**Minutes of the Regular**

**Meeting of the 2018 Council of the**

**City of Linden, held Tuesday**

**September 18, 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, September 18, 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

Councilman John F. Roman

Councilman Ralph Strano

Councilwoman Michele Yamakaitis

Councilman Armando Medina

Councilwoman Gretchen Hickey

Council President Jorge Alvarez

Mayor Derek Armstead

Ms. Cosby was absent from the meeting.

**APPROVAL OF MINUTES**

Mr. Javick moved for the approval of the August 2, 2018 Regular Council Meeting Minutes. The motion was seconded by Ms. Ormon and on a roll call vote was unanimously ordered approved.

**PRESENTATIONS**

**2018 Police Officer of the Year**

**Daniel Hemenway**

Mayor Armstead spoke about his long relationship with Officer Hemenway’s family, the Venditto’s. He then spoke about the honor this was for this officer and how these officers set the standard for relationships with the Community. He then read the resolution honoring Officer Hemenway.

**38th General Pulaski Memorial Parade**

**2018 Marshal – Joseph J. Birch**

**2018 Miss Polonia – Michelle Ciepiela**

**2018 Junior Miss Polonia – Hailey Birch**

President Alvarez called up the Mayor, Mrs. Yamakaitis, Mrs. Hickey, the honorees, and the Pulaski Parade Committee President, Sue Lukenda.

Mayor Armstead congratulated the honorees and spoke about his attending the Parade, in New York, City. He read the resolution honoring Mr. Birch. Next, Mrs. Yamakaitis spoke. She noted that when she was the 2008 Linden Marshall, Michelle Ciepiela, was her Junior Miss Polonia. Mrs. Yamakaitis talked about the energy and momentum that Michele had to the Pulaski Parade Committee. She then read the resolution honoring Miss Ciepiela, and presented it to her. Mrs. Hickey, spoke about the history between her family and the Birch families. She read the resolution and presented it to Miss. Birch. Mr.   
Birch, thanked the Mayor and Council for the honor tonight, and invited them, and all Linden residents, to march in the Pulaski Day Parade, on October 7th. Next parade committee president, Sue Lukenda spoke and thanked all for their support.

**La Danse Dance Studio**

**Miss Tina Socci**

Mrs. Hickey explained how she came to honor Tina Socci, tonight. She then read the resolution honoring Miss Tina. Mayor Armstead spoke about the wonderful job that Miss Tina does, and how his daughter had attended La Danse Dance Studio. Miss Tina spoke and thanked all who turned out for her this evening.

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**ORDINANCE – TABLED FROM THE AUGUST 21, 2018 MEETING**

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

* 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.**

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

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

There being no persons to be heard, Mr. Brown moved to table ordinance #62-58 until the October meeting. The motion was seconded by Mr. Medina and was unanimously ordered approved.

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

* 1. **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.**

**Revise 31-20.25 Prohibited Uses.**

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

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

There being no persons to be heard, Mr. Strano moved to remove Ordinance #62-59 from consideration. The motion was seconded by Mrs. Ormon and was unanimously ordered approved by a roll call vote.

**ORDINANCE - HEARING**

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

* 1. **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, 199,” passed November 23, 1999 and approved November 24, 1999, and as amended and supplemented.**

**ADD NEW 2-13.15 as follows:**

**Fire Watch Work**

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 #62-63. 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:

**62-64 Bond ordinance providing an appropriation of $430,100 for the acquisition of various items of capital equipment for the Department of Public Works and authorizing the issuance of $408,595 Bonds or notes of the City for financing part of the appropriation.**

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 #62-64. 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:

* 1. **An Ordinance amending Chapter VII, Section entitled parking prohibited at all times on certain streets.**

**7-10 PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS**

**Name of Street Side Location**

**ADD:**

**West 15th Street Both 60 feet west from the curbline of S. Wood Ave.**

**E. Linden Avenue South 100 feet West of Ashton Avenue and 50 feet east**

**Of curbline.**

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 #62-65. The motion was seconded by Mr. Medina and was unanimously ordered approved by a roll call vote.

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

* 1. **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

Name of Street No. of Spaces Location

ADDED:

503 Rosewood Terrace 1 On the southeasterly sideline of Rosewood Terrace,

46 feet more or less southwesterly from the projection

Of the southwesterly curbline of Verona Avenue in

Front of 503 Rosewood Terrace for a length of 22

Feet. The aforesaid space is specifically reserved and

Designated for a vehicle for Sheila Roman to be

Identified by license plate number and placard

Number P1992630 issued by the City, and no other

Vehicle bearing or displaying handicapped license plates

And/or placards, or not, shall be permitted to park in such

Space

President 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 #62-66. The motion was seconded by Mr. Medina and was unanimously ordered approved by a roll call vote.

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

* 1. **An ordinance amending Chapter VII, Section 16 entitled Parking of Trucks**

**Section 1 That Chapter VII, Traffic, Section 7-16, Parking of Trucks, shall be and the same is hereby deleted in its entirety and replaced with the following:**

* 1. **Parking of Trucks and Trailers.**

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 #62-67. 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:

**62-68 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.**

**DELETE SECTIONS 7-15.1 PARKING DECALS in its entirety**

**ADD SECTION 7-15.1 PARKING DECALS**

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.

Mr. Brown noted that at least twenty-five streets were affected, by this ordinance, and noted that a way has to be devised to get this out to residents. He added that the Police Department had done a survey, in the area around the train station, to deal with various parking issues, and this ordinance was the result.

There being no further persons to be heard, Mrs. Hickey moved for the approval of Ordinance #62-68. The motion was seconded by Mrs. Ormon 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:

* 1. **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

Name of Street No. of Spaces Location

ADDED:

905 Walnut Street (2nd Floor) 1 On the southwesterly sideline of Walnut Street, 65

Feet more or less northwesterly from the

Projection of the northwesterly curbline of 2nd

Avenue in front of 905 Walnut Street for a length

Of 22 feet. The aforesaid space is specifically

Reserved and designated for a vehicle for Daisy

Bermejo to be identified by license plate number

And placard number P1764099 issued by the City,

And no other vehicle bearing or displaying

Handicapped license plates and/or placards, or

Not, shall be permitted to park in such place.

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 #62-69. The motion was seconded by Mr. Medina and was unanimously ordered approved by a roll call vote.

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

* 1. **An ordinance amending the Infineum Redevelopment Project, Redevelopment Plan, 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.

There being no persons to be heard, Mrs. Hickey moved for the approval of Ordinance #62-70. The motion was seconded by Mr. Roman and was unanimously ordered approved by a roll call vote.

**CONSENT AGENDA**

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

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

2019 Taxes $11,060.90

2018 Taxes $22,506,322.74

2017 Taxes $2,148.09

Municipal Lien Redemption $1,918.62

Duplicate Tax Sale Certificate $0.00

Tax Search $0.00

Lien Redemption Request Fee $0.00

Year End Penalty $0.00

Returned Check Fee Paid $80.00

Returned Sewer Clean out ($0.00)

Returned Sewer Interest ($0.00)

Returned Check 2018 ($6,722.06)

Returned Check Interest ($10.35)

Returned Online Payment 2018 Taxes ($26,351.70)

Returned Online Interest ($245.63)

Adv. Before Tax Sale $0.00

State Audit Payment $0.00

Premium $0.00

Sewer Clean out charge $900.00

DPW Reso payments $0.00

Interest $20,782.36

Total $22,509,882.97­

**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**

6 25 8/22/18 15-00004 $1,300.00

134 7 8/22/18 15-00090 $1,000.00

294 4 8/28/18 15-00181 $11,300.00

538 22.02 9/6/18 15-00312 $1,500.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $15,100.00 payable to: MTAG Cust Fig Cap Invest NJ, 13, P.O. Box 54472, New Orleans, LA 70154, charging same to account #8-01-55-276-999-956.

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

**Block Lot Redemption Date CTF# Amount**

27 11 8/15/18 16-00017 $1,000.00

198 36 8/31/18 16-00157 $1,000.00

440 22 8/23/18 16-00284 $1,000.00

530 25 8/14/18 16-00329 $100.00

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

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

**Block Lot Redemption Date Cert# Premium**

40 35 8/16/18 17-00038 $1,100.00

62 8 8/21/18 17-00050 $1,300.00

125 1 9/6/18 17-00103 $1,100.00

148 4 8/13/18 17-00122 $400.00

149 5 8/29/18 17-00125 $700.00

152 20 8/22/18 17-00128 $400.00

195 11 8/22/18 17-00155 $900.00

196 26 8/27/18 17-00156 $1,300.00

206 9.02 8/21/18 17-00167 $400.00

215 28 8/27/18 17-00181 $1,100.00

221 14 8/27/18 17-00186 $900.00

234 15 9/7/18 17-00190 $1,000.00

292 8 9/5/18 17-00220 $800.00

296 11 8/13/18 17-00224 $400.00

303 4 8/29/18 17-00226 $800.00

303 5 8/13/18 17-00227 $1,000.00

306 15 8/17/18 17-00228 $800.00

340 2 8/27/18 17-00237 $800.00

354 9 8/21/18 17-00243 $1,100.00

399 16 8/27/18 17-00270 $800.00

415 15 8/31/18 17-00274 $1,100.00

524 1 8/16/18 17-00319 $121,000.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $139,200.00 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 & 2018 tax sale on the following blocks

& lots.

**Block Lot Redemption Date CTF# Amount**

43 5 8/10/18 17-00039 $26,300.00

48 10 8/23/18 17-00040 $1,400.00

62 5 8/22/18 17-00049 $2,100.00

86 16 8/14/18 17-00065 $1,700.00

188 7 8/8/18 17-00151 $1,000.00

205 10 9/4/18 17-00165 $1,400.00

210 1.01 8/23/18 17-00172 $1,400.00

210 6 8/20/18 17-00173 $1,400.00

352 1 8/22/18 17-00242 $1,500.00

356 14 8/27/18 17-00249 $1,400.00

474 2.02 8/16/18 17-00300 $1,100.00

503 8 8/22/18 17-00313 $1,800.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $42,500.00 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 2017 on the following block & lot.

**Block Lot Redemption Date CTF# Amount**

61 15 8/21/18 16-00048 $1,300.00

469 16 8/10/18 16-00291 $1,600.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $2,900.00 payable to: FWDSL & Associates, LP, Attention: Jared Cucci, 17 W. Cliff Street, Somerville, NJ 08876 charging same to account #-8-01-55-276-999-956.

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

& lot.

**Block Lot Redemption Date CTF# Amount**

109 9 8/30/18 17-00089 $1,300.00

179 8 8/24/18 17-00146 $1,200.00

263 10 8/27/18 17-00206 $1,300.00

306 7 8/15/18 16-00214 $15,500.00

312 10 8/27/18 17-00230 $1,300.00

359 8 8/31/18 17-00268 $1,200.00

401 1 8/16/18 16-00264 $100.00

480 9 8/16/18 16-00311 $1,100.00

538 15 8/13/18 16-00339 $4,500.00

558 7 8/23/18 17-00343 $1,200.00

571 14 8/31/18 16-00365 $100.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $28,800.00 payable to Trystone Capital Assets, LLC., 575 Route #-70, 2nd Floor, P.O. Box 1030, Brick, NJ 08723, charging same to account #-8-01-55-276-999-956.

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

**Block Lot Redemption Date CTF# Amount**

122 16 8/21/18 17-00100 $1,200.00

252 27 9/4/18 17-00198 $1,500.00

277 7 8/27/18 17-00212 $1,000.00

354 20 8/27/18 17-00245 $1,000.00

356 4 9/5/18 17-00247 $200.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $4,900.00 payable to: US Bank Cust for PC7, LLC Firstrust Bank, 50 South 16th Street, Suite #2050, Philadelphia, PA 19102, charging same to account #-8-01-55-276-999-956.

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

**Block Lot Redemption Date CTF# Amount**

211 3 8/10/18 17-00175 $9,200.00

570 14.01 8/13/18 17-00350 $7,400.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $16,600.00 payable to: KCC Promised Lands, LLC, 2560 Route 22 East, # 175, Scotch Plains, NJ 07076 charging same to account #-8-01-55-276-999-956.

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

**Block Lot Redemption Date CTF# Amount**

419 25 CB026 8/14/18 17-00276 $13,200.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $13,200.00 payable to: Phoenix Funding, Inc, **1148 Springfield Avenue**, Mountainside, NJ 07092 charging same to account #-8-01-55-276-999-956.

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

**Block Lot Redemption Date CTF# Amount**

538 12 8/13/18 16-00338 $8,200.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $8,200.00 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 2018 tax sale on the following block & lot.

**Block Lot Redemption Date CTF# Amount**

66 7 8/20/18 17-00052 $42,700.00

117 1 8/20/18 17-00092 $32,900.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $75,600.00 payable to: Christiana T C/F, CE/1 Firsttrust, P.O. Box 5021, Philadelphia, PA 19111-5021, charging same to account #-8-01-55-276-999-956.

**Credit** Block 92 Lot 4, Luis M. Palomino

**Balance** 1011 John Street, 2018 Tax overpayment Refund

There now exists a credit balance on the above referenced block & lot due to the owner making payments towards the Garbage Fee & Sewer, I am requesting that this overpayment in the amount of $ 72.82 be refunded and made payable to LRSA (Linden Roselle Sewerage Authority) to apply to the 2018 amounts due.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $72.82 payable to: L.R.S.A., 5005 South Wood Avenue, P.O. Box 4118, Linden, NJ 07036, charging same to account #8-01-08-607-011.

**Overpayment** Block 543 Lot 16, Former Owner: Guang Fei Zheng

New Owner: Stephen U. Aja, 16 W. 11th Street - 2018 3rd Quarter

The above referenced old owner and the new owner’s title agency have paid the 2018 3rd quarter property taxes creating this overpayment and the owner is entitled a refund in the amount of $3,117.42.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $3,117.42, payable to Guang Fei Zheng, 1150 Forest Drive, Clark, NJ 07066 charging same to account #-8-01-55-288-999-904.

**Cancellation** Block-196 Lot-29.12, Sub Division

Lots Sold to Board of Education

The above referenced property was sub divided from 4 lots to 1and purchased by Linden Board of Education from Peter Matlosz on April 18, 2017. The following lot need to be cancelled from for 2018. The amounts are as follows:

Block-196 Lot-29.12 Cancel 2018 3rd $6,107.05

Block-196 Lot-29.12 Cancel 2018 4th $6,158.70

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

1. Requesting approval of the following refunds:
2. John Hass Construction, LLC is entitled to a refund of $615.00 for a building

permit that was filled out incorrectly and therefore calculated improperly.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $615.00 payable to: John Hass Construction, LLC, 15 Gold Street, Green Brook, NJ 08812 charging same to 8-01-08-605-011.

1. Mary Alba is entitled to a refund in the amount of $250.00 for service that was provided on 5/28/2017. Therefore, it would be in order for the council to authorize the treasurer to issue a check payable to Mary Alba, 308 East Curtis Street, Linden, NJ 07036 charging same to 8-01-089-629-011.

**(\*\*\*) 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-1812 Mongil Corp. 50/50 $20.00

RA-1813 Mongil Corp. Casino Night $100.00

RA-1814 Kiwanis Club 50/50 $20.00

RA-1815 School 10 PTA 50/50 $20.00

BA-1816 School 10 PTA Bingo $20.00

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

1. Advising that the Board of Health issued sixty-six (66) certificates of occupancy during the month of August, 2018.
2. **JORGE ALVAREZ, 318 EAST CURTIS STREET:**

Requesting approval to close East Curtis Street, between Maple Avenue and Walnut Street on Wednesday, October 31, 2018 between the hours of 6pm and 10pm to hold his annual “Halloween Haunted House”. Subject to a receipt of Certificate of Liability Insurance and approval by the City Attorney and Police Chief.

**Mr. Medina moved for approval of Consent items #1 through #5. The motion was seconded by Mrs. Hickey and was ordered approved with all voting yes to all except President Alvarez, who abstained on item #5.**

**COMMITTEE REPORTS AND COMMENTS FROM THE**

**MEMBERS OF THE GOVERNING BODY**

First Ward

Mrs. Ormon spoke about the installation of the equipment in Wales Park. The work is progressing, and a grand reopening is being planned. Next she advised residents not to open their doors to the various individuals going door to door regarding utility service.

Mrs. Ormon requested that residents not place trash, at the curb, without a pickup being scheduled. She then promoted the upcoming September to Remember event, to be held on Wood Ave. She the spoke to the issue of the removal of dead and dying trees, and asked residents to be patient, as there is a long list.

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 $ 1,984,204.01; 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 August 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. Brown, who voted no.

Mr. Javick informed residents of the upcoming Rolling Thunder motorcycle ride, on St. Georges Ave, and that it would close St. Georges Ave. He provided details on the event. Next he provided details on September to Remember.

Mr. Javick informed all that free firewood was now available to residents, for pickup. He reported on the removal of dead trees, and the need for residents to lock their car doors. He concluded by providing his contact information.

Third Ward

Mr. Brown reviewed the streets, in the Third Ward, that would be affected by the new parking decal ordinance. He noted that he would send letters to these residents. He spoke about the upcoming September to Remember event, and the attendance, at that event, of Liberty Science Center.

Fourth Ward

Mr. Mohammed had no report.

Sixth Ward

Mr. Roman gave the report of the Public Property Committee, and provided details, on the new system that would allow commuters to obtain their parking passes online. He informed residents of openings, in the Central Dispatch Division and that applications are available in the City Clerk’s office.

Mr. Roman reported on the various street paving projects being done in the Sixth Ward, and asked that a new street light be installed on Lynn Court. He provided details on the recent Sixth Ward Community yard sale, noting that it went well, and spoke on the issue of trash pickups. He also provided an update on the next phase of the development project, by Mederia, that is under way. Mr. Roman announced that on September 25th he would be hosting a Sixth Ward Community meeting at the VFW hall, and provided the agenda for the meeting. Lastly he promoted the upcoming September to Remember event.

Seventh Ward

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

1. Police Department:

a. Amending the date of hire for Police recruits from 8/31/18 to 9/6/18

2. Department of Community Services:

a. Accepting the interdepartmental transfer of Emerito Ruiz, Computer Service Technician from Police Department at the existing salary effective September 24, 2018.

b. Approval of Seasonal List (List on file in the City Clerk’s office)

3. Public Property/Recreational Services:

a. Transferring Audio Visual Staff under Mayor’s office effective October 1, 2018.

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

c. Approval of Seasonal List (List on file in the City Clerk’s office)

4. Municipal Court:

a. Approval to hire Dana Bernardo and Luz Rosas as P/T Clerk 1 paid for out of POAA account effective September 24, 2018 at the hourly rate of $18.00 not to exceed 19 ½ hours per week.

5. Treasury:

a. The hiring of Daniel Sobolewski as full time Clerk 1 at the annual salary of $34548 effective September 24, 2018.

6. Personnel:

a. The appointment of Susan Scott-Braxton as Affirmative Action Officer with annual stipend of $5,300 prorated effective September 1, 2018.

b. FMLA:

Employee ID#006025 Intermittent 7/23/18 to 6/25/19

Employee ID#9091781 9/5/18-12/5/18

Employee ID#000689 Intermittent 8/15/18-8/14/19

Employee ID#908972 9/17/2018-10/21/18

Employee ID#909412 Intermittent 7/1/18-6/30/19

Employee ID#909514 7/27/18 to 9/10/18

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

Mr. Strano spoke about door to door solicitors, that they need to be registered with City, and that they would have an ID, issued by the City, if they had registered. Next he announced the upcoming meeting of the Tremely Point Civic Association and the provided the details on the meeting.

Mr. Strano announced that the City had received grants, for paving projects, from the NJDOT. The grants were for truck routes, with most of the money going to streets in the Seventh Ward. The grants totaled $1.6 million dollars. Mr. Strano spoke about the project installing rain gardens in various areas of the Seventh Ward. He also informed residents of the new date for the start of the Quite Zone, and explained the reasons.

Eighth Ward

Mrs. Yamakaitis announced the details on the upcoming Mayor’s Youth Commission general meeting. The main topic of discussion is the Breakfast with Santa, and all are welcome to join. She then announced that the Masterpiece Development Program, invites all to a black-tie gala to be held at the Westwood, in Garwood. She descriped the purpose of the event, and how tickets can be purchased.

Mrs. Yamakaitis gave her Eighth Ward report, Topics covered including parking and transportation issues associated with the opening of school, street paving in the Eighth Ward, and details on the Eighth ward community Yard sale.

Mrs. Yamakaitis thanked all that came out to the 9-1-1 candlelight vigil at the Wanda Green Park. She spoke about the importance of this event.

Ninth Ward

Mr. Medina gave the report of the Construction Code Department. The department has issued 219 permits and processed 23 certificates, collecting a total $193,723.00 for the month of July.

Mr. Medina then moved for approval to install a street light on Pole #65143LD, on Lynn Court. The motion was seconded by Mr. Roman and was unanimously ordered approved by a roll call vote.

Mr. Medina gave a report on the library, noting various activities and events that were being held at the library. Next he spoke about police enforcement to address various safety issues in the Ninth Ward. He informed Ninth Ward residents regarding when the sidewalk and curb program would begin. Mr. Medina announced details on the upcoming community yard sale for the Ninth and Tenth Wards, and that a joint community meeting was going to be held, in the near future, for the residents of the Ninth and Tenth Wards. He concluded by providing his contact information.

Tenth Ward

Mrs. Hickey gave the report of the City Clerk’s office, a total of $3,926.20 was collected in City revenue and $800.00 in State revenue. Next she gave the report of the Fire Committee. The ambulance reimbursement system collected $54,283.35 for the month of August, bringing the year to date total to $555,570.06. She announced that the Fire Department would be holding its annual fire prevention night, on Wood Ave., on October 5th. She provided details on the event.

Mrs. Hickey spoke about the issue of door to door sales people she spoke in particular about the individuals selling solar panels, and what they are saying. She informed residents that the City does not endorse any of these products, and they should be cautious about opening their doors. Mrs. Hickey inform the residents that the various paving projects, in the Tenth Ward, would begin shortly, she also detailed the streets that were to be paved. She also announced details of the upcoming community yard sale that would be held with the Ninth Ward.

Mrs. Hickey spoke on the issue of dead trees, that public works is trying to get to them all. She asked, Tenth Ward residents, that if they have a dead tree, to text her the location, so she can make sure it is on the removal list. She announced that the Linden Police would be participating in a battle of the badges fundraiser, and provided the details.

Mrs. Hickey noted that there are many talented children in Linden, and spoke about one in particular, from the Tenth Ward and the event that he would be participating in.

**MAYOR’S REPORT**

Mayor Armstead reported on the train station, and the repairs that were being done, with the cooperation of NJ Transit. He noted the closing of the handicapped ramp, so that it could be rehabilited, and that those needing handicapped access should go to either the Elizabeth or Rahway train stations. He announced that the City was once again providing free fire wood to the residents and noted the locations were it could be picked up.

Mayor Armstead informed all about the transfer of the redevelopment agreement, for the former JTG scaffolding site, to a new developer. This developer would be building the same project that the previous one had proposed. Mayor Armstead discussed the attempt, by the Board of Education, to move the June Primary election out of the schools, sending a letter to the Board of Elections and Clerk to that end. The Mayor reported that the Board of Elections agreed with him, and that the law was on his side. The primary election polling places would remain in the schools. He addressed the issue of the safety of the children, in the various schools and noted the recommendation he had made, to keep the children out of the buildings on that day.

Mayor Armstead asked all to keep the family of Chester Lowbrow in their prayers. Mr. Lowbrow was a long time Linden resident and activist, who passed away.

**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 Road. Ms. Malik asked to remove resolutions #2018-342, 343, 345, 351 359 and 369 from consideration.**

**John Principato, 1706 Lenape Rd. Mr. Principato asked to remove resolutons #2018-343. 345, 351 and 359.**

**Craig Holloran, 120 Donaldson Pl. Mr. Holloran asked to remove resolutions #2018-348, 368, 362 and 373.**

Mrs. Ormon moved for approval of resolutions 2018-342 through 2018-375, with the exception of resolutions 2018-342, 343, 345,348, 351, 359, 362, 368, 369 and 373. The motion was seconded by Mr. Javick and was unanimously ordered approved by a roll call vote.

**RESOLUTION: 2018-342**

**RESOLUTION AUTHORIZING THE IMPLEMENTATION OF THE UNION COUNTY DEER CONTROL PROGRAM IN THE CITY OF LINDEN**

**WHEREAS**, the overpopulation of white-tailed deer in the Hawkrise Sanctuary and the Linden Municipal Landfill has resulted in overbrowsing of native vegetation in this largely undeveloped area; and

**WHEREAS**, the overpopulation impacts the Hawkrise Sanctuary and the Linden Municipal Landfill in the form of damage to greens and ornamental vegetation; and

**WHEREAS,** the City of Linden feels it is in the best interests of the City to evoke services of individuals who are licensed hunters to remove deer from the Hawkrise Sanctuary and the Linden Municipal Landfill during the Fall Bow, Permit Bow and Winter Bow Seasons of 2018 and 2019 and the Permit Shotgun Season of 2019; and

**WHEREAS,** the City of Linden is aware that the County of Union has the resources and experience to manage same:

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** that the City Council hereby requests the Union County Board of Chosen Freeholders authorize the County of Union staff to conduct deer management activity on the aforementioned City property, to remove white-tailed deer from said property, in the manner prescribed by the Fish and Game Code of the State of New Jersey, during the Fall Bow, Permit Bow and Winter Bow Season of 2018 and the Permit Shotgun Season of 2019; and

**BE IT FURTHER RESOLVED** that the City of Linden authorizes the execution of a shared services agreement with the County of Union for the aforementioned services; and

**BE IT FURTHER RESOLVED** that the City of Linden authorizes the Acting Director of Public Property/Community Services to coordinate with the County of Union through the County Department of Parks and Community Renewal, to provide adequate oversight and coordination in the conduct of the deer removal activity, to maximize the success of their efforts while ensuring the safety of the Hawkrise Sanctuary and Linden Municipal Landfill users and neighbors; and

**BE IT FURTHER RESOLVED** that any deer which are harvested from Hawkrise Sanctuary as a result of this program, are the property and responsibility of said licensed hunters in accordance with the conduct of deer removal at Hawkrise Sanctuary and the Linden Municipal Landfill; and

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution be forwarded to the Board of Chosen Freeholder of the County of Union, the County Manager, and the New Jersey Division of Fish and Wildlife.

Virginia Malik. Ms. Malik asked what this program would constitute in the City of Linden. Mr. Bodek provided a response, noting that for this program has been in existence for the last few years, with this resolution being done each of those years.

See the vote after 2018-373

**RESOLUTION:2018-343**

**RESOLUTION AUTHORIZING APPLICATION TO THE UNION COUNTY TRUST FUND GRANT THROUGH KIDS RECREATION TRUST FUND**

**WHEREAS,** the voters of Union County overwhelmingly voted in favor of the Union County Open Space, Recreation and Historic Preservation Trust Fund in November of 2000; and

**WHEREAS,** Union County Board of Chosen Freeholders established the Trust Fund creating local funding opportunities such as Field of Dreams in 2001, Green the Streets in 2002, Preserve Union County in 2003, and Kids Recreation Trust Fund in 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015; and

**WHEREAS,** the 2018 Chairman’s Initiatives called for the continuation of the Kids Recreation Trust Fund program, a program designed to fund two types of recreational opportunities (scholarship and field/recreation center improvements) for our County’s children; and

**WHEREAS,** the City of Linden wishes to apply to the Union County Trust Fund through the Kids Recreation Trust Fund program for a matching grant in the amount of $160,000.00 for Form 002, Recreational Grant Application for to purchase, and install/resurface 2 playgrounds with pour and play rubber coated flooring.; and

**WHEREAS,** the City of Linden will match the Kids Recreation Trust Fund grant program award with $160,000.00 for the recreational grant; and

**WHEREAS,** said funds will be subject to the approval of the City of Linden 2019 budget; and

**WHEREAS,** the City of Linden will use the Trust Fund dollars in accordance with such rules and regulations governing the grant program;

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LINDEN** that the Mayor or the successor to the Office of Mayor is hereby authorized to:

1. Make application for the grant.

2. Provide additional application information and furnish such documents as may be required.

3. Act as the authorized correspondent of the above-named applicant.

4. This Resolution shall take effect pursuant to law.

Virginia Malik. Ms. Malik asked these funds would be used for. Mrs. Zack responded explaining how the funds would be used and how that use was determined.

John Principato. Mr. Principato noted that the amounts do not match. President Alvarez responded that a zero was missing and it was a typo.

See the vote after 2018-373

**RESOLUTION: 2018-344**

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

**TO BE HELD IN THE NINTH AND TENTH WARD**

WHEREAS, the City Council has determined to allow a community wide garage sale in the Ninth and Tenth Ward on September 22, 2018, and September 23, 2018 with a rain dates of September 29, 2018 and September 30, 2018; and

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

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

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

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

1. The City of Linden hereby waives fees for permits for a community wide garage sale in the Ninth and Tenth Ward on September 22, 2018, and September 23, 2018 with a rain dates of September 29, 2018 and September 30, 2018;
2. The city wide garage sale shall not impact a resident’s right to conduct up to two garage sales in a year.
3. Chapter 4-3.6 shall still apply, limiting one singled faced sign containing not more than four square feet in total area to be placed upon the premises where the sale is being conducted, and further prohibiting any other signs and either public or private property.
4. This Resolution shall take effect pursuant to law.

**RESOLUTION: 2018-345**

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

**THE CITY OF LINDEN DEPARTMENT OF FINANCE**

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

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

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

Wells Fargo Bank

Northfield Savings

Bank of America

Bank of New York

TD Bank

JP Morgan Chase Bank

Capital One

Unity Bank

US Bank

Morgan Stanley Trust

Trust Company of New Jersey

Wilmington Trust

Regal Bank

Webster Bank

Columbia Bank

Union County Savings Bank

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

Derek Armstead, Mayor

Alexis Zack, CFO/Municipal Treasurer

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

Department Turn over ONLY for the following:

Joseph Bodek, Municipal Clerk/ Chairman of Insurance Commission

Jennifer Honan, Deputy Municipal Clerk

Joan Turbett, Licensing Clerk

Stacey Carron, Tax Collector

Cassandra Corbett, Municipal Judge

Dave Hart, Police Chief

Frank Dann, Director of Community Services/DPW/Public Property

Mary Ellen Tango, Director of Community Services

Susan Sanchez, Municipal Court Administrator

Jessica Sheehy, Supervisor of Personnel/Insurance Commission Secretary

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

Alexis Zack, CFO / Municipal Treasurer

Christine Figueiredo, Fiscal Analyst/ Assistant Municipal Treasurer

Nancy Gomes, Technical Support Specialist I

Stacey Carron, Tax Collector

The following are authorized as suitable investments:

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

\* Certificates of deposit in GUDPA approved banking institutions.

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

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

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

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

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

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

\* New Jersey Cash Management Fund.

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

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

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

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

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

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

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

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

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

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

\* Best Practices to be followed.

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

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

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

Virginia Malik. Ms. Malik asked what this resolution was all about. Ms. Zack responded that this resolution is done annually, at the re-organization meeting. She then explained the need to amend it and what the amendments were about.

John Principato. Mr. Principato stated his questions were answered.

See the vote after 2018-373

**RESOLUTION: 2018-346**

**RESOLUTION DECLARING CERTAIN ITEMS SURPLUS/SCRAP AND AUTHORIZING THEIR SALE OR DISPOSITION**

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

**WHEREAS,** the City of Linden desires to sell or dispose of certain surplus property; and **WHEREAS,** the item listed below is being declared surplus and not needed for municipal purpose;

Dell Optiplex 740 Service Tag # JHPGJD1 Dell Optiplex 780 Service Tag # 3TJZ8P1, JKLBB71, 1PP2821, 5JW1XB1

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** that pursuant to N.J.S.A. 40A:11-36 that the Purchasing Agent is hereby authorized to sell at public auction or dispose of, as appropriate, the attached items; and

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

**RESOLUTION: 2018-347**

**STATE CONTRACT RESOLUTION FOR MOBILE & VEHICLE MOUNTED RADIOS FOR EMERGENCY COMMUNICATION NETWORK FOR THE POLICE DEPARTMENT FROM MOTOROLA SOLUTIONS, INC.**

**WHEREAS**, the City of Linden wishes to obtain services from an authorized vendor under the State of New Jersey Cooperative Purchasing Program 1-NJCP; for mobile and vehicle mounted radios for emergency communication network from Motorola Solutions, Inc. , an authorized vendor under the State of New Jersey Cooperative Purchasing Program 1-NJCP; and,

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

**WHEREAS**, Motorola Solutions, Inc. c/o Wireless C&E, 153 Cooper Road, West Berlin, NJ 08091 has been awarded New Jersey State Contract No. 83909 for radio communication equipment, maintenance, accessories ; 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 $98,913.03; and,

**WHEREAS**, the Chief Finance Officer has certified the availability of funds for this contract, which will be charged to account number C-04-55-902-622-919; and,

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

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

**RESOLUTION: 2018-348**

**RESOLUTION QUALIFYING 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;

**SPECIAL COUNSEL ENVIRONMENTAL MATTERS**

Chasan Lamparello Mallon & Cappuzzo, PC

300 Lightening Way

Suite 200

Secaucus, NJ 07094

McManimon Scotland Baumann

75 Livingston Avenue suite 201

Roseland, NJ 07068-5408

Inglesino, Weber, Wyciskala & Taylor

600 Parsippany Road

Parsippany, NJ 07054

**GRANT WRITER**

Millennium Strategies LLC

60 Columbia Road

Building B

Morristown, NJ 07960

GLD Associates, Inc.

98 Larned Road

Summit, NJ 07901

Bruno Associates, Inc.

1373 Broad Street

Suite 304

Clifton, NJ 07013

**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.

See comments after 2018-368

See the vote after 2018-373

**RESOLUTION: 2018-349**

**CITY OF LINDEN RESOLUTION**

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

**CURRENT**

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

8/13/18 Payroll PR 1,877,978.85

8/1/18 US Bank S. Wood Ave Debt Payment 74,195.75

8/1/18 Express Scripts Prescription Claims 51,701.78

8/1/18 Unity Bank Workers Comp Claims 30,959.04 8/2/18 Vision Service Plan Vision Claims 4,256.82

8/3/18 Treasurer State of NJ Multipark 05 Debt Payment 5,563.84 8/3/18 M&T Bank UCIA PAL Debt Payment 116,334.38 8/8/18 Unity Bank Workers Comp Claims 107,660.27 8/14/18 County of Union 3rd Qtr Taxes 7,987,286.56 8/15/18 NJ State Health Benefits Health Claims 1,284,420.48 8/20/18 Unity Bank Workers Comp Claims 24,629.71 8/20/18 Unity Bank Workers Comp Claims 38,865.97

8/21/18 Express Scripts Prescription Claims 63,971.66 8/21/18 NJDEP Multipark 1993 Debt Payment 15,880.75

170886 8/24/18 Freedom Mortgage Tax Overpayment 5,062.24

8/27/18 Payroll PR 1,857,364.71

170887 8/28/18 Theodore Bennett Concerts in Parks 1,000.00

**TRUST**

8/13/18 Payroll PR 118,505.21

8/27/18 Payroll PR 79,732.67

**GRANT**

8/13/18 Payroll PR 10,301.83

8/27/18 Payroll PR 5,352.19

**CAPITAL**

8/13/18 Payroll PR 273.98

8/27/18 Payroll PR 1,312.22

**UNEMPLOYMENT**

8/13/18 Payroll PR 356.09

8/27/18 Payroll PR 352.57

**RESOLUTION: 2018-350**

**RESOLUTION CHAPTER 159**

**COMCAST COMMUNITY PROGRAMS 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 $5,000.00 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 $5,000.00 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 COMMUNITY PROGRAMS GRANT

**BE IT FURTHER RESOLVED** that a like sum of $5,000.00 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 COMMUNITY PROGRAMS GRANT

**RESOLUTION: 2018-351**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDEN, COUNTY OF UNION, AUTHORIZING THE TRANSFER OF THOSE CERTAIN REDEVELOPMENT AND FINANCIAL AGREEMENTS BETWEEN THE CITY OF LINDEN AND SAMTD ACQUISITIONS LINDEN URBAN RENEWAL, LLC TO LINDEN STATION URBAN RENEWAL, LLC**

**WHEREAS**, on March 1, 2017, the City of Linden (the “**City**”) and SAMTD Acquisitions Linden Urban Renewal, LLC, a New Jersey limited liability company (the “**Redeveloper**”) entered into both a redevelopment agreement and a financial agreement governing the redevelopment (the “**Agreements**”) for certain property identified as Block 288, Lots 1, 2, 13, 14, and 15 and Block 254, Lots 12, 13 and 16 on the City tax maps (the “**Property**”); and

**WHEREAS**, pursuant to the Agreements, a transfer of the benefits and obligations of Redeveloper to another entity that would otherwise not be permitted, requires notice to the City, with approval of the City Council, which consent shall not be unreasonably withheld, conditioned or delayed; and

**WHEREAS**, the Redeveloper has notified the Township of its intent, and the City Council so desires to accept and consents to the transfer of the benefits and obligations of the Agreements, from Redeveloper to Linden Station Urban Renewal, LLC (“**Transferee Redeveloper**”), with Transferee Redeveloper accepting all of the benefits and obligations of Redeveloper pursuant to the Agreements; and

**WHEREAS**, the City desires to evidence its consent to the proposed transfer of the benefits and obligations set forth in the Agreements as it relates to the Property from the Redeveloper to the Transferee Redeveloper, provided that Transferee Redeveloper executes amended redevelopment and financial agreements with the City, as necessary, within five (5) days following the adoption of this Resolution.

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

Section 1. The City Council hereby consents to the proposed transfer of the benefits and obligations set forth in the Agreements as it relates to the Property from the Redeveloper to the Transferee Redeveloper, provided that Transferee Redeveloper executes amended redevelopment and financial agreements with the City, as necessary, within five (5) days following the adoption of this Resolution.

Section 2. The City Council hereby authorizes and directs the Mayor of the City to execute any document or writing or to make such representations, on behalf of the City, which may be necessary to further evidence or acknowledge the City’s consent.

Section 3. This resolution shall take effect immediately.

Virginia Malik. Ms. Malik stated that the wording was confusing and what is being done. Mayor Armstead provided an explanation.

John Principato. Mr. Principato asked why this was not put back out to bid, as there may be other companies more qualified to take this project over. Mr. Antonelli, responded that this is not a project involving City property, as the property is privately owned, and this is a developer selected by the property owner. In response to Mr. Principato, Mr. Antonelli responded that there is a PILOT covering this project. Mrs. Hickey noted she asked the same question last night. Mr. Principato explained his concerns, stating that he believed the PILOT should be re-negotiated, as the terms our two years old, and the economy has changed. President Alvarez explained that is a transfer of an existing agreement, from one company to another. Mr. Antonelli agreed and recommended that Council approve this resolution. Mr. Brown explained the purpose of a PILOT and the reasons they are requested. Mr. Roman spoke on the project, asking several questions. He noted the impact that children, living in this development may have on the school system and taxes.

Alex Lospinoso, LEDC Director spoke in favor of the project.

See the vote after 2018-373

**RESOLUTION: 2018-352**

**A RESOLUTION HONORING JOSEPH J. BIRCH AS THE**

**2018 LINDEN CONTINGENT MARSHAL TO THE**

**PULASKI DAY PARADE IN NEW YORK CITY.**

**WHEREAS,** Joseph J. Birch has been selected to serve as the 2018 Marshal to the 81st Annual Pulaski Day Parade, in New York City on Sunday, October 7, 2018 by the General Pulaski Memorial Parade Committee of St. Theresa’s Linden, Inc., to represent thousands of Linden, and Union County residents, of Polish decent; and

**WHEREAS,** Joseph J. Birch was born in Edison, New Jersey and has been a lifelong Linden resident. Joseph is a second generation Polish-American, son of the late John and Patricia Birch. He is the devoted husband to Tracey Birch and proud father to Brendon, Kelly and Hailey; and

**WHEREAS,** Joseph attended the St. Theresa of the Child Jesus School from kindergarten to eighth grade and then Linden High School where he was a member of their NJROTC Program until his graduation in 1991; and

**WHEREAS,** Joseph began his career in Law Enforcement with the Union County Department of Corrections and joined the Linden Police Department in 1997. He is currently assigned as a Sergeant in the Patrol Division. He has also worked as a Patrolman, Training Officer, School Resource Officer and Juvenile Detective.

**WHEREAS,** it is proper and fitting that Joseph J. Birch be recognized for the honor bestowed upon her to represent the City of Linden and its Pulaski Day Parade contingent at the 81st Annual Parade in New York City.

**NOW THEREFORE BE IT RESOLVED,** by the Mayor and Council of the City of Linden that they do hereby congratulate Joseph J. Birch on being selected as the 2018 Linden Pulaski Parade Marshal and thank her for long and dedicated service to the Polish-American community; 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 Joseph J. Birch in recognition of the foregoing.

**RESOLUTION: 2018-353**

**A RESOLUTION HONORING MICHELLE CIEPIELA AS**

**THE 2018 LINDEN CONTINGENT MISS POLONIA**

**TO THE PULASKI PARADE**

**WHEREAS,** the General Pulaski Memorial Parade Committee of St. Theresa’s Linden, Inc. recently crowned Michelle Ciepielaas the 2018 Miss Polonia to represent Linden at the   
Annual Pulaski Day Parade in New York City on Sunday, October 7, 2018; and

**WHEREAS,** Michelle is the daughter of Marek and Jadwiga Ciepiela and is a lifelong resident of the City of Linden. She is fluent in speaking and writing in the Polish language; and

**WHEREAS,** Michelle is a junior at Rutgers Business School in New Brunswick, NJ where she is majoring in Accounting and minoring in Health Administration. After finishing her undergraduate degree, Michelle plans on obtaining her Masters of Financial Accountancy at Rutgers Business School; and

**WHEREAS,** Michelle volunteers her time with the Mountainside Rescue Squad, is a member of the Rutgers University Polish Club and Women Build. On campus she holds the positions of Resident Assistant and Rutgers Business School Ambassador; and

**WHEREAS,** in her spare time Michelle enjoys hiking, ballroom dancing, playing the flute and spending time with her family and friends; and

**WHEREAS,** the Mayor and Council of the city of Linden are proud to have Michelle Ciepiela representing the City of Linden as the 2018 Miss Polonia at the Annual Pulaski Day Parade in New York City.

**NOW THEREFORE BE IT RESOLVED,** by the Mayor and Council of the City of Linden that they do hereby congratulate Michelle Ciepiela for being selected the 2018 Miss Polonia to represent the City of Linden at the Pulaski Parade in New York City; and

**BE IT FURTHER RESOLVED,** that a copy of this resolution be entered into the minutes of the Council of the City of Linden and that a copy hereof be presented to Michelle Ciepiela in recognition of this prestigious honor.

**RESOLUTION: 2018-354**

**A RESOLUTION HONORING HAILEY ELIZABETH BIRCH AS**

**THE 2017 LINDEN CONTINGENT JUNIOR MISS POLONIA**

**TO THE PULASKI PARADE**

**WHEREAS,** the General Pulaski Memorial Parade Committee of St. Theresa’s Linden, Inc., recently crowned **Hailey Elizabeth Birch** as the 2018 Junior Miss Polonia to represent Linden at the Annual Pulaski Day Parade in New York City on Sunday, October 7, 2018; and

**WHEREAS,** Hailey Adrianna is the daughter of Joseph and Tracey Birch and is the sister to Brendon and Kelly; and

**WHEREAS,** Hailey is fourteen years old and is currently a freshman at Linden High School where she is a member of both the Dance Company as well as the Marching Band as a member of the Band Front; and

**WHEREAS,** Hailey has been a member of the Mystic Visions Players, a non-profit theatre company based in Linden, NJ and she has performed in seven productions with the program; and

**WHEREAS,** Hailey**,** in her free time enjoys swimming, riding her bike and taking trips to Great Adventure and the Jersey Shore; and

**WHEREAS,** Hailey recognizes the importance of family and heritage, and is extremely honored to have been chosen as Linden’s Jr. Miss Polonia or 2018; and

**WHEREAS,** the Mayor and Council of the city of Linden are proud to have Hailey Elizabeth Birch representing the City of Linden as the 2018 Junior Miss Polonia at the Annual Pulaski Day Parade in New York City.

**NOW THEREFORE BE IT RESOLVED,** by the Mayor and Council of the City of Linden that they do hereby congratulate Hailey Elizabeth Birch for being selected the 2018 Junior Miss Polonia to represent the City of Linden at the Pulaski Parade in New York City; and

**BE IT FURTHER RESOLVED,** that a copy of this resolution be entered into the minutes of the Council of the City of Linden and that a copy hereof be presented to Hailey Elizabeth Birch in recognition of this prestigious honor.

**RESOLUTION: 2018-355**

**RESOLUTION APPROVING AN MOU WITH**

**THE DEPUTY FIRE CHIEF’S ASSOCIATION**

**F.M.B.A. LOCAL 234**

Whereas the Council of the City of Linden has a collective negotiations agreement with the Deputy Fire Chief’s 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 Deputy Fire Chief’s Association, F.M.B.A. Local234 employees.

Now therefore be it resolved that this Council approves the collective negotiations agreement with the Deputy Fire Chief’s 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 Deputy Fire Chief’s 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.

**RESOLUTION: 2018-356**

**RESOLUTION APPROVING AN MOU WITH**

**CENTRAL DISPATCH 911, COMMUNICATION**

**WORKERS OF AMERICA AFL-CIO**

Whereas the Council of the City of Linden has a collective negotiations agreement with the Central Dispatch 911, Communication Workers of America AFL-CIO; and

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

Whereas the Council and the Union have negotiated a successor agreement for Central Dispatch 911, Communication Workers of America AFL-CIO.

Now therefore be it resolved that this Council approves the collective negotiations agreement with the Central Dispatch 911, Communication Workers of America AFL-CIO effective January 1, 2018 through December 31, 2018.

Be it further resolved that upon execution of successor agreement by the Central Dispatch 911, Communication Workers of America AFL-CIO, 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.

**RESOLUTION: 2018-357**

**RESOLUTION AUTHORIZING AN AMENDMENT TO THE CONTRACT WITH**

**EASTERN DATACOMM, INC. FOR ADDITIONAL CABLING**

**WHEREAS,** the City Council of the City of Linden passed a resolution on July 18, 2017 approving an award of a contract to Eastern Datacomm, Inc. in the amount of $469,195.25; and

**WHEREAS,** a first change order in the amount of $9,670.00 is required for additional cabling; and

**WHEREAS,** inclusive of these additional funds the total expenditures for said contract is $478,865.25; 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. 8-01-25-250-314-272;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that the agreement awarded to Easter Datacomm, Inc., 44 Commerce Way, Hackensack, N.J. 07601 is hereby amended to increase the contract by the additional sum of $9,670.00, for a total contract of $478,865.25; and

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

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

**RESOLUTION: 2018-358**

**RESOLUTION ACCEPTING THE RESIGNATION OF CYNTHIA WEAVER FROM THE SPECIAL IMPROVEMENT DISTRICT (SID)**

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

That **Cynthia Weaver,** a Real Estate Owner, member of the Special Improvement District (SID) has tendered her resignation, on September 7, 2018, and said resignation is hereby accepted, by the City C1ouncil of the City of Linden, effective as of the date of this resolution.

**Resolution: 2018-359**

**RESOLUTION AUTHORIZING AN AMENDMENT TO A CONTRACT WITH SKOLOFF & WOLFE, P.C. TO PROVIDE TAX COUNSEL SERVICES TO THE CITY OF LINDEN**

**WHEREAS**, the City Council of the City of Linden previously awarded a contract to Skoloff & Wolfe, P.C. to provide Tax Counsel services to the City under Resolution 2018-59 for an amount not to exceed $40,000.00 and;

**WHEREAS**, there is a need to increase the amount of the contract by an additional $130,000.00 for a total revised contract in the amount not to exceed $170,000.00; and

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

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that the agreement for Professional Services awarded to Skoloff & Wolfe, P.C., is hereby amended to increase the contract by the additional sum of $130,000.00, for a total contract of $170,000.000; and

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

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk be and hereby are empowered and directed to execute said amendatory agreement consistent with Skoloff Wolfe, P.C. to effectuate the foregoing; and

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

Virginia Malik. Ms. Malik asked what the contract was about and what does this person do. Mr. Antonelli provided the requested explanation.

John Principato. Mr. Principato stated that his question was answered.

See the vote after 2018-373

**RESOLUTION: 2018-360**

**RESOLUTION** **AMENDING A CONTRACT WITH ROBERT RENAUD, ESQ. OF THE FIRM PALUMBO & RENAUD & DEAPPOLONIO, LLC, AS SPECIAL TAX COUNSEL TO INCLUDE OTHER VARIOUS TAX APPEALS FOR 2018**

**WHEREAS**, the City Council of the City of Linden passed a prior resolution, Resolution 2018-48 retaining the services of Special Tax Counsel for tax appeals where Skoloff & Wolfe, P.C. have a conflict for 2015; 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**, Robert Renaud, Esq., of Palumbo, Renaud & Deappolonio, LLC 190 North Avenue East, Cranford, New Jersey submitted a qualification to the City and has qualified for the aforesaid services for 2018; and

**WHEREAS,** it is necessary to provide for additional funds for said purpose in an amount not to exceed $10,000.00; and

**WHEREAS,** inclusive of these additional funds the total expenditures paid to date to Robert Renaud, Esq. for services rendered under the original or substantially related contract is $20,000.00; and

**WHEREAS**, the Chief Financial Officer or his designee has certified to the availability of funds for this purpose, to be charged to Account No. ; **NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that the agreement for Professional Services awarded to Robert Renaud, Esq., Palumbo, Renaud & Deappolonio, LLC, 190 North Avenue East, Cranford, New Jersey, is hereby amended to increase the contract by the additional sum of $10,000.00, for a total contract of $20,000.000; and

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

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk be and hereby are empowered and directed to execute said amendatory agreement consistent with Robert Renaud, Esq. to effectuate the foregoing; and

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

**RESOLUTION: 2018-361**

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

**WHEREAS**, the City Council of the City of Linden previously awarded a contract to Appraisal Consultants Corp. for Real Estate Appraiser Services under Resolution 2018-57 in an amount not to exceed $12,000.00; and

**WHEREAS**, there is a need to amend the contract by an additional $20,000 for a total revised contract in the amount of $32,000.00; and

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

**WHEREAS**, the Chief Financial Officer or his designee has certified to the availability of funds for this purpose, to be charged to Account No. 8-01-20-156-117-272;

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

**BE IT FURTHER RESOLVED** the terms of said agreement shall be for a period of one year at a fee not to exceed $32,000.00; and

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

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

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

**RESOLUTION: 2018-362**

**RESOLUTION FOR STATE CONTRACT PURCHASE OF A 2018 FORD POLICE INTERCEPTOR UTILITY (SUV) FROM WINNER FORD FOR THE POLICE DEPARTMENT**

**WHEREAS**, the City of Linden wishes to obtain one (1) 2018 Ford police interceptor (SUV) with options for Police Patrol Division from an authorized vendor under the State of New Jersey Cooperative Purchasing Program 1-NJCP; and,

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

**WHEREAS**, Winner Ford, Cherry Hill, NJ has been awarded New Jersey State Contract No. 88728 for the provision of police vehicles; and,

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

**WHEREAS**, the amount of the service is not to exceed $27,000; and,

**WHEREAS**, the Chief Finance Officer has certified the availability of funds charged to accounts:

C-04-55-902-639-919 $23,557.85

8-01-25-240-155-279 $ 3,442.15

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

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

**RESOLUTION: 2018-363**

**RESOLUTION FOR STATE CONTRACT PURCHASE OF VARIOUS COMPUTER EQUIPMENT**

**WHEREAS**, the City of Linden wishes to purchase various computer equipment from an authorized vendor under the State of New Jersey contract A89967, awarded to Pascack Data Services, located at 200 Central Avenue Suite 100 Hawthorne, NJ 07506, 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**, Pascack Data Services, located at 200 Central Avenue Suite 100 Hawthorne, NJ 07506 has been awarded Contract No A89967 for the provision of various computer equipment; and,

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

**WHEREAS**, the amount of the service is not to exceed $42,380.36 and,

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

C-04-55-902-689-919 - $13,180.36

8-01-25-250-314-273 - $29,200.00

**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.

**RESOLUTION: 2018-364**

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

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

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

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

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

Block 178 Lot 19 1112 Walnut Street

Block 457 Lot 40 16 South Wood Avenue

Block 72 Lot 2 1029 Chandler Avenue

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

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

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

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

Block 178 Lot 19 1112 Walnut Street $390.00

Block 457 Lot 40 16 South Wood Avenue $250.00

Block 72 Lot 2 1029 Chandler Avenue $350.00

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

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

**RESOLUTION: 2018-365**

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

**BULK STORAGE, INC. FOR SERICES SALT DOME REPLACEMENT AND FOUNDATION REPAIRS IN THE CITY OF LINDEN**

**WHEREAS,** sealed bids were received by the Purchasing Agent on August 29, 2018 for Salt Dome Replacement and Foundation repairs in the City of Linden; and

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

**WHEREAS,** the Chief Financial Officer or her designee has certified as to the availability of funds for this purpose, which will be charged to account/line item C-04-55-907-682-919 in the amount of $55,000.00 and 8-01-26-291-173-271 in the amount of $9,235.00; and

**WHEREAS,** Bulk Storage, Inc. was the lowest responsible bidder at their bid of $64,235.00; and

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

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

1. A contract is awarded to Bulk Storage, Inc. at their bid of $64,235.00.

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

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

**RESOLUTION: 2018-366**

**RESOLUTION DECLARING SURPLUS FOR SALE OR DISPOSITION NOT NEEDED FOR GOVERNMENT USE**

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

**WHEREAS, the City of Linden desires to sell certain surplus property or dispose; and**

**WHEREAS, the items listed below are being declared surplus and not needed for municipal purpose; and**

**Police Department**

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|  | | |  | **Description of Equipment Needed to be Repaired** | | | | | | | | | | | | | | |
| **Quantity** | | | **or** | **Destroyed or Sold or Transferred** | | | | | | | | | | | | | |  |
| 24 | | | Wyse ZX0D Serial number | | | | | | | | | | **8CDDN200001, 8cddn200003, 8cddn200004,** | | | |  |  |
|  | | |  |  | |  |  | **8CDDN200005, 8CDDN200006, 8CDDN200007,8CDDN200008** | | | | | | | | | | |
|  | | |  |  | |  |  | **8CDDN200009, 8CDDN200012, 8CDDN200014, 8CDDN200015** | | | | | | | | |  |  |
|  | | |  |  | |  |  | **8CDDN200016, 8CDDN200019, 8CDDN200020, 8CDDN200021** | | | | |  | | | |  |  |
|  | | |  |  | |  |  | **8CDDN200022, 8CDDN200023, 8CDDN200027, 8CDDN200028** | | | | |  | | | |  |  |
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| 2 | | | WYSE | DX0D | | Serial Number: | | | | | | | **616A671HV72 AND 616A52XQV72** | | | | | |
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| 26 | WYSE DXOD SERIAL NUMBERS: | | | | | | | | |  |  | |  |  |
|  | 860DMC03053, 860DMC02303, 860DMC03382, 860DMC02258, 860DMC02213 | | | | | | | | | | | | | |
|  | 860DMC03390, 860DMC03353, 860DMC03311, 860DMC02337, 860DMC02147 | | | | | | | | | | | |  |  |
|  | 860DMC02302, 860DMC03432, 860DMC02325, 860DMC02847, 860DMC03212 | | | | | | | | | |  | |  |  |
|  | 860DMC03191, 860DMC03223, 860DMC02308, 860DMC03448, 860DMC02048 | | | | | | | | | |  | |  |  |
|  | 860DMC02212, 860DMC03175, 860DMC02899, 860DMC03113 | | | | | | | | | |  | |  |  |
|  | 616A671HV72, 616A52XQV72 | | | | | | | | |  |  | |  |  |
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| 8 | DELL DCTR SERIAL NUMBERS: | | | | | | | | |  |  | |  |  |
|  | 4TQFGK1, 5R1QGH1, BS9R1B1, 9R1QGH1, 4XNMP81 | | | | | | | | | | | |  |  |
|  | B72M9F1, 4TR4GK1, 4TQDGK1. | | | | | | | | |  |  | |  |  |
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**NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN that pursuant to N.J.S.A. 40A:11-36 that the Purchasing Agent is hereby authorized to sell at public action or by other means as provided for in the statue using their best business discretion for the following items:**

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

**RESOLUTION: 2018-367**

**RESOLUTION FOR APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE N.J. DEPARTMENT OF TRANSPORTATION FOR IMPROVEMENTS TO MARION AVENUE, PARK AVENUE, PENNSYLVANIA AVENUE, SUMMIT TERRACE AND W. 20TH STREET**

**WHEREAS,** the N.J. Department of Transportation Trust Fund Authority Act provides for the improvement of municipal roads; and

**WHEREAS**, Marion Avenue, Park Avenue, Pennsylvania Avenue, Summit Terrace and W. 20th Street have deteriorated to a point of where they are in need of repair; and

**WHEREAS**, a cost for said improvements has been estimated at $600,000.00;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** formally approves the grant application for the above stated project; and

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk are hereby authorized to submit an electronic grant application identified as MA-2019, SAGE APPLICATION 00229, Linden City to the New Jersey Department of Transportation on behalf of the City of Linden; and

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk are hereby authorized to sign the grant agreement on behalf of the City of Linden and that their signatures constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement.

**RESOLUTION: 2018-368**

**RESOLUTION QUALIFYING 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;

**SPECIAL COUNSEL PORT AUTHORITY**

Florio and Kenny L.L.P.

5 Marine View Plaza

Hoboken, NJ 07030

Decotiis, FitzPatrick, Cole & Giblin, LLP

500 Frank W. Burr Boulevard Suite 31

Teaneck, NJ 07666

Rainone Coughlin Minchello, LLC

1 Woobridge Center

Woodbridge, NJ 07095

McManimon Scotland Baumann

75 Livingston Avenue suite 201

Roseland, NJ 07068-5408

Waters, McPherson, McNeill

300 Lighting Way

Secaucus, NJ 07096

Eric Bernstein & Associates, LLC

34 Mountain Blvd

Warren, NJ 07059

Inglesino, Weber, Wyciskala & Taylor

600 Parsippany Road

Parsippany, NJ 07054

**ENGINEERING SERVICES PORT AUTHORITY**

LS Engineering Associates Corporation

150 River Road, Bldg E, Suite E2

Montville, NJ 07045

Consulting Municipal Engineers

3141 Bordontown Avenue

Parlin, NJ 08859

Bowell Engineering

330 Philips Avenue

South Hackensack, NJ 07606

Aecom Technical Services, Inc.

30 Knightsbridge Road

Suite 520

Piscataway, NJ 08854

**SPECIAL COUNSEL SERVICES FOR AVIATION MATTERS**

Inglesino, Weber, Wyciskala & Taylor

600 Parsippany Road

Parsippany, NJ 07054

**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.

Craig Halloran. Mr. Halloran quoted from the summery, for resolutions 2018-348 and 2018-368, and asked exactly what we are checking on, the professional’s qualifications or what. Mr. Antonelli provided a response, encompassing both resolution 2018-348 and 2018 -368.

See the vote after 2018-373

**RESOLUTION: 2018-369**

**RESOLUTION AUTHORIZING A SHARED SERVICES**

**AGREEMENT WITH THE LINDEN BOARD OF EDUCATION FOR**

**THE EMPLOYMENT OF SPECIAL LAW ENFORCEMENT OFFICERS FOR THE YEAR 2018-2019**

**WHEREAS**, the Uniform Shared Services and Consolidation Act, *N.J.S.A.* 40A:65-1, *et seq.*, permits, authorizes and encourages public bodies such as municipalities and local public school districts to enter into agreements with each other to contract for the provision of any service which the parties to such agreement are empowered to render under and within its own jurisdiction, whether administrative, educational, instructional or otherwise; and

**WHEREAS**, in accordance with *N.J.S.A.* 40A:14-146.10, *et seq.,* a local unit, may as it deems necessary, appoint special law enforcement officers to perform those duties and responsibilities permitted by local ordinance or resolution; and

**WHEREAS,** *N.J.S.A.* 40A:14-146.11 authorizes the appointment of “Class Three” Special Law Enforcement Officers (“SLEO”) to exercise full powers and duties of permanent police officers while providing security at a public school during such times as school is normally in session and occupied by students and teaching staff members; and

**WHEREAS,** in recognition of the heightened need to secure the safety and welfare of students and staff members attending public schools, the Board and the City wish to enter into this agreement for the provision of the services of SLEOs for the safety and protection of the Linden Public Schools (the “Schools”); and

**WHEREAS**, the parties have the necessary funds availableto utilize in the planning, development, staffing and supplying of SLEOs for the safety and protection of the students and staff of the Schools;

**WHEREAS**, the parties contemplate that no services shall be otherwise provided pursuant to this Agreement, except in accordance with applicable federal, state, and local laws and regulations governing the provision of educational and related services.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that the Mayor and City Clerk be and hereby are directed and authorized to enter into a Shared Services Agreement with the Linden Board of Education for the aforementioned services for the 2018-2019 school year, in a form similar to hereto attached, which any changes to be made to be approved by the Law Department; and

**BE IT FURTHER RESOLVED** that a duly executed copy of this Resolution be forwarded to Kathleen A. Gaylord, Business Administrator/Board Secretary of the Linden Board of Education; and

**BE IT FURTHER RESOLVED** that this Resolution be published and take effect pursuant to law.

Virginia Malik, Ms. Malik asked what the officers were going to be doing. Mr. Antonelli explained the role and function of Special 3 Police officers, in the schools. He also responded to additional questions that Ms. Malik asked. Mayor Armstead, commented as to these officers being used to provide security on Election Day. Mr. Roman commented on proposed legislation changing the requirements for special 3 officers, so that the pool of eligible individuals would increase.

See the vote after 2018-373

**RESOLUTION: 2018-370**

**RESOLUTION RECOGNIZING TINA SOCCI, FOUNDER OF LA DANSE DANCE CENTER AND CONGRATULATING HER ON HER RETIREMENT**

**WHEREAS,** in 1978 Miss Tina Socci’s lifelong dream came true when she opened the doors as the founder of La Danse Dance Studio in Linden, NJ; and

**WHEREAS,** Miss Tina has dedicated the last forty years of her life to her many students teaching not only the love of dance but the importance of self-respect. Dance Teachers have the opportunity to make a difference in the lives of young people, and instill a passion for their art in the next generation of dancers; and

**WHEREAS,** Miss Tina began training at an early age with Luba Zuralow, Charles Kelly, Phil Black and Frank Hatchett at the Farworth and Hauer Dance Center in New York City; and

**WHEREAS,** Miss Tina was certified by the Dance Educators of America in 1977 and has been a member of both the Professional Dance Teachers Association and Associated Dance Teachers of New Jersey since 1986; and

**WHEREAS,** under the direction of Miss Tina many of her students have competed locally and nationally receiving many top honor awards and commendations. Her students have gone on to perform professionally with Walt Disney World, Royal Caribbean Cruise Lines, Disney Cruise Lines, Orlando Magic and NJ Devils Dance Teams to name a few; and

**NOW THEREFORE BE IT RESOLVED** the Mayor and City Council wishes to express their gratitude and thanks to Miss Tina Socci for her dedication and commitment to the City of Linden, and her dance family. The Mayor and Council also wish her a happy, healthy retirement; and

**BE IT FUTHER RESOLVED that** a copy of this resolution be placed in the minutes of the City Council of the City of Linden and a copy hereof be presented to Miss Tina Socci in permanent recognition of the foregoing.

**RESOLUTION: 2018-371**

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

**TO BE HELD IN THE EIGHTH WARD**

WHEREAS, the City Council has determined to allow a community wide garage sale in the Eighth Ward on October 13, 2018 with a rain date of October 14, 2018; and

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

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

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

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

1. The City of Linden hereby waives fees for permits for a community wide garage sale in Eighth Ward on October 13, 2018 with a rain date of October 14, 2018
2. The city wide garage sale shall not impact a resident’s right to conduct up to two garage sales in a year.
3. Chapter 4-3.6 shall still apply, limiting one singled faced sign containing not more than four square feet in total area to be placed upon the premises where the sale is being conducted, and further prohibiting any other signs and either public or private property.
4. This Resolution shall take effect pursuant to law.

**Resolution: 2018-372**

**RESOLUTION WAIVING FEES SIDEWALK CAFÉ PERMIT FEE FOR ANY FOOD ESTABLISHMENT ON WOOD AVENUE FOR THE 2018 SEPTEMBER TO REMEMBER EVENT**

WHEREAS, there currently exists an Outdoor Sidewalk Café ordinance (4-38), that permits a food establishment to place chairs and tables and/or the service of food or beverages in the public sidewalk; and

WHEREAS, the City Council of the City of Linden shall waive permit fees for a food establishment on Wood Avenue to place chairs and tables and/or the service of food or beverages for one day only during the annual September to Remember Event to be held on September 29, 2018; and

WHEREAS, the waiver of said permit fee applies only to September 29, 2018 and a food establishment seeking to continue service of food or beverages in the public sidewalk shall comply with the Outdoor Sidewalk ordinance, including the payment of any and all fees; and

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

1. The City of Linden hereby waives permit fees for food establishments on Wood Avenue to place chairs and tables and/or the service of food or beverages for one day only during the annual September to Remember Event to be held on September 29, 2018.
2. The waiver of said permit fee applies only to September 29, 2018 and a food establishment seeking to continue service of food or beverages in the public sidewalk shall comply with the Outdoor Sidewalk ordinance, including the payment of any and all fees.
3. This Resolution shall take effect pursuant to law.

**RESOLUTION: 2018-373**

**STATE CONTRACT RESOLUTION FOR PURCHASE OF REQUIRED INFRASTRUCTURE FOR THE POLICE DEPARTMENT FROM TASER INTERNATIONAL (AXON ENTERPRISE, INC.)**

**WHEREAS,** a resolution was approved on September 16, 2015 (resolution: 2015-328) for an agreement between the County of Union and the City of Linden for the Union County Prosecutors Office to subsidize all first year cost of implementing a body-worn camera system in the Linden Police Department; and,

**WHEREAS**, the City of Linden wishes to obtain required infrastructure for the Police Department and from an authorized vendor under the State of New Jersey contract 81321 awarded to Taser International (Axon Enterprise, Inc.) 1700 N. 85th Street, Scottsdale Arizona 85255 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**, Taser International (Axon Enterprise, Inc.) has been awarded Contract No 81321 for the provision of Police and Homeland Security Supplies and service; and,

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

**WHEREAS**, the amount of the service is not to exceed $759,611.00 and,

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

2019 $153,117.00 9-01-25-250-314-278 subject to availability of funds

2020 $173,284.00 0-01-25-250-314-278 subject to availability of funds

2021 $173,284.00 1-01-25-250-314-278 subject to availability of funds

2022 $173,284.00 2-01-25-250-314-278 subject to availability of funds

2023 $86,642.00 3-01-25-250-314-278 subject to availability of funds

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

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

Craig Halloran. Mr. Halloran asked that since this is a multi-year contract, what happens if we don’t have the funds to pay for this in future years. Mr. Antonelli provided a response.

Mrs. Ormon moved for approval of resolutions 2018-342, 343, 345, 351, 359, 369, 348, 362, 368 and 373. The motion was seconded by Mr. Javick and was ordered approved by a roll call vote, with all voting yes to all items, except Mr. Javick, who voted no to resolution 2018-351.

**ORDINANCES – INTRODUCTION**

**An Ordinance entitled:**

* 1. **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).**

President Alvarez asked if there were any comments from the public.

John Principato 1706 Westover Rd. Mr. Principato expressed his opinion that the Council was jumping the gun, with the introduction of this ordinance. He thought they should wait until the legislation is finalized.

Hans Herberg, 1501 Westover Rd. Mr. Herberg noted the previous discussion, regarding marijuana, and detailed his concerns regarding marijuana.

Mr. Brown noted that this ordinance allows for medical marijuana facilities, in Linden, but bans recreational production, manufacture or distribution. He detailed a discussion he had with various youth, and they support the banning of recreational use.

Mr. Roman noted his agreement with most things said. He also spoke about a new bill, in the State legislature, again changing the direction for legalization. Mr. Roman stated that he does not want to see recreational marijuana sales on Wood Ave. He stated that he was not supporting this ordinance and the reasons why.

Mr. Mohammed stated that he appreciated the comments that were made by Mr. Principato, regarding putting the cart before the horse, there is an opiate epidemic that can be tied to some of these issues in this country. Mr. Mohammed affirmed his opposition to both recreational and medical use of marijuana.

Ordinance #62-71 was introduced by Mr. Brown and was read on first reading by the Deputy Clerk.

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

ordered approved by all voting yes with the exception of Mr. Roman and Mrs. Hickey who voted no.

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

Ordinance #62-72 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:**

**62-73 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 Alvarez asked if there were any comments from the public.

John Principato 1706 Westover Rd. Mr. Principato repeated his concerns about the granting of long term tax exemptions in the City of Linden. He stated that he does not approve of this ordinance. He reviewed his other concerns with this project.

Alex Lospinoso, LEDC Executive Director. Mr. Lospinoso informed all that the developer, for this project, has spent a lot of money, on attorneys, to deal with issues related to the project and the FAA, and underground utilities at the site.

Ed Kaminski, Maple Ave. Mr. Kaminski stated that every month we seem to go in circles, on these projects. He implored the financial professionals to go back and look at the more recent of these projects and to see if we are getting what we were promised.

Mr. Brown asked Mrs. Zack if we run a report on these type of projects. She responded in the affirmative. He spoke about the efforts of the City to do the type of review that Mr. Kaminski spoke about.

Ordinance #62-73 was introduced by Mrs. Ormon and was read on first reading by the Deputy Clerk.

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

ordered approved by all voting yes with the exception of Mr. Roman , Mr. Medina, Mrs. Hickey and Mr. Alvarez who voted no.

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

Ordinance #62-74 was introduced by Mr. Roman and was read on first reading by the Deputy Clerk.

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

unanimously ordered approved.

**An Ordinance entitled:**

**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 Chief 4**

**Fire Captains 17**

**Fire Lieutenants 20**

**Firefighters 79**

President Alvarez asked if there were any comments from the public

Deputy Fire Chief Lawrence Kolesa. The deputy chief spoke in opposition to the change in the table of organization eliminating the position of a deputy chief. He reviewed the various changes, over the years that reduced the number of deputies from seven to five. He explained to Council the reasons why the fifth deputy should not be eliminated.

Rebecca Tattoli, 626 Beachwood Rd. Ms. Tattoli stated that the elimination of the fifth deputy chief the area that would be hit the hardest would be community outreach. She noted the impact on the community this would have.

John Principato, 1607 Westover Rd. Mr. Principato concurred with the opinions expressed by DC Kolesa, and Ms. Tattoli. He also gave his views on the condition of the Fire Department.

Ordinance #62-75 was introduced by Mr. Javick and was read on first reading by the Deputy Clerk.

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

ordered approved by all voting yes with the exception of Mr. Roman and Mrs. Hickey who abstained.

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

**ON CITY BUSINESS ONLY**

Hans Herberg, 1501 Westover Rd. Mr. Herberg spoke about the panhandling that is allowed to continue in Linden, and related his personal experience with same. He also spoke about an individual taking the metal out of the trash that was placed out for collection by the City.

Craig Halloran, 120 Donaldson Pl. Repeated the comments he had made at Board of Education meeting regarding asking the State Legislators to adopt a law closing schools on the primary election day.

Deputy Chief Kolesa., 6 Iron Forge Lane, Randolph, NJ. DC Kolesa stated that he had already spoken.

Susan Dooley, 1111 Georgian Dr. Ms. Dooley stated she had no comments to make.

Rebecca Tattoli, 626 Beachwood Rd. Stated she had no further comments to make.

Henry Mack. Mr. Mack stated that he was here to speak on behalf of the peoples, and that the peoples were impressed with the items on tonight’s agenda.

Tanya Gassot, 422 S. Wood Ave. Ms. Gassot stated that she had come before Council, once before, and raised the issue of making the streets, around Soehl Middle School, one way. She noted that the response she had been given was that the residents of the Elm and Henry Streets were against it. She then offered to go door to door to speak to those residents about the need for the one-way streets. She spoke about the safety of the children being dropped off at the school.

John Principato, 1607 Westover Rd. Mr. Principato spoke about the change in the TO, in the Fire Department. He asked who requested it, and if the Chief could give so insight as to where the deputies were going to be. Next he spoke about the parking, around schools, that was brought up, and asked if there was any way that parking spots, around the schools could be marked out. He explained his reasoning. Next he addressed the issue of the traffic in Linden, which he termed terrible. Mr. Principato spoke about the condition, of the roads, that contribute to the traffic issue. Mr. Principato spoke about the need for a supermarket on this side of town. He noted his concerns.

Virginia Malik, 1633 Lenape Road. Ms. Malik stated that she wanted to speak on the change in making comment on the personnel report, and not being able to ask questions. She noted her issues with attending the conference meetings. She took exception to earlier comments made by Mr. Antonelli on this issue. She spoke about her concerns and issues. Ms. Malik stated that she was appalled on how this change was allowed to occur.

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

**COMMENTS FROM MEMBERS OF THE GOVERNING BODY**

Mrs. Ormon spoke about a supermarket that is coming to the former Pathmark site.

Mr. Brown responded to the comments made, by Ms. Malik, about restricting public comments on the personnel report. He also address the issue of the traffic around Soehl, and parking. He was not in favor of creating one way streets.

Mr. Mohammed stated that he does not know chemistry or physics, but that he does know foolishness. He stated individuals, coming to this meeting, should come to these chambers with respect.

Mr. Roman addressed the issue of kids, moving into the redevelopment projects that are not paying taxes to the school district. He also spoke about the comments, made by Mr. Mack, and put in a plug for residents to attend the Battle of the Badges event that the Linden Police Department was participating in.

Mrs. Yamakaitis stated that she was elected by the residence of the 8th ward and that she will stand up solid for the 8th ward. She responded to earlier comments, stating that people should not say I support the sale of recreational marijuana, and then say but not in my ward.

Mrs. Hickey stated that she would add the matter of the traffic and one way streets, around Soehl to the agenda of the Traffic Committee, for their upcoming meeting. She would ask the committee to get authorize a traffic study. Mrs. Hickey stated that she was embarrassed by the one minute speech being given tonight.

Mayor Armstead spoke about the PILOT agreements, and the amount of time that goes into developing and negotiating them. He stated that PILOTs helped eliminate the garbage tax, and provide a tax reduction to the residents of Linden. He reminded all that an abstention by a member of the governing body, is not a vote. He urged members of council to vote yes or no on the matters before them.

Mr. Antonelli corrected a misunderstanding about his discussion regarding speaking on the personnel report. He stated that he did not say that members of the public could not speak on the report, only that members of the governing body should not. He explained why.

President Alvarez apologized for the misunderstanding over Mr. Antonelli’s direction regarding speaking on the personnel report. He noted that he stopped people from speaking on it. Lastly he volunteered to walk, door to door, with Tanya, to speak with residents of the Third Ward regarding making the streets around Soehl one way. President Alvarez spoke about the need for door to door solicitors to obtain a license from the City Clerk’s office. The permit only means that they are authorized to go door to door, and not that the City is endorsing their products or services.

**ANNOUNCEMENTS**

President Alvarez announced the following:

\* Council Conference meeting:

Monday, October 15, 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, October 16, 2018 at 6:00 pm in the Council Conference Room, City Hall, 301 N. Wood Ave.

\*Council Meeting:

Tuesday, October 16, 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 Mrs. Hickey, and was unanimously ordered approved by a roll call vote. The meeting was adjourned at 10:04 pm.

Respectfully submitted,

Joseph C. Bodek   
City Clerk