PGE/TECHNOLOGY GRANT

**RESOLUTION: 2018-386**

**RESOLUTION AMENDING A CONTRACT WITH CME ASSOCIATES FOR SAMPLING AND ANALYSIS OF WELLS AND PIEZOMETERS, AIR PERMITTING AND REPORTING, LEACHATE MONITORING AND ACO COMPLIANCE SERVICES AT THE LINDEN LANDFILL FOR THE YEAR 2018 IN THE CITY OF LINDEN**

**WHEREAS,** the City Council of the City of Linden passed a resolution on February 20, 2018, No. 2018-119, retaining consulting services for various services at the City of Linden Landfill; and

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

**WHEREAS**, CME Associates, 3141 Bordentown Avenue, Parlin, NJ 08859 submitted a qualification to the City and has qualified for the aforesaid services for 2018; and

**WHEREAS**, due to the ongoing nature of the work, it is necessary to provide a second amendment for additional funds not to exceed $115,250.00; and

**WHEREAS**, inclusive of these additional funds the total expenditures paid to date to CME Associates for services rendered under the original or substantially related contract is $309,831.00; and

**WHEREAS,** Chief Financial Officer has certified to the availability of funds for this purpose, to be charged to Account No. C-04-55-907-614-919.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that the agreement for Professional Services awarded to CME Associates, 3141 Bordentown Avenue, Parlin, New Jersey, is hereby amended to increase the contract an additional sum of $115,250.00, for a total contract of $309,831.00; and

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

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

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

**RESOLUTION: 2018-387**

**RESOLUTION HONORING Mrs. Joanna Colucci   
 AS FIVE YEAR BREAST CANCER SURVIVOR**

**WHEREAS,** every 69 seconds, somewhere in the world, a woman dies of breast cancer; every three minutes, a woman in the United States is diagnosed with breast cancer; and every 13 minutes, a woman loses her battle with the disease; and

**WHEREAS,** worldwide, breast cancer is the most frequently diagnosed life-threatening cancer in women and the leading cause of cancer death among women; and

**WHEREAS,** increased public awareness and improved screening have led to earlier diagnosis and the survival rates for breast cancer have improved significantly; and

**WHEREAS,** 5 years ago Mrs. Joanna Colucci found a lump on her breast, where she was then diagnosed with Breast Cancer at St Barnabas Medical Center; and

**WHEREAS,** Joanna has since been receiving treatment for the past 5 years; firstly she underwent an operation which removed the cancerous cells, then 6 weeks of radiation at Trinitas Hospital, and lastly a daily medication, which she has actually completed last month; and

**WHEREAS,** Joana is the devoted wife to Armand Colucci who supported her throughout her battle against Breast Cancer; and

**WHEREAS,** this month Joanna celebrated five years of being cancer free; and

**WHEREAS,** the month of October has been declared Breast Cancer Awareness Month, nationwide.

**NOW THEREFORE BE IT RESOLVED,** by the Mayor and Council of the City of Linden recognize Mrs. Joanna Colucci for her courage in fighting this disease and wish to thank her for her dedication to increasing awareness about breast cancer and early detection; and

**BE IT FURTHER RESOLVED,** that a copy of this resolution be placed in the minutes of the City Council of the City of Linden and be appropriately presented to Joanna

**RESOLUTION: 2018-388**

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

**WHEREAS**, a tax sale certificate #13-00226 on block 178 lot 19 was sold on June 27, 2014;

**WHEREAS**, a premium of $ 700.00 was paid on this certificate; and

**WHEREAS**, Stacey L. Carron, Tax Collector has verified that no redemption has taken place, and the lien holder of tax sale certificate #13-00226, MTAG Cust Fig Cap Invest NJ13, has assigned to Red Oak Servicing Corp, And Red Oak Servicing Corp has foreclosed on August 2, and recommends said premium, totaling 700.00, be canceled and turned over the City Treasurer.

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

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

**RESOLUTION: 2018-389**

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

**WHEREAS**, a tax sale certificate #13-00477 on block 556 lot 12 was sold on June 27, 2014;

**WHEREAS**, a premium of $ 1,300.00 was paid on this certificate; and

**WHEREAS**, Stacey L. Carron, Tax Collector has verified that no redemption has taken place, and the lien holder of tax sale certificate #13-002477 MTAG Cust Fig Cap Invest NJ13, has assigned to Red Oak Servicing Corp, And Red Oak Servicing Corp has foreclosed on May 9, and recommends said premium, totaling 1,300.00, be canceled and turned over the City Treasurer.

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

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

**RESOLUTION: 2018-390**

**RESOLUTION CHAPTER 159**

**LEAD HAZARD INSPECTIONS CHILDHOOD LEAD**

**EXPENSE PROJECT 2018-2019**

**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 a subgrant not to exceed $4,000.00 from the City of Plainfield Health Department 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 not to exceed $ 4,000.00 which item is now available as a revenue from:

Miscellaneous Revenues

Special items of General Revenue Anticipated with

Prior Written Consent of the Director of Local

Government Services:

Public and Private Revenues off-set with Appropriations:

Lead Hazard Inspections – 2018/2019

**BE IT FURTHER RESOLVED** that a like sum not to exceed $4,000.00 be and the same is hereby appropriated under the caption of:

General Appropriations

(A) Operations excluded from "CAPS"

Public and Private Programs off-set by revenues:

Lead Hazard Inspections – 2018/2019

**RESOLUTION: 2018-391**

**RESOLUTION AUTHORIZING EXECUTION OF A SETTLEMENT AGREEMENT WITH WASTE MANAGEMENT OF NEW JERSEY, INC.**

**WHEREAS** disputes and differences have arisen between the City of Linden (the “City”) and Waste Management of New Jersey, Inc. (“Waste Management”) with respect to a contract for disposal of certain solid waste generated in the City dated August 2013, subsequently amended in November 2013 (the “Contract”); and

**WHEREAS** the City has filed a claim aginst Waste Management’s performance bond number 061-SB-105983881 for additional expenses incurred as a result of utilizing an alternate solid waste facility; and

**WHEREAS** the parties have agreed to amicably resolve, settle and compromise all disputes and differences they have or may have arising out of facts or occurrences existing as of this date, known or unknown, regarding the City’s above-mentioned Contract with Waste Management; and

**WHEREAS**, the City and Waste Management desire to memorialize the terms and conditions of their agreement in a written agreement in substantially the same form as the agreement attached hereto as Exhibit A (the “Agreement”).

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

1. That the Mayor and City Clerk be and hereby are directed and authorized to execute the Settlement Agreement with Waste Management in substantially the same form as attached hereto as Exhibit A upon approval of the Law Department.
2. This Resolution shall take effect immediately.
3. This Resolution shall be published as required by law.

**RESOLUTION: 2018-392**

**RESOLUTION APPROVING THE AWARD OF A CONTRACT TO KM CONSTRUCTION CORP. FOR POROUS PAVEMENT AT MEMORIAL PARK IN THE CITY OF LINDEN**

**WHEREAS**, sealed bids were received by the Purchasing Agent on September 25, 2018 for Porous Pavement at Memorial Park in the City of Linden: and

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

**WHEREAS**, the Chief Financial Officer or her designee has certified as to the availability of funds for this purpose, as attached hereto, which will be charged to Account No. G-02-40-165-017-220; and

**WHEREAS,** KM Construction Corp. was the lowest responsible bidder at their bid of $475,975.94; and

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

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** that a contract for Porous Pavement at Memorial Park, be and hereby, is awarded to KM Construction Corp., 14 Cordier Street, Irvington, NJ 07111 at a fee not to exceed $475,975.94 in accordance with their bid dated September 25, 2018; and

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

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

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

Virginia Malik, 1633 Lenape Rd. Ms. Malik asked what the work is for, it is a lot of money. Mr. Dann responded, explaining that is the replacement of the parking lot at Memorial Park.

John Principato, 1706 Westover Rd. Mr. Principato asked if this is where the City brings the snow that was removed from other locations. The response was it is, but after this it will no longer be brought there.

Please see the vote after resolution 2018-411.

**RESOLUTION: 2018-393**

**RESOLUTION APROVING A CONTRACT WITH REMINGTON & VERNICK ENGINEERS FOR MAINTAINING TAX MAPS FOR THE YEAR 2018**

**WHEREAS,** the City Council of the City of Linden has determined that it would be in the best interest of the City of Linden to retain the service s of a licensed land surveyor to maintain and update the Tax Maps for 2018 in accordance with N.J.A.C. 18:23A-1.27; 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,** Remington & Vernick Engineers submitted a qualification to the City and has qualified for the aforesaid services for 2018; and

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

**WHEREAS,** Chief Financial Officer has certified to the availability of funds for this purpose, to be charged to Account No. 8-01-20-156-117-274.

**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 Remington & Vernick Engineers, One Harmon Plaza, Suite 210, Secaucus, New Jersey 07094, in the amount not to exceed $35,000.00, in accordance with their proposal dated September 27, 2018; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary contract document between Remington & Vernick Engineers and the City of Linden; and

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk be and hereby are empowered and directed to execute an agreement with Remington & Vernick Engineers to effectuate the foregoing; and

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

**RESOLUTION: 2018-394**

**RESOLUTION AMENDING A CONTRACT WITH T&M ASSOCIATES FOR PREPARATION OF CONTRACT DOCUMENTS FOR POROUS PAVEMENTAT MEMORIAL PARK IN THE CITY OF LINDEN**

**WHEREAS,** the City Council of the City of Linden passed a resolution on March 20, 2018, No. 2018-153, retaining the services for Preparation of Contract Documents for Porous Pavement at Memorial Park in the City of Linden; and

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

**WHEREAS**, T&M Associates, 11 Tindall Road, Middletown, NJ 07748 submitted a qualification to the City and has qualified for the aforesaid services for 2018; and

**WHEREAS**, due to the ongoing nature of the work, it is necessary to provide an amendment for additional funds not to exceed $3,000.00; and

**WHEREAS**, inclusive of these additional funds the total expenditures paid to date to T&M Associates, for services rendered under the original or substantially related contract is $49,000.00; and

**WHEREAS,** Chief Financial Officer has certified to the availability of funds for this purpose, to be charged to Account No. G-02-40-165-017-220.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that the agreement for Professional Services awarded to T&M Associates is hereby amended to increase the contract an additional sum of $3,000.00, for a total contract of $49,000.00; and

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

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

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

Virginia Malik, 1633 Lenape Road. Ms. Malik asked what is included in this work. Mr. Dann responded and explained what the contract included.

Please see the vote after resolution 2018-411.

**RESOLUTION: 2018-395**

**RESOLUTION AMENDING A CONTRACT WITH T&M ASSOCIATES FOR THE OPTIMIZATION OF TRAFFIC SIGNALS ALONG WOOD AVENUE IN THE CITY OF LINDEN**

**WHEREAS**, the City Council of the City of Linden passed a resolution on June 19, 2018,

No. 2018-263 for the optimization of traffic signals along Wood Avenue in the City of Linden; and

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

**WHEREAS**, T&M Associates, 11 Tindall Road, Middletown, New Jersey 07748, submitted a qualification to the City and has qualified for the aforesaid services for 2018; and

**WHEREAS**, due to ongoing nature of the work, it is necessary to provide for additional funds for said purpose in an amount not to exceed $9,000.00; and

**WHEREAS**, inclusive of these additional funds the total expenditures paid to date to T&M Associates for services rendered under the original or substantially related contract is $23,500.00; and

**WHEREAS**, the Chief Financial Officer or her designee has certified to the availability of funds for this purpose, which will be charged to Account No. 8-01-20-165-124-255.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** that the agreement for Professional Services awarded to T&M Associates, is hereby amended to increase the contract an additional sum of $9,000.00 for a total contract of $23,500.00; and

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

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

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

Ed Kaminski, 201 Maple Ave. Mr. Kaminski stated his objection that this was a lot of money. Chief Hart responded that the traffic lights are out of sync, explaining that the project was held from the summer, to allow for full traffic load, with schools being in session. Mr. Kaminski repeated his objection, adding that this only the schedule, and the work would still need to be done. President Alvarez responded that the cost was in line with what he had experienced. Mr. Roman explained that it was money being well spent and the reasons why.

Virginia Malik, 1633 Lenape Road. Ms. Malik spoke about the red light camera study, and asked why those in-house people couldn’t do this study. President Alvarez explained the reasons. Mr. Roman responded to additional questions she asked. Mr. Kaminski raised additional concerns that President Alvarez responded to, and added that he would look into the matter further.

Please see the vote after resolution 2018-411.

**REESOLUTION: 2018-396**

**RESOLUTION DESIGNATING OCTOBER 7, 2018 AS A DAY TO HONOR**

**FIREFIGHTERS AND EMERGENCY SERVICES PERSONNEL**

**WHEREAS,** the day of the annual National Fallen Firefighters Memorial Service has been designated as a day to honor firefighters and emergency services personnel who have sacrificed their lives to save others by the President and Congress of the United States; and

**WHEREAS,** approximately 1,200,000 men and women comprise the American fire and emergency services; and

**WHEREAS,** the fire and emergency services is considered one of the most dangerous jobs in the United States; and

**WHEREAS,** fire and emergency services personnel respond to over 16 million emergency calls annually, without reservation and with little regard for their personal safety; and

**WHEREAS,** fire and emergency services personnel are the first to respond to an emergency, whether it involves a fire, medical emergency, spill of hazardous materials, natural disaster, act of terrorism, or transportation accident; and

**WHEREAS,** it is of major importance that we increase our efforts to reduce deaths, injuries, and property losses from fire.

**WHEREAS,** about one-third of all active fire and emergency personnel suffer debilitating injuries annually; and

**WHEREAS,** approximately 100 fire and emergency services personnel die annually in the line of duty.

**NOW THEREFORE BE IT RESOLVED,** by the Mayor and Council of the City of Linden that they now call upon the residents of the City of Linden, and all patriotic, civic, and educational organizations to observe October 7, 2018, in recognition of the patriotic service and dedicated efforts of our fire and emergency services personnel by lowering American flags on all building to half-staff.

**BE IT FURTHER RESOLVED,** that a copy of this resolution be placed in the minutes of the Governing Body of the City of Linden in recognition of the efforts and dedication the members of the Fire and emergency services.

**RESOLUTION: 2018-397**

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| **CITY OF LINDEN** | | | | | |
| **RESOLUTION TO CLOSE OUT GRANTS ACCOUNTS** | | | | | |
|  | | | | | |
|  |  |  |  |  |  |
| **WHEREAS**, the City of Linden hereby authorizes the cancellation of various grant appropriations; | | | | | |
|  |  |  |  |  |  |
| **WHEREAS**, there remains unused appropriation balances of $ 26,484.55 which can now be | | | | | |
| canceled, | | | | | |
| **NOW, THEREFORE, BE IT RESOLVED** that the following appropriation balances are hereby canceled | | | | | |
| as set forth herein: | | | | | |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
| **Appropriation** | **Appropriation** | **Appropriation Balance** |  | **Receivable** | **Receivable Balance** |
|  |  |  |  |  |  |
| Sustainable NJ Hawk Rise Grant | G-02-40-305-014-201 | 2,746.38 |  | G-02-14-662-001 | 4,370.82 |
|  | G-02-40-305-014-202 | 1,624.44 |  |  |  |
| 2017 Municipal Alliance | G-02-40-240-017-006 | 1,500.00 |  | G-02-17-240-001 | 1,567.17 |
|  | G-02-40-240-017-013 | 67.17 |  |  |  |
| Transit Village Phase I | G-02-40-165-012-235 | 92.32 |  | G-02-12-635-011 | 92.32 |
| 2014 Port Security | G-02-40-265-014-102 | 17,954.24 |  | G-02-14-621-001 | 20,454.24 |
|  | G-02-40-265-014-103 | 2,500.00 |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  | **TOTAL** | **$ 26,484.55** |  |  | **$ 26,484.55** |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
| **NOW, THEREFORE, BE IT RESOLVED** that the City of Linden grand total of all appropriations to be cancelled are $ 26,484.55. | | | | | |

**RESOLUTION: 2018-398**

**RESOLUTION APPROVING AN MOU WITH**

**FIRE OFFICERS ASSOCIATION, F.M.B.A. LOCAL 234**

Whereas the Council of the City of Linden has a collective negotiations agreement with the Fire Officers Association, F.M.B.A Local 234; and

Whereas, the prior agreement expired on December 31, 2017; and

Whereas the Council and the Union have negotiated a successor agreement for white collar employees.

Now therefore be it resolved that this Council approves the collective negotiations agreement with the Fire Officers Association, F.M.B.A Local 234 effective January 1, 2018 through December 31, 2018.

Be it further resolved that upon execution of successor agreement by the Fire Officers Association, F.M.B.A Local 234, this Council authorizes the Mayor of the City of Linden to execute the successor agreement on behalf of the City.

Be it further resolved that this resolution is effective subject to the aforementioned provisions.

Virginia Malik, 1633 Lenape Rd. See comments under 2018-399.

Please see the vote after resolution 2018-411.

**RESOLUTION: 2018-399**

**RESOLUTION APPROVING AN MOU WITH**

**FIREFIGHTERS’ ASSOCIATION**

**F.M.B.A. LOCAL 34**

Whereas the Council of the City of Linden has a collective negotiations agreement with the Fire Firefighters’ Association, F.M.B.A Local 34; and

Whereas, the prior agreement expired on December 31, 2017; and

Whereas the Council and the Union have negotiated a successor agreement for white collar employees.

Now therefore be it resolved that this Council approves the collective negotiations agreement with the Fire Firefighters’ Association, F.M.B.A Local 34 effective January 1, 2018 through December 31, 2018.

Be it further resolved that upon execution of successor agreement by the Fire Firefighters’ Association, F.M.B.A Local 34, this Council authorizes the Mayor of the City of Linden to execute the successor agreement on behalf of the City.

Be it further resolved that this resolution is effective subject to the aforementioned provisions.

Virginia Malik, 1633 Lenape Road. Ms. Malik asked what the agreement was. Mr. Roth explained what an MOU was.

Please see the vote after resolution 2018-411.

**RESOLUTION: 2018-400**

**RESOLUTION APPROVING A SHARED SERVICES AGREEMENT FOR PURCHASING AGENT WITH THE LINDEN HOUSING AUTHORITY**

**WHEREAS,** the Linden Housing Authority is in need of a Purchasing Agent; and

**WHEREAS,** the City of Linden has the ability to provide said services to the Linden Housing Authority; and

**WHEREAS,** the Linden Housing Authority will reimburse the City the total amount of fees related to bids held for the Linden Housing Authority including but not limited to publishing and paper fees for said services;

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

**CITY OF LINDEN** as follows:

1. That the Mayor and City Clerk be and hereby are directed and authorized

to execute a Shared Services Agreement with the Linden Housing Authority as aforesaid upon approval of the Law Department.

1. The Linden Housing Authority shall reimburse the City of Linden for the total amount of fees related to bids held for the Linden Housing Authority including but not limited to publishing and paper fees.
2. This agreement shall automatically renew unless either party terminates same given sixty (60) days notice.
3. This Resolution shall take effect immediately.
4. This Resolution shall be published as required by law.

John Principato, 1706 Westover Road. Mr. Principato asked what the City was sharing with the Housing Authority. Me. Antonelli explained the purpose of the resolution. Mr. Roth responded to further questions, from Mr. Principato, regarding the payment to Ms. Whelan.

Please see the vote after resolution 2018-411.

**RESOLUTION: 2018-401**

**RESOLUTION RECOGNIZING ANGEL PADILLA**

**DURING HISPANIC HERITAGE MONTH 2018**

**WHEREAS,** September 15, 2018 to October 15, 2018 has been designated as National Hispanic Heritage Month to celebrate the histories, cultures and contributions of American citizens whose ancestors came from Puerto Rico, Spain, Mexico, the Caribbean and Central and South America; and

**WHEREAS,** it also recognizes the contributions, made by Hispanics, that have had a profound and positive influence on our country through their strong commitment to family, faith, hard work and service; and

**WHEREAS,** starting from a young age Angel Padilla realized his desire to want to help those less fortunate. He was able to see the struggles his single mother faced in trying to raise him and his siblings in Perth Amboy, and although they faced hardships there was always a sense of giving and helping others displayed by his family. Following in his father’s and brother’s footsteps, Angel decided to put his abilities to the test by joining the Linden Police Department in January of 2001; and

**WHEREAS,** Angel’s dedication to our community did not end with joining the Police force, his commitment to the Linden community, and those around it, grew stronger. Angel always took time to volunteer at the local elementary schools, the John Street Center, fundraisers, and even was the Vice President of the PTA for School 5; and

**WHEREAS,** The hardships Angel faced and saw first handed influenced his desire in wanting to help those less fortunate, whether it was by donating food, clothing, furniture or his time, Angel felt the need to always help, but especially as a police officer he felt it was his duty to help end the stigma around police officers, which motivated him to keep a strong police presence in the Linden community, especially with the younger generations; and

**WHEREAS,** in September of 2016 Officer Padilla was shot in the line of duty when he found a wanted terrorist in the City of Linden, After 17 years of hard work on the Linden police force, Officer Padilla retired in November of 2017; and

**WHEREAS,** Officer Padilla’s commitment of bettering the lives of others, especially those in the City of Linden, has been proven through all his acts of kindness, which portrays what a positive impact a person of Hispanic heritage can make on our community and our country; and

**WHEREAS,** the Mayor and Council of the City of Linden wish to recognize the efforts of Angel Padilla as a Retired Linden Police Officer.

**NOW THEREFORE BE IT RESOLVED,** by the Mayor and Council of the City of Linden that they hereby recognize Angel Padilla during Hispanic Heritage Month for his efforts to better the Linden community; and

**BE IT FURTHER RESOLVED** that a copy of this resolution be place in the minutes of the City Council of the City of Linden in perpetual recognition of the accomplishment of Angel Padilla and a copy be appropriately presented to him.

**RESOLUTION: 2018-402**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDEN, COUNTY OF UNION, NEW JERSEY AUTHORIZING THE PLANNING BOARD TO INVESTIGATE WHETHER THE PROPERTY COMMONLY KNOWN ON THE CITY’S TAX MAPS AS BLOCK 457, LOT 41.01 (A/K/A 14 WEST LINDEN AVENUE) SHOULD BE DESIGNATED AS AN AREA IN NEED OF REDEVELOPMENT, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A*. 40A:12A-1, *et seq.***

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

**WHEREAS**, to determine whether certain parcels of land constitute areas in need of redevelopment under the Redevelopment Law the city council (“**City Council**”) of the City of Linden (the “**City**”) must authorize the planning board of the City (the “**Planning Board**”) to conduct a preliminary investigation of the area and make recommendations to the City Council; and

**WHEREAS,** the City Council believes it is in the best interest of the City that an investigation occur with respect to certain parcels within the City and therefore authorizes and directs the Planning Board to conduct an investigation of the property commonly known on the City tax maps as Block 457, Lot 41.01 (a/k/a 14 West Linden Avenue) (hereinafter the “**Study Area**”), to determine whether the Study Area meets the criteria set forth in the Redevelopment Law, specifically  *N.J.S.A.* 40A:12A-5, and should be designated as an area in need of redevelopment; and

**WHEREAS,** the redevelopment area determination requested hereunder authorizes the City and City Council to use all those powers provided by the Redevelopment Law for use in a redevelopment area, other than the power of eminent domain (hereinafter referred to as a “**Non-Condemnation Redevelopment Area**”).

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

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. The Planning Board is hereby authorized and directed to conduct an investigation pursuant to *N.J.S.A.* 40A:12A-6 to determine whether the Study Area satisfies the criteria set forth in *N.J.S.A.* 40A:12A-5 to be designated as an area in need of redevelopment.

Section 3. As part of its investigation, the Planning Board shall prepare a map showing the boundaries of the Study Area and the location of the parcels contained therein, and appended thereto shall be a statement setting forth the basis of the investigation.

Section 4. The Planning Board shall conduct a public hearing in accordance with the Redevelopment Law, specifically *N.J.S.A.* 40A:12A-6, after giving due notice of the proposed boundaries of the Study Area and the date of the hearing to any persons who are interested in or would be affected by a determination that the Study Area is an area in need of redevelopment. The notice of the hearing shall specifically state that the redevelopment area determination shall authorize the City or City Council to exercise the power of eminent domain to acquire any property in the delineated area, for the Study Area is being investigated as a possible Non-Condemnation Redevelopment Area.

Section 5. At the public hearing, the Planning Board shall hear from all persons who are interested in or would be affected by a determination that the Study Area is a redevelopment area.  All objections to a determination that the Study Area is an area in need of redevelopment and evidence in support of those objections shall be received and considered by the Planning Board and made part of the public record.

Section 6. After conducting its investigation, preparing a map of the Study Area, and conducting a public hearing at which all objections to the designation are received and considered, the Planning Board shall make a recommendation to the City Council as to whether the City Council should designate all or some of the Study Area as an area in need of redevelopment.

Section 7. This Resolution shall take effect immediately.

Mr. Roman explained the location of this property, and that he supported Merida’s purchase of it, noting that the future use be that of a daycare center.

John Principato no longer wished to speak as off of his questions were answered.

See the vote after resolution 2018-411

**RESOLUTION: 2018-403**

**RESOLUTION AUTHORIZING AN AMENDMENT TO THE CONTRACT WITH PACIFIC CONSTRUCTION, LLC FOR THE RECONSTRUCTION OF SANITARY SEWERS IN THE CITY OF LINDEN**

**WHEREAS**, the City Council of the City of Linden passed a Resolution No. 2017-191 on April 18, 2017 approving an award of a contract to Pacific Construction, LLC for the reconstruction of sanitary sewers in the City of Linden in the amount of $106,600.26; and

**WHEREAS**, a second change order in the amount of $2,434.00 is required to close out the project; and

**WHEREAS**, inclusive of these additional funds the total expenditures for said contract is $130,024.26; and

**WHEREAS**, the Chief Financial Officer or her designee has certified to the availability of funds for this purpose, to be charged to Account No. C-04-55-901-666-919;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** that the agreement awarded to Pacific Construction, LLC , 531 Route 22 East, PMB 240, Whitehouse Station, NJ 08889 is hereby amended to increase the contract by the additional sum of $2,434.00, for a total contract of $130,024.26; and

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

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

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

Craig Halloran, 120 Donaldson Pl. Mr. Strano provided a response to Mr. Halloran. Mr. Dann also responded explaining that the sewer line had collapsed and the difficulty there was in making the repair.

Please see the vote after resolution 2018-411.

**RESOLUTION: 2018-404**

**RESOLUTION AMENDING A CONTRACT WITH PENNONI ASSOCIATES FOR THE ENVIRONMENTAL SITE REMEDIATION AT 1901 LOWER ROAD IN THE CITY OF LINDEN**

**WHEREAS,** the City Council of the City of Linden passed a resolution on November 21, 2017, No. 2017-372, retaining the services of the Environmental Site Remediation at 1901 Lower Road in the City of Linden; and

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

**WHEREAS**, Pennoni Associates, Inc., 24 Commerce Street, Suite 300, Newark, NJ 07102 submitted a qualification to the City and has qualified for the aforesaid services for 2018; and

**WHEREAS**, due to the ongoing nature of the work, it is necessary to provide a second amendment for additional funds not to exceed $1,150.00; and

**WHEREAS**, inclusive of these additional funds the total expenditures paid to date to Pennoni Associates, Inc., for services rendered under the original or substantially related contract is $28,460.00; and

**WHEREAS,** Chief Financial Officer has certified to the availability of funds for this purpose, to be charged to Account No. C-04-55-905-588-919.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that the agreement for Professional Services awarded to Pennoni Associates, Inc., is hereby amended to increase the contract an additional sum of $1,150.00, for a total contract of $28,460.00; and

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

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

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

**RESOLUTION: 2018-405**

**RESOLUTION AUTHORIZING AN AMENDMENT TO THE CONTRACT WITH DLS CONTRACTING, INC. FOR THE RESURFACING OF KNOPF STREET, AMON TERRACE, LAURITA STREET AND W. STIMPSON AVENUE IN THE CITY OF LINDEN**

**WHEREAS**, the City Council of the City of Linden passed a Resolution No. 2018-262 on June 19, 2018 approving an award of a contract to DLS Contracting, Inc., for the resurfacing of Knopf Street, Amon Terrace, Laurita Street and W. Stimpson Avenue in the City of Linden in the amount of $397,664.00; and

**WHEREAS**, a change order in the amount of $31,598.36 is required to complete the project; and

**WHEREAS**, inclusive of these additional funds the total expenditures for said contract is $429,262.35; and

**WHEREAS**, the Chief Financial Officer or her designee has certified to the availability of funds for this purpose, to be charged to Account No. C-04-55-901-687-919.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** that the agreement awarded to DLS Contracting, Inc., 271 US Highway 46, Suite D-205, Fairfield, New Jersey 07004 is hereby amended to increase the contract by the additional sum of $31,598.35, for a total contract of $429,262.35; and

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

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

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

**RESOLUTION: 2018-406**

**RESOLUTION AUTHORIZING AN AMENDMENT TO THE CONTRACT WITH JO-MED CONTRACTING CORP. FOR THE RECONSTRUCTION OF CURBS & WALKS AT VARIOUS LOCATIONS IN THE CITY OF LINDEN**

**WHEREAS**, the City Council of the City of Linden passed a Resolution No. 2018-291 on July 17, 2018 approving an award of a contract to Jo-Med Contracting Corp., for the reconstruction of curbs and walks at various locations in the City of Linden in the amount of $77,526.00; and

**WHEREAS**, a change order in the amount of $8,826.77 is required to extend the project; and

**WHEREAS**, inclusive of these additional funds the total expenditures for said contract is $86,352.77; and

**WHEREAS**, the Chief Financial Officer or her designee has certified to the availability of funds for this purpose, to be charged to Account No. C-04-55-901-692-919 ($70,000.00), C-04-55-901-671-919 ($13,567.68), C-04-55-901-656-919 ($956.25), C-04-55-901-624-919 ($1,828.84) and C-04-55-901-570-919 ($5,325.00).

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** that the agreement awarded to Jo-Med Contracting Corp., 300 South Second Street, Elizabeth, New Jersey 07206 is hereby amended to increase the contract by the additional sum of $8,826.77, for a total contract of $86,352.77; and

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

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk be and hereby are empowered and directed to execute an amendatory agreement with Jo-Med Contracting Corp.; and

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

**RESOLUTION: 2018-407**

**RESOLUTION AMENDING A CONTRACT WITH BRINKERHOFF ENVIRONMENTAL SERVICES, INC. FOR ENVIRONMENTAL SERVICES REGARDING REMOVAL OF AN UNDERGROUND TANK AT 2 S. WOOD AVENUE IN THE CITY OF LINDEN**

**WHEREAS,** the City Council of the City of Linden passed a resolution on May 15, 2018, No. 2018-226, for environmental services regarding removal of an underground tank at 2 S. Wood Avenue in the City of Linden; and

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

**WHEREAS**, Brinkerhoff Environmental Services, Inc., 1805 Atlantic Avenue, Manasquan, NJ 08736, submitted a qualification to the City and has qualified for the aforesaid services for 2018; and

**WHEREAS,** due to the ongoing nature of the work, it is necessary to provide an amendment for additional funds not to exceed $18,125.00; and

**WHEREAS**, inclusive of these additional funds the total expenditures paid to date to Brinkerhoff Environmental Services, Inc. for services rendered under the original or subsequently related contract is $29,665.00; and.

**WHEREAS**, the Chief Financial Officer or her designee has certified to the availability of funds for this purpose, to be charged to Account No. C-04-55-901-666-919.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** that the agreement for Professional Services awarded to Brinkerhoff Environmental Services, Inc., 1805 Atlantic Avenue, Manasquan, New Jersey 08736, is hereby amended to increase the contract an additional sum of $18,125.00, for a total contract amount of $29,665.00; and

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

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk be and hereby are empowered and directed to execute an amendatory agreement with Brinkerhoff Environmental Services, Inc. to effectuate the foregoing; and

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

**RESOLUTION: 2018-408**

**RESOLUTION APROVING A CONTRACT WITH PENNONI ASSOCIATES, INC. FOR UST A/B OPERATOR LICENSE SERVICES IN THE CITY OF LINDEN**

**WHEREAS,** there exists a need for UST A/B Operator License Services in the City of Linden; and

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

**WHEREAS**, Pennoni Associates, Inc., 24 Commerce Street, Suite 300, Newark, NJ 07102 submitted a qualification to the City and has qualified for the aforesaid services for 2018; and

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

**WHEREAS,** Chief Financial Officer has certified to the availability of funds for this purpose, to be charged to Account No. C-04-55-905-588-919.

**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 Pennoni Associates, Inc., 24 Commerce Street, Suite 300, Newark, NJ 07102 at a fee not to exceed $19,600.00 in accordance with their proposal dated September 12, 2018; and

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

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

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

**Resolution:2018-409**

**A RESOLUTION HONORING RALPH JEROME**

**ON THE OCCASION OF HIS 100TH BIRTHDAY**

**WHEREAS,** Ralph Jerome was born in Brooklyn, New York, and is one of six Jerome boys. His family settled in Elizabeth, New Jersey where he would meet his future wife, Gloria. Ralph and his family eventually moved to Linden; and

**WHEREAS,** Ralph celebrated his 100th birthday on October 2, 2018 and his 70th wedding anniversary on June 13th of this year; and

**WHEREAS,** he began his career at the Elizabethtown Gas Company, interrupting his employment to serve in World War II serving in the Army Corps of Engineers in Burma, then returning to the Elizabethtown Gas Company until his retirement; and

**WHEREAS,** it is proper and fitting that Ralph Jerome be recognized for the special mark he has made on the lives of his family at the time of his 100th birthday.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the City of Linden that they recognize Ralph Jeromefor the amazing person he is and congratulate him on the occasion of his 100th birthday; and

**BE IT FURTHER RESOLVED** that this Resolution be entered in the minutes of the Council of the City of Linden, and a copy be presented to Ralph Jerome in recognition of the foregoing.

**RESOLUTION: 2018-410**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDEN, IN THE COUNTY OF UNION, STATE OF NEW JERSEY, AUTHORIZING THE SALE OF THE PROPERTY IDENTIFIED ON THE TAX MAPS OF THE CITY OF LINDEN AS BLOCK 450, LOT 1 PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A.* 40A:12A-1 *et seq.***

**WHEREAS**, pursuant to *N.J.S.A.* 40A:12A-8(g), a municipality may convey any land or building which is necessary to carry out and effectuate the purposes of *N.J.S.A.* 40A:12A-1 *et seq*. (the “Local Redevelopment and Housing Law”) to any other party and without public bidding, at such price and upon such terms as the municipality deems reasonable, provided that the land was an area that was determined to be in need of redevelopment, as defined in the Local Redevelopment and Housing Law, and provided further that the conveyance is made in conjunction with a redevelopment plan; and

**WHEREAS**, the property identified on the Tax Maps of the City of Linden (the “**City**”) as Block 450, Lot 1 (the “**Property**”), is located within an area that has been determined to be in need of redevelopment, pursuant to the Local Redevelopment and Housing Law and is subject to the “South Wood Avenue Redevelopment Project – Redevelopment Plan”; and

**WHEREAS**, the City desires to convey fee simple title or a lesser interest in the Property to Capodagli Property Company, LLC/Meridia, LLC (the “**Purchaser**”) for the sum of Two Hundred Fifty Thousand Dollars ($250,000.00); and

**WHEREAS**, pursuant to *N.J.S.A.* 40A:12A-8(g), the City is authorized to convey the Property; and

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

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

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

Section 2. The Mayor, Business Administrator, City Attorney and Redevelopment Counsel (collectively, the “**Authorized Persons**”) are hereby authorized and directed to take, or cause to be taken, any and all actions necessary to convey fee simple title or a lesser interest to the Property to Capodagli Property Company, LLC/Meridia, LLC, for the sum of Two Hundred Fifty Thousand Dollars ($250,000.00), including but not limited to obtaining any studies, surveys, tests, soundings, borings, appraisals, title searches and title reports, as necessary to determine property boundaries, property interests and rights, or environmental condition regarding said properties.

Section 3. The above-described sale of the Property is subject to the following:

1. The Purchaser shall pay all costs incurred in the preparation of all closing documents for the Property and all costs incurred in the recording of the deed with respect to said parcel.
2. The City makes no representation, express or implied, that the Purchaser will be able to secure a variance to develop, construct or otherwise utilize the Property.
3. The Property is being sold “as is” and the City makes no representation with regard to the condition or value thereof.
4. Expressly reserved and excepted from the sale provided for herein are all of the rights and privileges now possessed by public utilities and cable television companies to maintain and repair their existing facilities adjacent to, over and under the Subject Property.

Section 3. Any and all actions previously taken by the Authorized Persons in connection with the acquisition of the Property are hereby ratified.

Section 4. If any part(s) of this resolution shall be deemed invalid, such part(s) shall be severed and the invalidity thereof shall not affect the remaining parts of this resolution.

Section 5. This resolution shall take effect immediately.

John Principato, 1706 Westover Road. Mr. Principato asked if this was the firehouse. The response was yes. He then asked about the purchase price. Mr. Roman responded that it was $250,000.00, and that an appraisal was done to determine that number. Mr. Principato questioned why a new appraisal wasn’t done, noting other similar sales, in the area. He called this agreement a bad deal for the taxpayers. Mrs. Ormon commented on how much money Merida put into the building. A discussion followed between Mrs. Ormon and Mr. Principato over the value of the property, and the terms, in the lease, regarding the cost of improvements made by a tenant. Mr. Roman spoke about his reasons for supporting this resolution.

Please see the vote after resolution 2018-411.

**Resolution: 2018-411**

**RESOLUTION APPOINTING AVIATION COUNSEL**

**WHEREAS**, the City Council of the City of Linden has determined that it would be advisable and in the best interests of the City to retain the services of Aviation Counsel to represent the City of Linden and airport operations, and to render legal advice and assistance to the city and to the City Attorney; 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**, Ingelsino Webster Wyciskala & Taylor submitted a qualification to the City and has qualified for the aforesaid services: and

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

**WHEREAS**, the Finance Director has certified to the availability of funds for this purpose, to be charged to Account No.8-01-20-155-123-255;

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

1. That the law firm of Ingelsino Webster Wyciskala & Taylor, Attorneys at Law of the State of New Jersey be and is hereby retained as Aviation Counsel to the City for all matters concerning airport operations.

2. The Mayor and City Clerk are hereby authorized and directed to execute an Agreement with Ingelsino Webster Wyciskala & Taylor setting forth the terms and conditions of the legal services to be rendered.

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

4. For the services hereinabove described as Ingelsino Webster Wyciskala & Taylor shall be awarded an agreement in the amount of $20,000.00 for the calendar year 2018. The City shall not be liable for payment of any monies exceeding the contract price stated herein unless additional funds are approved by the governing body and the contract amended in accordance with applicable law.

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

Virginia Malik, 1633 Lenape Road. Ms. Malik asked why this is needed. Mr. Antonelli explained that the amount was a not to exceed amount. The contract was needed to review certain issues raised by the FAA.

John Principato, 1706 Westover Road. Mr. Principato asked if the need for this attorney had anything to do with the FAA and the sale of the city property at 1700 S. Stiles St. President Alvarez responded no.

Mr. Javick moved for approval of Resolutions #2018-376,379, 381, 382, 392, 394, 395, 398, 400, 402, 403, 410 and 411. The motion was seconded by Mr. Medina, and was ordered approved by a roll call vote, with all voting yes, except Mr. Brown and Ms. Cosby, who were absent.

**ORDINANCES FOR INTRODUCTION**

**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, 199 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

No.

Name of Street Spaces

ADD:

2139 Dill Avenue 1

2515 Grier Avenue 1

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

Ordinance #62-78 was introduced by Mrs. Yamakaitis and was read on first reading by the Deputy Clerk.

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

unanimously ordered approved.

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

Ordinance #62-79 was introduced by Mr. Javick and was read on first reading by the Deputy Clerk.

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

unanimously ordered approved.

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

Ordinance #62-80 was introduced by Mrs. Hickey and was read on first reading by the Deputy Clerk.

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

unanimously ordered approved.

**An Ordinance entitled:**

#62-81 Rental Registration

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

Ordinance #62-81 was introduced by Mrs. Ormon and was read on first reading by the Deputy Clerk.

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

unanimously ordered approved.

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

Ordinance #62-82 was introduced by Mr. Javick and was read on first reading by the Deputy Clerk.

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

unanimously ordered approved.

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

Ordinance #62-83 was introduced by Mr. Strano and was read on first reading by the Deputy Clerk.

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

unanimously ordered approved.

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

**ON CITY BUSINESS ONLY**

Craig Halloran, 120 Donaldson Pl. Mr. Halloran thanked the Engineering Department for the licensed operator, sanitary sewer system. He pointed out to Mr. Strano that, regarding the Green Acres property, that was discussed, the water company provides grant for environmental work, up to $10,000.00. He also spoke about the nice paving job, on Wood Ave., and the marking of parking spaces.

Mike Broderick – Teamsters Representative. Mr. Broderick began by offering all the condolences, from the Department of Public Works to the family of James Baird. He echoed Mr. Strano’s comments on the work being done by the Division of Public Properties regarding the work on the 17th Street Park. He then stated that he came to repeat his request for the City to change its policy on employee residency

and provided his reasons.

Ed Kaminski, 201 Maple Ave. Mr. Kaminski began by thanking the SID and Mr. Brown for the veterans banners initiative off the ground. He spoke about community gardens, and noted the past efforts, of a non-profit regarding the establishment of them. He congratulated all on the September to Remember event. Mr. Kaminski noted his agreement, with the Mayor, regarding the working together, of all levels of government to not only stabilize taxes, but to reduce them. He also noted his agreement, with Mr. Mohammed regarding the need for all members of Council to work together. He noted issues that had Council fired up during the past, and the need to have facts, and not speak from emotion. Mr. Kaminski concluded by giving his opinion on PILOT programs and how they should be used. He talked about the need to monitor the agreements, after they are put into place.

Adam Williams (Representative of the Aircraft Owners and Pilots Association) Mr. Williams provided all of the members of Council with a packet and explained what it contained. He noted that he was joined here, this evening, with the Friends of Linden Airport Users, and explained their role. Mr. Williams spoke about the hiring, tonight, of Special Aviation Counsel, and what their purpose was. He talked about the need to improve Linden Airport and the need to find solutions to the issues, raised by the FAA, concerning Linden Airport.

Roger Levy, Linden Airport. Mr. Levy noted that he was here, this evening, as a member of the Friends of Linden Airport and explained the mission of the group. He spoke about how Linden could benefit from a vibrant and healthy airport. He detailed what it could mean to the City and what services and amenities could be provided at the airport. Mr. Levy, in order to make his point, pointed out several other airports, throughout the country, and the impact they are having on the surrounding community.

Tom Madden, Linden Airport. Mr. Madden stated that he also was here as a member of the Friends of Linden Airport. Mr. Madden stated the owed a lot to Linden Airport, and explained how it affected his life. He then related some of his experiences with the operator of Linden airport, and questioned where, the revenue, from the airport was going.

Jennifer Brook, 1551 Dill Avenue. Ms. Brook asked if there was any action taken, regarding the Fire Chief, and the alleged harassment and racial slurs made by him. She noted that there were multiple complaints made in the articles that she read. Ms. Brook stated that these type of actions shouldn’t be tolerated in the work place, and he should be reprimanded. She hoped to get an update, soon.

Larry Kolesa, (Deputy Fire Chief) Mr. Kolesa thanked everyone for removing/rescinding the resolution changing the table of organization for the Fire Department.

Sandy Vazques Jackson, Ercama Street. Mrs. Jackson spoke about the funding that the City gets, for the Municipal Alliance, from the State. She explained how the State funds the program, how the amount of funding, for Linden, is determined, and how the City of Linden uses those funds. Mrs. Jackson informed all, that on this Saturday, Linden would be participating in a drug prevention walk, with the County of Union, and provided details on the event. She also noted that the Masterpiece program was funded, by the Municipal Alliance, what the program did, and that a black tie fundraiser was being held to further benefit the Masterpiece program. She provided details on the fundraiser and how to obtain more information on the Alliance.

Susan Dooley, 1111 Georgian Dr. Mrs. Dooley read a prepared statement. In the statement she noted that it seems to be the fact that if you say something often enough and loud enough it becomes the truth. She spoke about the allegations that Captain Cassel has made against her husband, Chief Dooley, and that by this time Captain Cassel has convinced himself that the allegations are the truth. She noted that Captain Cassel’s allegations, according to her, were far from the truth. She spoke about her husband’s many attributes and reviewed her husband’s career in the Fire Department. Mrs. Dooley characterized the reasons for the allegations made against Chief Dooley and concluded by noting that they are false.

John Principato, 1706 Westover Road. Mr. Principato spoke about the length of time that he has known Fred Cassel and Mark Bullock. He stated that Mr. Cassel is not a liar, and to characterize him as such, is sad. Next Mr. Principato criticized the City for accepting $300,000 for what he called a $700,000 property, and if that is what the professionals are recommending, then the City needs new professionals. He was critical of the purchase price of both the S. Stiles St and S. Wood Ave properties. He detailed a number of concerns that he had with the S. Wood Ave property, and who benefited from the improvements made to the property, by the tenant. Mr. Principato again questioned the quality of the advice given to the City, by its professionals. He returned to the issues, in the Fire Department. He noted that the allegations made were serious, and should have been investigated immediately. If it had been, the matter would have been over, and explained how.

Ann M. Dooley, Cranford. Ms. Dooley spoke about the issue of the apology, and why it wasn’t given, and that Chief Dooley wanted to give it. None of the alleged slurs, were done with malice. She spoke about the hands of the governing body being tied. Ms. Dooley spoke about her background, and the need to do the right thing. She spoke about Chief Dooley’s qualifications, and provided data to back up her statements.

Theresa Villani, 225 Swarthmore Road. Ms. Villani noted that she is a member of the Teamsters Union, who works at the Linden library. She spoke in support of the City changing its policy, regarding residency, and to allowing workers, at the library, to work full-time instead of being forced to work part-time, and to provide them the benefits they deserve. Ms. Villani stated that the reason she was here, with authorization of the President of the Board of Education, to speak on behalf of the Board of Education. She stated that the Board was appalled, that the City would attack the Board of Education, in newspapers. She pointed out, what she termed, false statements made in a newspaper put out by the   
City regarding the Board. She reviewed a number of other issues of concern to the Board that were being used as campaign tactics. On behalf of the Board she spoke about the issue of the extra state aide, the Board received, after the budget was made, and how it would be used in the future. Ms. Villani explained the short fall, in State Aid, that the Board should be receiving, versus what it actually receives.

Hans Herberg, 1500 Westover Road. Mr. Herberg offered prayers for the Hillside police officer killed in a crash in Linden, on Monday. He thanked both the police and fire chiefs for the wonderful police officers they have. Next he spoke about homelessness and panhandling. He spoke about the issue of being approached, by those doing panhandling, and the safety issues involved. He also thanked Mr. Antonelli for his earlier explanation on tax exemptions and PILOT agreements.

Paul Dudley, Linden Airport. Mr. Dudley explained the reasons that the airport has stopped taking grants from the NJDOT and FAA for the airport. He noted Linden is not alone in the stopping of the taking of grants for airports, and provided examples. It is a way for the City to take back control of their airport. He spoke about the limitations to Linden Airport, due to its size, and that was why it is not similar to some of the other airports alluded to by previous speakers, and their achievements. Mr. Dudley stated that the City has been getting request, for documents, from twenty years ago, because of previous grants it had accepted. He concluded by discussing recently enacted Federal law, what it said, and the importance of Linden getting back control of its airport. He noted some of the services available at Linden Airport.

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

**COMMENTS FROM MEMBERS OF THE GOVERNING BODY**

Mr. Mohammed addressed the comments made by Ann Dooley and stated she did an eloquent job. He hoped reason would prevail.

Mrs. Ormon stated that a lot was said, from certain people, about what was in a newspaper. She urged that people stand their own ground, and never let anyone speak for them. Stand and speak on your own.

Mr. Strano spoke about the issue of truck using the parking lots of aviation plaza to park overnight. He advised constituents, in that area that he has been having deep discussions with the police department over this issue. He expressed his concerns over the problems the parking and idling of the trucks cause for the residents.

Mr. Roman stated that he understands how the Dooley family feels. He spoke about how he arrived to his position on the dais. He spoke about the need for truth and fairness. He added that if these situations are true, we need to start a dialog, so that we can find a solution.

Mayor Armstead addressed the issue of his actions when approached by Mr. Bullock, regarding his complaints. He explained what he was doing, and where he was headed, and that is why he did not give Mr. Bullock more time. He did not trivialize the complaint, and intended to deal with it seriously. He spoke in support of Chief Dooley, that there has been no better chief.

President Alvarez urged all to come out and attend the Halloween Parade, and stop by his haunted house. He reminded all to be safe for Halloween.

**ANNOUNCEMENTS**

President Alvarez announced the following:

\* Council Conference meeting:

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

\*Council Conference meeting prior to the Council meeting:

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

\*Council Meeting:

Tuesday, November 20, 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. Strano moved to adjourn the meeting. The motion was seconded by Mr. Roman, and was unanimously ordered approved by a roll call vote. The meeting was adjourned at 11:22 pm.

Respectfully submitted,

Joseph C. Bodek   
City Clerk