**Minutes of the Regular**

**Meeting of the 2019 Council of the**

**City of Linden, held Tuesday,**

**AUGUST 20, 2019**

The regular meeting of the 2019 Council of the City of Linden, was held in the Council Chambers in the City Hall on Tuesday, August 20, 2019 at 7:35 pm., prevailing time.

The meeting was called to order by President of Council Michele Yamakaitis and she 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 Michele Yamakaitis informed those present of the proper procedures for exiting the room in the event of an emergency.

Council President Michele Yamakaitis 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 Michele Yamakaitis 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:

Councilwoman Lisa Ormon

Councilman Barry Javick

“ Alfred Mohammed

Councilwoman Rhashonna Cosby

Councilman John F. Roman

Councilman Ralph Strano

Councilman Paul Coates

Councilman Armando Medina

Councilwoman Gretchen Hickey

Council President Michele Yamakaitis

Mayor Derek Armstead

Mr. Brown was absent.

**APPROVAL OF MINUTES**

Ms. Cosby moved for the approval of the July 16, 2019 Regular Meeting Minutes and the August 1, 2019 Special Meeting Minutes. The motion was seconded by Mr. Javick and was ordered approved by all voting yes with the exception of Ms. Cosby and Mr. Roman who abstained on the minutes of August 1, 2019, Special Meeting.

**PRESENTATIONS**

**PRESENTATION BY THE 2020 U.S. CENSUS**

President Yamakaitis introduced Jose M. Aguilling, Partnership Specialist, from the New York Regional Census Center to do a presentation regarding the upcoming 2020 Census. Mr. Aguilling’s during his presentation spoke about the importance of the 2020 Census. He addressed issues related to hiring of Census workers, the importance of Linden obtaining a complete count, the establishment of a complete count committee and spoke about the confidentiality of the responses to Census questions. He detailed the efforts that would be taken to ensure that all have completed their census forms, and the multiple ways, for the first time, this year that this can be done.

At the conclusion of the Mr. Aguilling’s presentation President Yamakaitis called upon Mayor Armstead to speak. The Mayor thanked Mr. Aguilling for his presentation and hard work on the census. He presented Mr. Aguilling with a resolution supporting the efforts for a complete count and urging all to participate. Mr. Aguilling thanked the Mayor and Council for their support.

**ORDINANCE ON HEARING**

There are no Ordinances on Hearing.

**CONSENT ITEMS**

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

1. The amount of money collected during the month of July 2019 and turned over to the treasurer’s office is as follows:

2020 Taxes $1,273.30

2019 Taxes $23,832,271.83

2018 Taxes $750.00

PILOT (MORNING STAR) $0.00

Municipal Lien Redemption $5,830.51

Garbage Fee Late Fee $5.00

Duplicate Tax Sale Certificate $0.00

Tax Search $0.00

Lien Redemption Request Fee $50.00

Year End Penalty $0.00

Returned Check Fee Paid $20.00

Returned Sewer Clean out ($0.00)

Returned Sewer Interest ($0.00)

Returned Check 2019 ($3,819.38)

Returned Check Interest ($60.63)

Returned Online Payments 2019 Taxes ($0.00)

Returned Online Interest ($0.00)

Adv. Before Tax Sale $0.00

Premium $0.00

Sewer Clean out charge $1,100.00

DPW Reso payments $876.14

Interest $18,342.64

Total $23,856,639.41

**Tax Sale** Requesting the refund of the premium paid at the 2019 tax sale on the following blocks & lots.

**Block Lot Redemption Date CTF# Amount**

4 5 7/31/19 18-00004 $1,800.00

52 1.01 7/25/19 18-00031 $2,700.00

64 4 7/12/19 18-00038 $1,600.00

100 8.02 7/31/19 18-00049 $2,000.00

119 22 7/31/19 18-00060 $1,800.00

253 1 7/10/19 18-00136 $3,800.00

385 8 7/31/19 18-00168 $1,900.00

391 29 7/16/19 18-00172 $2,000.00

425 13 7/31/19 18-00185 $2,600.00

552 6 7/12/19 18-00234 $2,100.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $22,300.00 payable to Greymorr, LLC, BMO 85, P.O. Box 1414, Minneapolis, MN 55480, charging same to account #9-01-55-276-999-956.

**Tax Sale** Requesting the refund of the premium paid at the 2019 tax sale on the following blocks & lots.

**Block Lot Redemption Date CTF# Amount**

137 1 7/18/19 18-00077 $29,600.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $29,600.00 payable to: Lillian Zhang, 11 Walnut Street, Livingston, NJ 07039, charging same to account #9-01-55-276-999-956.

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

**Block Lot Redemption Date CTF# Amount**

147 1 7/12/19 17-00118 $1,200.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,200.00 payable to: Actlien Holding, US Bank Cust, Actlien Holding, 50 South 16th Street, Suite 2050, Philadelphia, PA 19102, charging same to account #-9-01-55-276-999-956.

**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**

211 8 7/12/19 17-00176 $1,800.00

341 22 7/22/19 16-00225 $22,800.00

467 2 7/12/19 17-00295 $1,500.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $26,100.00 payable to: Christiana T C/F, CE/1 Firsttrust, P.O. Box 5021, Philadelphia, PA 19111-5021, charging same to account #-9-01-55-276-999-956.

**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**

246 19 7/31/19 17-00196 $800.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $800.00 payable to: Fig as Custodian for Fig NJ18, LLC, Secured Party, P.O. Box 54472, New Orleans, LA 70154, charging same to account #9-01-55-276-999-956.

**Tax Sale** Requesting the refund of the premium paid at the 2016 & 2019 tax sale on the following block & lot.

**Block Lot Redemption Date CTF# Amount**

332 35 7/31/19 15-00199 $1,100.00

399 16 7/31/19 18-00177 $500.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the mount of $ 1,600.00 payable to Trystone Capital Assets, LLC., 575 Route #-70, 2nd Floor, P.O. Box 1030, Brick, NJ 08723, charging same to account #-9-01-55-276-999-956.

**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**

494 10 7/11/19 16-00320 $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: MTAG Cust for Empire VIII NJ Portfolio, P.O. Box 2208, Hicksville, NY 11802, charging same to account #9-01-55-276-999-956.

**Tax Sale** Requesting the refund of the premium paid at the 2019 tax sale on the following blocks

& lots.

**Block Lot Redemption Date Cert# Premium**

557 5 7/31/19 18-00236 $1,300.00

577 17 7/31/19 18-00240 $1,200.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $2,500.00 payable to: Fig as Cust. for Fig NJ19, LLC, P.O. Box 54226, New Orleans, LA 70154, charging same to account #9-01-55-276-999-956.

**Overpayment** Block 244 Lot 7 (Mother Lot), New Lots- 7 C301 & C0302

VPP, LLC to LMG PROPERTIES LLC, Refund overpayment on mother lot

The above referenced new owners Mortgage Company have paid the property taxes on the mother lot prior to this being sub divided as per tax law, creating this overpayment and the new owner’s mortgage company entitled a refund in the amount of $5,442.32.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $5,442.32, payable to: Valley Bank, 1720 Route 23 North, Wayne, NJ 07470, charging same to account #-9-01-55-288-999-904.

**Overpayment** Block 244 Lot 7 (Mother Lot), VPP, LLC - Refund overpayment on mother lot

The above referenced owners have paid the property taxes on the mother lot prior to this being sub divided as per tax law, creating this overpayment and the new owner’s mortgage company entitled a refund in the amount of $17,691.92.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $17,691.92, payable to: VPP, LLC. 16 West Morris Avenue, Linden, NJ 07036, charging same to account #-9-01-55-288-999-904.

**Veteran’s Deduction -** Victor Gaston, 15 Robbinwood Terrace

This property owner has been deemed a 100% Disabled Veteran by the V.A. as of 2/7/2018 and purchased this property on December 14, 2018. Mr. Gaston is entitled to the 100% Disabled Veteran Status beginning January 1, 2019 per Michael Frangella. The following is the amount paid by the mortgage company and title agency and the property owner is entitled to a refund in the amount of $6,587.42

2019 Over Paid 1st $3,293.71

2nd $3,293.71

**Refund $6,587.42**

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $6,587.42 payable to: Victor Gaston, 15 Robbinwood Terrace, Linden, NJ 07036, charging same to account #-9-01-55-288-999-904.

**Veteran’s Deduction** Cancellation & Refund of Property Taxes Block 359 Lot 10

Carmen Ortega, 2723 Myrtle Avenue

This property owner has been deemed a 100% Disabled Veteran by the V.A. as of 4/5/19 and purchased this property on April 24, 2019. Ms. Ortega is entitled to the 100% Disabled Veteran Status for part of 2019 per Michael Frangella. The following is the amount paid by the mortgage company and title agency and the property owner is entitled to a refund in the amount of $5,040.13.

2019 Over Paid Cancel 4th 2018

2nd $2,159.69 $ 2,880.44

3rd $2,880.44

**Refund $ 5,040.13**

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $5,040.13 payable to: Carmen Ortega, 2723 Myrtle Avenue, Linden, NJ 07036, charging same to account #-9-01-55-288-999-904.

**Replacement Check** Block 264 Lot 12, Old Owner: 141 Rosewood, LLC

New Owner: Sol Mejias, 141 Rosewood Terrace

Due to Noble Title not cashing the original check from November 2017, and requesting a replacement as this is now stale and has been cancelled by the Treasurer’s Office.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $622.17, payable to: Noble Title agency, Inc, 1130 US 202 South Bldg D, 2nd Floor, Raritan, NJ 08869 charging same to account #9-01-55-288-999-904.

**Refund of Property Taxes** Block 484 Lot 6, Stanley A. Carter, 931 MC Gillvray Place

This property owner has been deemed a 100% Disabled Veteran by the V.A. as of 12/14/17 and purchased this property on February 16, 2018. Mr. Carter is entitled to the 100% Disabled Veteran Status for part the 2019 1st & 2nd quarters that his mortgage company paid in error and the property owner is entitled to a refund in the amount of $5,461.39.

2019 Over Paid

1st $2,730.70

2nd $2,730.69

**Refund $5,461.39**

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $ 5,461.39 payable to: Stanley A. Carter, 931 MC Gillvray Place, Linden, NJ 07036, charging same to account #-9-01-55-288-999-904.

**Refund** Block 253 Lot 9.02, Jacek & Renata Zareba, 10-12 W. Elizabeth Avenue

Tax Court Docket #-010206-2016, 009711-2017 & 011203-2018

The above referenced property owners are entitled to a refund due to a Tax Court of New Jersey judgment reducing the assessment by 65,000 for 2016, 65,000 for 2017 & 90,000 for 2018.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $15,920.55 payable to: Michael A. Vespasiano, Attorney Trust Account, 331 Main Street Chatam, NJ 07928 charging same to account #9-01-55-275-999-000.

**Refund** Block 573 Lot 8, 109 Irene Street, LLC - 109 Irene Street

Tax Court Docket #-009120-2016, 008565-2017 & 009500-2018

The above referenced property owners are entitled to a refund due to a Tax Court of New Jersey judgment reducing the assessment by 117,400 for 2016, 130,000 for 2017 & 130,000 for 2018.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $25,374.02 payable to: Michael I. Schneck, Trustee for 109 Irene Street, LLC, 301 South Livingston Avenue, Suite #105, Livingston, NJ 07039 charging same to account #6-01-55-275-999-000.

**Refund** Block 586 Lot 11, PR II GAR Tremley Property - Backland

The above referenced former property owners are entitled to a refund due to a County Board Judgment reducing the assessment by 16,067,500 for 2019 creating a total overpayment of $61,553.78.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $61,553.78 payable to: PR II GAR Tremley Property, 33 Cotters Lane, East Brunswick, NJ 08816, charging same to account #9-01-55-275-999-000.

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

1. Advising that seventy-four (74) Certificates of Occupancies were issued during the month of June, 2019 and seventy-five (75) Certificates of Occupancies were issued during the month of July, 2019.

**(\*\*\*) BOARD OF ASSISTANCE:**

1. Advising that Mayor Armstead is appointing the following individuals to the Board of Assistance:

Reappointing Council President, Michele Yamakaitis effective January 1, 2019 and terminating December 31, 2020.

Reappointing Robert Sadowski, effective January 1, 2019 and terminating December 31, 2020.

Reappointing Doris Johnson, effective January 1, 2019 and expiring December 31, 2020.

**(\*\*\*) ENVIRONMENTAL COMMISSION:**

1. Advising that Mayor Armstead is appointing the following individual to the Environmental Commission:

Hans Erik Herberg, effective January 1, 2019 and terminating December 31, 2020 to fill the unexpired term of Robert Sadowski.

**(\*\*\*) PLANNING BOARD:**

1. Advising that Mayor Armstead is appointing the following individual to the Planning Board:

Frank Della Femina is appointed effective immediately and terminates December 31, 2020 to fill the unexpired term of Roberto Vas, Alternate #2.

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

1. Requesting approval of the following refund: Horizon BCBS is entitled to a refund in the amount of $250.99 for service that was provided on 9/19/2017. Therefore, it would be in order for the council to authorize the treasurer to issue a check payable to Horizon BC/BS of NJ, PO Box 820, Newark, NJ 07101 charging same to account number 9-01-08-629-011.

**(\*\*\*) CITY CLERK’S OFFICE:**

1. Requesting approval of the Street Closure Application received from Ms. Dorothy Donoghue, to Close Rosewood Terrace between DeWitt Terrace and Myrtle Street on September 14, 2019 to hold their Annual Block Party. The insurance has been received and approved by the City Attorney and the application has been approved by the Police Chief.

Requesting approval of the Street Closure Application received from Ms. Mecca Ford, to close Hussa Street between Roselle Street and Maple Avenue on Saturday, August 24, 2019 between 12noon and 8pm to hold a Block Party BBQ. The insurance has been received and approved by the City Attorney and the application has been approved by the Police Chief.

**(\*\*\*) CITY CLERK’s OFFICE:**

1. Requesting approval of the following raffle application:

**Organization** **Raffle Fee**

Strike Nation Bowling 50/50 n/a

**(\*\*\*) UPTOWN LINDEN:**

1. Requesting approval to close Wood Avenue between Blancke Street and Elm Street on Saturday, October 19, 2019 between the hours of 3pm and 8pm to hold the first annual Linden Latin Festival.

President Yamakaitis allowed Ms. Malik to ask a question on the Consent Agenda. Ms. Malik asked what the Board of Assistance consistence of. Mr. Bodek provided a response.

Mr. Medina moved for the approval of the Consent Agenda Items #1 through #9. The motion was seconded by Mr. Coates and was unanimously ordered approved on a roll call vote.

**COMMITTEE REPORTS**

**First Ward**

Mrs. Ormon reminded all that the City of Linden does have noise ordinances, and that she has received complaints, from First Ward residents, regarding neighbors having summer parties that run past 10 pm. She asked all to be mindful of the noise ordinance. Next she noted that DPW was still catching up with the tree trimming, and removal of stumps, in the ward. She asked all to be patient. Mrs. Ormon spoke about the sidewalk replacement program, which replaces sidewalks that were damaged by tree roots, all other replacement are the responsibility of the homeowner.

Mrs. Ormon spoke about the recent fires that occurred in and around the First Ward, and informed all that a suspect had been caught. She talked about the damage that was done.

**Second Ward**

President Yamakaitis requested that Mr. Javick do the finance report. Mr. Javick gave the following report of the Budget Review and Finance Committee:

Mr. Javick gave the following report:

Approval is requested for the following finance actions:

1. The payment of bills totaling $2,258,819.89. 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 July at the rate of 2.75%.

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

Mr. Javick then gave the report of the Fire Committee, noting that the Fire Prevention Bureau collected a total of $7250.64 for the month of July. The ambulance reimbursement system collected a total of $53,348.46 for the month of July, bringing the year to date total to $418,968.37. He announced the details on the upcoming Fire Prevention night and asked all to mark their calendars.

Mr. Javick noted that he is advocating for a four-way stop, and a light, at the corner of W. Elm St and DeWitt St. He noted the discussion of the Accident Review Committee and the Police Traffic Bureau on eliminating this situation. He noted he has also provided several additional items, regarding DeWitt St, for review. He spoke about the upcoming start, to the new school year, and asked all to be considerate to the crossing guards, as they represent the police, and what their jobs were. He provided updates on several other issues related to the Second Ward. He asked any Second Ward residents with tree issues to call him, and provided his contact information.

**Fourth Ward**

Mr. Mohammed gave the report of the City Clerk’s Licensing Division. The Division collected a total of $1,563.00 for the month of July. In addition the City Clerk’s office collected a total of $3,184.65 was collected from all sources for the month of July.

Mr. Mohammed commended the Linden Police and Fire Departments for apprehending the arsonist responsible for a series of fires, in Linden. He also thanked the person who reported an incident that help the police and fire departments catch the person. Mr. Mohammed announced that the Fourth Ward Park day would be held on this Friday and Saturday. He asked that all remain safe, and if they hadn’t made it to the beach, this season, to take a day and do so.

**Fifth Ward**

Ms. Cosby wished her daughter, CC, a happy fifteenth birthday. She announced that the installation of the new playground equipment at the Hagel Avenue Park, is on hold in order to deal with a major drainage issue that was recently discovered. She spoke about the delay in the installation of the street lighting she had requested for Mildred Ave and Bernard Ave, noting the expected installation schedule. Ms. Cosby announced that Cranford Ave has finally been paved, thanks, in part, to a grant from the Freeholders. She thanked her neighbors for their patience.

Ms. Cosby proved an update on the recent Fifth Ward meeting, and the matters that were discussed there, announced details regarding the next meeting, and what the agenda would be for the evening. Next she spoke about her upcoming Fourth Annual Cancer Awareness Walk, and provided details on this event. Ms. Cosby stated that she expected to see the ordinance for the new traffic pattern for the Fifth Ward, Fourth District, and that she is expecting it for next month. She explained the changes that would take place.

Ms. Cosby spoke about her calls for fair and equitable hiring practices, and that she is disappointed. She explained a number of issues, and her request for Council to create an investigation committee. She talked about time running out, and that they wanted her to wait until next month. She stated that she is not going to do that, as she and the residents have been waiting for years. There needs to be an investigation, and provided examples of the problems that she was speaking about. She noted that there is a Personnel Committee, but explained her objection to their conducting an investigation, and that fair investigation needs to be done, and why.

**Sixth Ward**

Mr. Roman began by stating that he has never recommended anyone for a job, as that would be an instant disqualification. He next spoke about the recent passing of a Kenilworth firefighter, and displayed pictures of the individual, noting that he was a County employee for over ten years. He offered his condolences to the family and friends. Mr. Roman announced that the County spray park would be closing on Labor Day, and thanked Public Properties for getting trash cans out, which has helped the residents in the area. He added that he would be sitting down, with the County, to help make the park better for everyone especially for the area residents, for next year.

Mr. Roman spoke about flooding issues, on Twelfth St, and the loss of a few cars in the flooding that occurred. He noted that DPW would be cleaning out the sewer lines, in the area, and a study to improve them would be done. He spoke about the paving issue, on E. Morris Ave., would be fixed this month.

Mr. Roman announced the details of the Second Annual Sixth Ward garage sale, this month. The same day, September 21st of 22nd, he would also be doing the annual Sixth Ward cleanup, and requested volunteers and help. Mr. Roman also reminded all about the upcoming September to Remember street festival. He also provided details on intersection improvements that were being done as part of the preparation for opening of the new Walmart store on Routes on Route 1 & 9. The improvements were being done to street surrounding the development. He urged residents to sign up for Nixel so that they can receive alerts from the Linden Police Department.

Mr. Roman noted that the bridge, on South Stiles St. has not been painted for years, and he would be working on getting it painted. He also informed all that there has been two more accidents on Clinton Street. He spoke about the fourteen or so accidents that have occurred on Clinton St, between 1 & 9 and Linden Avenue. He noted the need for four-way stop signs, and in the meantime various other safety improvements that were being done.

**Seventh Ward**

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

**PERSONNEL REPORT**

Councilman Strano, Chairman

Councilwoman Ormon, Member

Councilman Javick, Member

August 20, 2019

1. Fire Department:
   1. The promotion of Lieutenant Jason Iozzi to the rank of Captain effective August 28, 2019 at the annual salary of $124,000.00.
   2. The promotion of Firefighter Thomas Wengerter to the rank of Lieutenant effective

August 28, 2019 at the annual salary of $108,000.00.

1. Community Services

Public Works:

* 1. Approval of residency waiver for Miroslaw Jankowski, Diesel Mechanic previously approved but not specified on Personnel Report dated July 16, 2019.
  2. Accepting the resignation in good standing of Cornelius Daves, Laborer (tier 2), effective August 2, 2019.
  3. Termination of Nicholas Grzybowski, Laborer 1 (Tier 2), effective August 1, 2019.
  4. Termination of Eric Meik le, Laborer 1 (Tier 2), effective August 16, 2019.
  5. Approval to post external for four (4) Laborers at the starting salary of $15.00 per hour.
  6. Approval of salary adjustment James Venditto to $98,213 annually, pursuant to the resolution of Teamsters 125 grievance.

1. Department of Parks and Recreation:
   1. Approval of Seasonal List on file in the City Clerk’s Office.
2. Police Department:
   1. The termination of Michael Forfa, Police Officer effective August 9, 2019.
   2. The hiring of Erik Libbey and Timothy Howarth Taylor as Public Safety Telecommunicators pending the successful completing of all City and Police Department pre-employment requirements at the annual salary of $38,000.00.
   3. Permission to hire up to eight (8) Police Officers at the annual salary of $40,000.00 from the attached list pending the successful completion of the Police Department’s background check and successful completion of all medical and psychological examinations.
3. Personnel:
4. Amend hire date for Shanelle King, intern, from July 17, 2019 to July 29, 2019.
5. FMLA/NJFLA leaves:

Requests have been reviewed by Council. Approved list on file with the Division of Personnel.

Mr. Strano asked for comments from members of the public.

Virginia Malik. Ms. Malik asked if the hiring of the eight police officers was in the budget. Mr. Roth noted that they were, but at this point the department was down to viable candidates, and they still had to undergo further testing. Mr. Roth responded to further questions from Ms. Malik.

Mr. Strano moved for the approval of the personnel report. The motion was seconded by Mrs. Ormon. President Yamakaitis asked for comments from the Council.

Ms. Cosby asked residents to do some history and look and see how many non-city residents have been hired, and then remember what she said about fair hiring and the need for an investigation.

Mr. Roman pointed that diesel mechanic, with the proper certifications, is not an easy thing to find, in the City, and there is a need to fill this position.

Mr. Strano explained how the position was advertised, on several occasion, and the lack of qualified candidates applying. He talked about the need for residency waivers to get a qualified candidate.

Mayor Armstead stated that this notion of unfairness, in the hiring practices, is absurd. He noted that for a number of years he wasn’t able to get qualified candidates hired, and now that there has been a shift in the power structure, in this town, and others are getting considered, now. If an application was filled out, and someone feels that an application was overlooked, please call the Mayor’s office so that it can be addressed. He spoke about the comments of the Fifth Ward Council person. He also talked about the issue of hiring outsiders, noting that the City tries to hire residents first, but if we cannot find a qualified candidate, we have to go outside. He talked about the hiring of the diesel mechanic.

Mr. Mohammed stated that there is an excellent Personnel Committee, and any concerns that any Council members have, that would be the appropriate place to bring it. The City is fair.

Ms. Cosby asked for an opportunity to speak again, President Yamakaitis asked Mr. Antonelli if the rules allowed for it. Mr. Antonelli noted the rules, and discussions on the Personnel report should take place in executive session. He reminded members of the Council to be cautious with their comments.

President Yamakaitis requested the clerk to call the roll. The personnel report was ordered approved with all voting yes with the exception of Ms. Cosby who abstained.

Mr. Strano congratulated the promoted fire officers and recognized Mr. Iozzi, who was in the audience.

**Eighth Ward**

Mr. Coates noted that Linden is a beautiful town, and that we all need to get along. He thanked Ms. Tango for doing a great job with City services. He spoke about the paving of Cranford Ave., pleasing the residents of the Fifth and Eighth Ward. Mr. Coates spoke about the great job, done by the Fire Department, over the last three weeks, putting out fires around town. He then spoke about the safety efforts of the Police Department, and asked residents to lock their car doors, and not leave items in their cars, that may be taken.

Mr. Coates spoke about the upcoming new school year, and wished Linden students a successful school year. He urged them to use all of the Linden resources available to them. He provided his contact information.

**Ninth Ward**

Mr. Medina gave the report of the Construction Code and Lighting Committee. He moved for the installation of street lighting at the following location: 1) Pole #60312, in front of 2215 N. Wood Avenue. The motion was seconded by Mr. Roman and was unanimously ordered approved by a roll call vote.

Mr. Medina spoke about late night parties, and that for the first time he is getting a number of complaints, and spoke about how he addresses the issue. He asked all to be considerate of their neighbors. Mr. Medina informed all that on the issue of North Wood Ave., he was finally able to connect with the Mayor of Roselle. He is trying to set up a meeting, with all of the stake holders, as this particular stretch of North Wood Ave, is not a County Road. He noted the bad shape of the road, and the need to get it paved. He was hoping to get the County to take over that stretch of road, and the explained the reasons why.

Mr. Medina spoke about the amazing job that is being done trimming trees, by the DPW, but there are still some trees that need to be trimmed. He noted that sidewalk repairs, and paving projects should start in September. He then spoke about Resolution 2019-319 authorizing the hiring of a consultant to look into some of the flooding issues throughout the City. He noted Ninth Ward areas that would be included in the study. Next Mr. Medina spoke about the opening of school and asked all to be extra cautious when driving, and watch out for the children. He provided his contact information.

**Tenth Ward**

Mrs. Hickey noted that the many of the members of the Council are invited to events all the time, and that all try their best to make everything, although that doesn’t happen all of the time. She explained that she recently attended the American Legion flag raising ceremony, and met the new commander. The commander will be trying new events. The Legion presented the Mayor and Council, with a plaque, which Mrs. Hickey read the inscription from. She then presented the plaque to the Mayor.

Mrs. Hickey spoke about the fire promotions, made this evening, and the quality of the individuals being promoted. She then spoke about the recent arson fires, and the tremendous amount of help that Linden received from all over the County, and the State. She also talked about the efforts of the Police, OEM and other departments. Mrs. Hickey next spoke about the Housing Authority’s Casino night, announcing the date that this will be the 10th Casino night. She gave a shout out to the residents of Stockton St. and stated that the cause of their issues is moving away.

Mrs. Hickey spoke about burglaries, in the Tenth Ward and the efforts of the police to catch the individuals breaking into cars, noting that many are teenagers. Addressed the importance of people locking their cars. She talked about a joint Ninth and Tenth Ward event that she and Mr. Medina were planning. Mrs. Hickey spoke about Wood Ave., and how much she has always appreciated it, and come January she would like to help with Wood Ave. She talked about working with Council, come January to improve Wood Ave. She stated that we need to be proud every day, and concluded by telling all to enjoy the rest of the summer.

**Mayor’s Report**

Mayor Armstead announced that recently he had received a market activity report, for Linden, from a local realtor. Property values are increasing, and homes are being sold. The Mayor then spoke about resolution 2019-305, which would be voted on later this evening. He noted that it dealt with the old Linden Chlorine property, describing the property, and its condition. He talked about how hard he is working to try and get it back onto the tax rolls. He then spoke about resolution 2019-306, explaining its location and that it is an old industrial site. He stated that a developer is interested in building 500 Sq. Ft. of warehousing on it.

Mayor Armstead has announced that he has appointed Hans Herberg to the Linden Environmental Commission. He talked about Mr. Herberg’s qualities and that as Mayor he embraces people who bring solutions. Next he spoke about the SID, and how passionate Mrs. Hickey is about it. He then urged the governing body to, in January, appoint her as the Councils member of SID, giving her the opportunity to do a good job. Mayor Armstead then talked about the Heritage Square mall that would be opening soon. He identified some of the tenants of the various stores and that Walmart will be hiring 300 employees.

Mayor Armstead then addressed Ordinance 63-37, introduced this evening creating an office of Constituent services. This moves us into 2020 and changes how we do things in Linden. He outlined the structure of the office.

Mayor Armstead announced the details of the Mayor’s annual backpack to school event and reminding all that it was open to Linden residents only. He talked about, and provided details on the annual community day at the 4th Ward Park, and thanked all for helping put these events together each year. He gave a report on the Police Department and announced that applications for the police civil service test are now being taken, with a deadline of August 31, 2019. Linden First would assist people in completing the applications.

Council President requested the approval to waive a dumpster application fee for Ms. Jessica Donoghue of 706 Erudo Street due to their home being destroyed in an arson incident within the city.

Mrs. Ormon moved for the approval to waive the dumpster fee. The motion was seconded By Mr. Coates and was unanimously ordered approved by a roll call vote.

**RESOLUTIONS**

President Yamakaitis made the following announcement:

Public comments will be permitted for those specific resolutions to be removed from the consent approval. Each member of the public shall be given up to 3 minutes to speak on a resolution that they requested to be removed from the agenda. If they request more than one resolution to be removed, regardless of number, they will have a total of 5 minutes to speak on all.

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.

Diane Wilverding asked to remove Resolutions 2019-302 and 316.

Hans Herberg asked to remove Resolutions 2019-292, 303 and 304

Virginia Malik asked to remove Resolutions 2019-293, 297, 299, 302, 304, 308, 316, 317, 320, 324, and 325.

Craig Halloran asked to remove Resolutions 2019-294, 295, 301 and 309.

Ed Kaminsksi asked to remove Resolutions 2019-302, 303, 304 and 323.

Robert Kingsley asked to remove Resolution 2019-302

Thomas Madden asked to remove Resolution 2019-302

Adam William asked to remove Resolution 2019-302

John Roman asked to remove Resolutions 2019-302, 307, 316 and 292.

**RESOLUTION: 2019-292**

**CITY OF LINDEN RESOLUTION**

**GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT**

**WHEREAS,** N.J.S.A. 40A:5-4 requires the Governing Body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

**WHEREAS,** the Annual Report of Audit for the year 2018 has been filed by a Registered Municipal Accountant with the City of Linden’s Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the Governing Body; and

**WHEREAS,** R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

**WHEREAS,** the Local Finance Board has promulgated N.J.A.C. 5:50-6.5, a regulation requiring that the Governing Body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the Governing Body have reviewed, as a minimum, the sections of the annual audit entitled “Comments and Recommendations”; and

**WHEREAS,** the members of the Governing Body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled “Comments and Recommendations”; and

**WHEREAS,** such Resolution and Certification shall be adopted by the Governing Body no later than forty-five (45) days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

**WHEREAS,** all members of the Governing Body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

**WHEREAS,** failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local Governing Body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52-27BB52: A local officer or member of a local governing body who,

after a date fixed for compliance, fails or refuses to obey an order of the

director (Director of Local Government Services), under the provisions of

this Article, shall be guilty of a misdemeanor and, upon conviction, may be

fined not more that one thousand dollars ($1,000.00) or imprisoned for not

more than one year, or both, in addition shall forfeit his office.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this Resolution and the required affidavit to said Board to show evidence of said compliance.

**I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE RESOLUTION PASSED AT THE MEETING HELD ON August 20, 2019.**

**RESOLUTION: 2019-293**

**RESOLUTION CHAPTER 159**

**LEAD HAZARD INSPECTIONS CHILDHOOD LEAD**

**EXPENSE PROJECT 2019-2020**

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

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

**WHEREAS,** the City of Linden will receive a subgrant not to exceed $4,000.00 from the City of Plainfield Health Department and wishes to amend its 2019 Budget to include this amount as a revenue, and

**NOW, THEREFORE, BE IT RESOLVED** that the Council of the City of Linden hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2018 in the sum not to exceed $ 4,000.00 which item is now available as a revenue from:

Miscellaneous Revenues

Special items of General Revenue Anticipated with

Prior Written Consent of the Director of Local

Government Services:

Public and Private Revenues off-set with Appropriations:

Lead Hazard Inspections – 2019/2020

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

General Appropriations

(A) Operations excluded from "CAPS"

Public and Private Programs off-set by revenues:

Lead Hazard Inspections – 2019/2020

**RESOLUTION: 2019-294**

**RESOLUTION AWARDED TO NATURE’S CHOICE CORP. FOR THE DISPOSAL OF GRASS CLIPPINGS SOLICITED BY QUOTATIONS FOR THE DIVISION OF PUBLIC WORKS**

**WHEREAS**, the City of Linden wishes to retain services for the disposal of grass clippings in the Division of Public Works; and

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

**WHEREAS,** Nature’s Choice Inc., 398 Lincoln Blvd B #1, Middlesex, NJ 08846 was solicited for quotations; and

**WHEREAS,** Nature’s Choice Inc., provided the most advantageous quote, price and others factors considered in the amount not to exceed $39,000.00; and

**WHEREAS**, the Chief Finance Officer has certified the availability of funds for this award, which will be charged to account #T-03-56-807-000-152 and;

**NOW THEREFORE BE IT RESOLVED** Nature’s Choice Corp., be awarded a contract for the services of disposal of grass clippings at the low quote of $39,000.00.

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

**RESOLUTION: 2019-295**

**RESOLUTION AUTHORIZING AN AWARD OF A CONTRACT FOR KOMATSU NORTHEAST FOR KOMATSU REPAIR LOCATED AT THE DIVISION OF PUBLIC WORKS**

**WHEREAS**, the City of Linden has a need to repair a Komatsu front end loader located in the Division of Public Works ; and

**WHEREAS**, N.J.S.A. 40A:11-5.1 (1) provides for the exemption of equipment repair service if in the nature of an extraordinary unspecifiable service and necessary parts furnished in connection the service; and

**WHEREAS,** the anticipated term of this contract is one (1) year; and

**WHEREAS**, Komatsu has submitted a proposal dated July 8, 2019 indicating they will provide the service repair required for the aforesaid price not to exceed $46,000.00; and

**WHEREAS**, funds have been previously certified and will be charged to account/line item 9-01-26-301-159-233; and

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

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

**RESOLUTION: 2019-296**

**RESOLUTION FOR PURCHASE OF ONE TORO GROUNDMASTER 4000-D FROM STORR TRACTOR COMPANY THROUGH THE MIDDLESEX REGIONAL EDUCATIONAL SERVICES COMMISSION CO-OP ESCNJ CO-OP #65 MCESCCPS, BID ESC 18/19-25 FOR THE DIVISION OF PUBLIC WORKS**

**WHEREAS**, the City of Linden wishes to obtain services from an authorized vendor under the Middlesex Regional Educational Services Co-op (MRESC) Contract 18/19-25. Awarded to Storr Tractor, 3191 Route 22, Somerville, NJ 08876, 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**, Storr Tractor, has been awarded Contract #18/19-25, for the provision of grounds 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 $66,846.40 and,

**WHEREAS**, the Chief Finance Officer has certified the availability of funds for this contract, which will be charged to account number C-04-55-907-712-919 and,

**NOW THEREFORE BE IT RESOLVED** by the City of Linden that Storr Tractor 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: 2019-297**

**RESOLUTION CHAPTER 159**

**DRIVE SOBER OR GET PULLED OVER LABOR DAY**

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

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

**WHEREAS,** the City of Linden will receive $5,500.00 from the State of New Jersey Law and Public Safety and wishes to amend its 2019 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 2019 in the sum of $5,500.00 which item is now available as a revenue from:

Miscellaneous Revenues

Special items of General Revenue Anticipated with

Prior Written Consent of the Director of Local

Government Services:

Public and Private Revenues off-set with Appropriations:

DRIVE SOBER OR GET PULLED OVER LABOR DAY

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

General Appropriations

(A) Operations excluded from "CAPS"

Public and Private Programs off-set by revenues:

DRIVE SOBER OR GET PULLED OVER LABOR DAY

**RESOLUTION: 2019-298**

**RESOLUTION AUTHORIZING ISSUANCE OF**

**DUPLICATE TAX SALE CERTIFICATE PURSUANT TO**

**CHAPTER 99 OF THE PUBLIC LAWS OF 1997**

**WHEREAS,** Fig Cust Fig NJ19, LLC & Sec Pty has previously purchased Multiple Tax Sale Certificate at the tax sale held on June 7, 2019 comprising a lien on multiple properties listed on attachment A, and has filed a duly executed Affidavit swearing that he is still the lawful owner of said certificate but has lost same;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** that the Tax Collector be and is hereby authorized to issue a duplicate certificates to be marked “Duplicate Certificate” to Fig Cust Fig NJ19, LLC & Sec Pty. There is a fee of $100.00 for each of the 40 duplicate tax sale certificates.

**RESOLUTION: 2019-299**

**RESOLUTION AUTHORIZING THE USE OF STATE CONTRACT 17-FLEET-00241 FOR ONE 2019 FORD 450 SUPER DUTY 4X4 W. 9’ WESTERN PLOW FROM ROUTE 23 AUTOMALL FOR THE DIVISION OF PUBLIC WORKS**

**WHEREAS**, the City of Linden wishes to obtain one 2019 Ford 450 Super Duty 4x4 with 9’ western plow from an authorized vendor under the State of New Jersey contract 17-FLEET-00241 awarded to Route 23 Auto Mall, 1301 Route 23, Butler, NJ 07405 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**, Route 23 Auto Mall has been awarded Contract 17-FLEET-00241 for the provision of motors fleet; 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 $67,185.00 and,

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

C-04-55-907-710-919 $65,000.00

9-01-26-300-167-236 $ 2,165.00

**NOW THEREFORE BE IT RESOLVED** by the City of Linden that Route 23 Auto Mall 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: 2019-300**

**RESOLUTION AUTHORIZING THE USE OF STATE CONTRACT A40321 T-2959 FOR ONE 2019 FORD F-350 SEWER UTILITY TRUCK FROM ROUTE 23 AUTOMALL FOR THE DIVISION OF PUBLIC WORKS**

**WHEREAS**, the City of Linden wishes to obtain one 2019 Ford F-350 Sewer Utility Truck from an authorized vendor under the State of New Jersey contract A40321 T-2959 awarded to Route 23 Auto Mall, 1301 Route 23, Butler, NJ 07405 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**, Route 23 Auto Mall has been awarded Contract A40321 T-2959 for the provision of motors fleet; 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 $65,718.52 and,

**WHEREAS**, the Chief Finance Officer has certified the availability of funds for this contract, which will be charged to account number C-04-55-907-711-919; and

**NOW THEREFORE BE IT RESOLVED** by the City of Linden that Route 23 Auto Mall 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: 2019-301**

**RESOLUTION AUTHORIZING A SHARED SERVICES**

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

**NURSING SERVICES FOR THE YEAR 2019-2020**

**WHEREAS**, in accordance with Chapter 226, Laws of 1991, approved July 26, 1991, money is appropriated to local Boards of Education to provide nursing services to non-public schools; and

**WHEREAS**, the Linden Board of Education has chosen to have the Board of Health of the City of Linden provide these nursing services to Sinai Christian Academy, and will forward the appropriated money to the City of Linden;

**WHEREAS,** at the Board of Education meeting held on July 30, 2019, the Board approved the acceptance of funds in the amount of $6,984.00 for the 2019-2020 school year for non-public nursing;

**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 nursing services to non-public schools for the 2019-2020 school year and will forward to the City of Linden Municipal Treasurer the appropriated amount of $6,984.00; 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.

**RESOLUTION: 2019-302**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDEN ISSUING A MORATORIUM ON THE APPLICATION FOR OR ACCEPTANCE OF FURTHER FEDERAL AIRPORT IMPROVEMENT GRANT FUNDS**

**WHEREAS,** the City of Linden (the “City”) is the owner of Linden Municipal Airport (LDJ) (the “Airport”); and

**WHEREAS**, the Airport is a designated public use general aviation airport pursuant to the Airport and Airway Improvement Act, 49 U.S.C. § 47101, et seq. (the “Act”); and

**WHEREAS**, the City currently leases the Airport to a qualified airport operator, Linden Aviation Management, LLC (“LAM”); and

**WHEREAS**, the City has previously applied for and accepted grants administered under the Federal Aviation Administration (FAA)’s Airport Improvement Program (“AIP”) pursuant to the provisions of the Act for various Airport improvement projects; and

**WHEREAS**, pursuant to the Act, the acceptance of AIP and other federal grants has subjected the City to various FAA compliance mandates regarding the condition and operation of the Airport; and

**WHEREAS**, the Airport Committee of the City Council, in consultation with LAM and the City’s Aviation Counsel, has undertaken a review of the Airport and its operations, and has determined that AIP and other federal grant funds are no longer necessary for the proper maintenance and operation of the Airport, and should not be necessary for the foreseeable future; and

**WHEREAS**, the Airport Committee has recommended to the City Council that the City issue a moratorium on the application for or acceptance of federal grant monies, including AIP grants, for Airport improvement or renovation projects until such time as the Airport Committee and City Council find and declare that it is in the best interest of the City and its residents to resume the City’s participation in such grants.

**NOW, THEREFORE, BE IT RESOLVED,** by the City Council of the City of Linden, in the County of Union, and State of New Jersey, as follows, that:

1. The aforesaid recitals are hereby adopted and incorporated herein as if repeated in full; and
2. The City Council hereby issues a moratorium on the application for or acceptance of federal grant monies, including AIP grants, until such time as the Airport Committee and City Council find and declare that it is in the best interest of the City and its residents to resume participation in such grant programs; and
3. The Mayor and City Administration be and hereby are authorized to take all reasonable and necessary action to effectuate the same.

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

**RESOLUTION: 2019-303**

**CITY OF LINDEN RAT RESOLUTION**

**WHEREAS,** there were certain payments made by the Municipal Treasurer during the month of July 2019 which do not appear on the Claims list,

**WHEREAS,** said payment must be ratified by the Governing Body of the City of Linden,

**NOW, THEREFORE, BE IT RESOLVED** that the following payments be and hereby are approved:

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

173971 7/1/2019 Jihad Muhammad DJ – Linden Dance Festival $1,200.00

173872 7/3/2019 Diana Fratello Medicare Reimbursement $2,226.00

173973 7/3/2019 DD Promotions LLC Dancing Dream Band – 7/16/2019 $2,900.00

173974 7/3/2019 Route 80’s Band LLC Route 80’s Band – 7/23/2019 $2,500.00

173975 7/3/2019 Dominick Russo Medicare Reimbursement $1,113.00

173976 7/3/2019 Estate of Alex Rachel Medicare Reimbursement $654.00

7/3/2019 Vision Service Plan July Vision Claims $4,494.86

7/3/2019 Express Scripts/Medco Prescription Claims 6/1 – 6/28 $80,762.14

7/3/2019 Unity Bank Workers Comp 6/24 – 6/30 $40,188.16

7/3/2019 Unity Bank Workers Comp 7/1 $9,200.00

7/5/2019 Elavon, Inc. July Merchant Fee – Garage Sale $57.15

7/10/2019 Unity Bank Workers Comp 7/1 – 7/7 $7,171.63

7/11/2019 Treasurer State of NJ Theatre Debt Payment $20,209.54

7/11/2019 US Bank Admin Fee – Morningstar 2007 $3,300.00

7/12/2019 Payroll 7/16/19 Payroll – Current $1,818,224.48

7/12/2019 Payroll 7/16/19 Payroll – Trust $76,079.62

7/12/2019 Payroll 7/16/19 Payroll – Grant $9,023.30

7/12/2019 Payroll 7/16/19 Payroll – Unemployment $461.29

7/15/2019 SHBP Retirees July Health Premium $402,749.82

7/15/2019 SHBP Active May Health Premium $688,330.11

7/19/2019 Unity Bank Workers Comp 7/8 – 7/14 $13,162.77

7/22/2019 Express Scripts/Medco Prescription Claims 6/29 – 7/12 $35,782.54

7/23/2019 Elavon, Inc. July Merchant Fee – Dog Online $122.86

174247 7/24/2019 Anthony D’Amato Bounce Factory Trip 7/26/2019 $2,120.00

174248 7/24/2019 Diversified Vehicle Serv. Command Vehicle Upgrades $2,625.00

7/24/2019 Wells Fargo Bank Multi Park 2004 Debt Payment $5,882.79

7/24/2019 Unity Bank Workers Comp 7/15-7/21 $32,599.99

7/24/2019 Delta Dental of New Jer. August Premiums $44,857.15

7/25/2019 Payroll 7/30/19 Payroll – Current $1,827,151.98

7/25/2019 Payroll 7/30/19 Payroll –Trust $91,890.55

7/25/2019 Payroll 7/30/19 Payroll – Grant $8,615.61

7/25/2019 Payroll 7/30/19 Payroll – Capital $158.62

7/25/2019 Payroll 7/30/19 Payroll – Unemployment $411.82

174249 7/26/2019 Federal Aviation Adm. AIP Grant 3-34-0019-017-2014 $45,648.38

7/30/2019 M&T Bank UCIA PAL 2003 Debt Payment $119,120.63

7/30/2019 M&T Bank UCIA Airport 1998 Debt Payment $61,632.51

7/30/2019 US Bank Corporate Trust NJEIT 2005 Debt Payment $245,006.52

7/30/2019 US Bank Corporate Trust NJEIT 2006 Debt Payment $55,960.28

7/30/2019 US Bank NA NJEIT 2004 A- Debt Payment $591,199.38

7/30/2019 US Bank NA NJEIT 2009 A- Debt Payment $88,915.49

7/30/2019 Treasurer State of NJ Multipark 2009- Debt Payment $5,563.85

7/31/2019 Express Scripts/Medco Prescription Claims 6/29 – 7/26 $92,256.31

7/31/2019 Unity Bank Workers Comp 7/22 – 7/28 $43,282.38 174250 7/31/2019 Amer. Multi-Cinema, Inc. Day Camp Trip 7/31/19 $1,298.2

**RESOLUTION: 2019-304**

**A RESOLUTION IN SUPPORT OF THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY’S IMPROVEMENTS TO NEWARK AIRPORT.**

**WHEREAS**, Newark Liberty International Airport is pursuing a $2.7 billion redevelopment plan to overhaul its oldest terminal and build a one-million-square-foot terminal with 33 gates and a new 3,000-car parking garage.  The project has been named “Terminal One”; and

**WHEREAS**, Terminal A, which will be upgraded and renamed Terminal One, is the older of three terminals at the airport.  In 2016, the terminal served 10.6 million annual passengers; and

**WHEREAS**, Terminal One is expected to create more than 23,000 jobs, $1.9 billion in wages and spur $4.6 billion in economic activity in the area, according to estimates by the Port Authority of New York and New Jersey, which operates the airport; and

**WHEREAS**, the planned upgrades will also reduce passenger congestion with new roadways and a pedestrian bridge.  The airport will also get new dining and retail spaces as well as updated technology; and

**WHEREAS**, the Port Authority of New York and New Jersey previously approved funding and picked the team that will design and construct the terminal for $1.41 billion; and

**WHEREAS**, Newark Liberty International Airport is a vital entity in the region.  It is a major source of transportation and employment for residents in Essex County including the City of Orange; and

**WHEREAS**, the Terminal One project will also create new economic opportunities for contractors, vendors, and the local workforce; and

**WHEREAS**, minority, women and veteran owned businesses have typically been underutilized as vendors for this type of public improvement project; and

**WHEREAS**, the City Council of the City of Linden supports greater opportunity and access for minority, women and veteran owned businesses.

**NOW, THEREFORE, BE IT RESOLVED,** that the City Council of the City of Linden expresses its full support for the Terminal One project as a vital redevelopment project in the Greater Essex County area and further supports the use and inclusion of New Jersey, Union County based minority, women and veteran owned businesses as vendors for the project.

**RESOLUTION: 2019-305**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDEN, COUNTY OF UNION, NEW JERSEY AUTHORIZING THE PLANNING BOARD TO INVESTIGATE WHETHER THE PROPERTY COMMONLY KNOWN ON THE CITY’S TAX MAPS AS BLOCK 587, LOTS 3.01, 3.02 AND 3.03 SHOULD BE DESIGNATED AS AN AREA IN NEED OF REDEVELOPMENT PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A*. 40A:12A-1, *et seq.***

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

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

**WHEREAS,** the City Council believes it is in the best interest of the City that an investigation occur with respect to certain parcels within the City and therefore authorizes and directs the Planning Board to conduct an investigation of the property commonly known on the City tax maps as Block 587, Lots 3.01, 3.02 and 3.03 (hereinafter the “**Study Area**”), to determine whether the Study Area meets the criteria set forth in the Redevelopment Law, specifically  *N.J.S.A.* 40A:12A-5, and should be designated as an area in need of redevelopment; and

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

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

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

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

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

Section 4. The Planning Board shall conduct a public hearing in accordance with the Redevelopment Law, specifically *N.J.S.A.* 40A:12A-6, after giving due notice of the proposed boundaries of the Study Area and the date of the hearing to any persons who are interested in or would be affected by a determination that the Study Area is an area in need of redevelopment. The notice of the hearing shall specifically state that the redevelopment area determination shall not authorize the City or City Council to exercise the power of eminent domain to acquire any property in the delineated area, for the Study Area is being investigated as a Non-Condemnation Redevelopment Area.

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

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

Section 7. This Resolution shall take effect immediately.

**RESOLUTION: 2019-306**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDEN, COUNTY OF UNION, NEW JERSEY AUTHORIZING THE PLANNING BOARD TO INVESTIGATE WHETHER THE PROPERTY COMMONLY KNOWN ON THE CITY’S TAX MAPS AS BLOCK 513, LOTS 4.01 AND 4.02 SHOULD BE DESIGNATED AS AN AREA IN NEED OF REDEVELOPMENT PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, *N.J.S.A*. 40A:12A-1, *et seq.***

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

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

**WHEREAS,** the City Council believes it is in the best interest of the City that an investigation occur with respect to certain parcels within the City and therefore authorizes and directs the Planning Board to conduct an investigation of the property commonly known on the City tax maps as Block 513, Lots 4.01 and 4.02 (a/k/ 2525 Brunswick Avenue and 1300 Thomas Street Rear) (hereinafter the “**Study Area**”), to determine whether the Study Area meets the criteria set forth in the Redevelopment Law, specifically  *N.J.S.A.* 40A:12A-5, and should be designated as an area in need of redevelopment; and

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

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

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

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

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

Section 4. The Planning Board shall conduct a public hearing in accordance with the Redevelopment Law, specifically *N.J.S.A.* 40A:12A-6, after giving due notice of the proposed boundaries of the Study Area and the date of the hearing to any persons who are interested in or would be affected by a determination that the Study Area is an area in need of redevelopment. The notice of the hearing shall specifically state that the redevelopment area determination shall not authorize the City or City Council to exercise the power of eminent domain to acquire any property in the delineated area, for the Study Area is being investigated as a Non-Condemnation Redevelopment Area.

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

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

Section 7. This Resolution shall take effect immediately.

**RESOLUTION: 2019-307**

**RESOLUTION FOR APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE N.J. DEPARTMENT OF TRANSPORTATION FOR IMPROVEMENTS TO WEST CURTIS STREET, WEST LINDEN AVENUE, MCCANDLESS STREET AND ORCHARD TERRACE**

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

**WHEREAS**, West Curtis Street, West Linden Avenue, McCandless Street and Orchard Terrace have deteriorated to a point of where they are in need of repair; and

**WHEREAS**, a cost for said improvements has been estimated at $770,000.00 of which $751,000.00 will be requested through the 2020 NJDOT Municipal Aid Grant;

**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-2020, SAGE APPLICATION 00693, 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: 2019-308**

**A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT**

**TO RUTGERS UNIVERSITY FOR THE RUTGERS MINI MPA CLASS FOR ELECTED OFFICIALS AND DEPARTMENT HEADS**

**WHEREAS,** the City Council of the City of Linden has determined to permit elected officials and Department Heads to participate in the Rutgers Mini MPA program; and

**WHEREAS,** City Council believes such program will be beneficial to those individuals who choose to participate in the program and will allow the City to run more efficiently; and

**WHEREAS**, pursuant to N.J.S.A 40A:11-5(2), an award of contract to a New Jersey State University is not subject to public bidding laws; and

**WHEREAS,** the Chief Financial Officer has certified as to the availability of funds for this purpose, as attached hereto, which will be charged to account/line item No. 9-01-20-131-113-270;

**WHEREAS**, the cost of said program is $25,000; 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 Rutgers University in the amount of $25,000.00.

2. This Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents between Rutgers University 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: 2019-309**

RESOLUTION AMENDING THE REGULAR MEETING SCHECULE FOR THE DATE OF THE NOVEMBER, 2019 COUNCIL MEETING OF THE CITY COUNCIL OF THE CITY OF LINDEN

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

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

CONFERENCE MEETINGS

CONFERENCE MEETINGS PRIOR TO COUNCIL MEETINGS COUNCIL MEETINGS

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

Oct. 15, 5:00 p.m. to 7:00 p.m. Oct. 15, at 7:00 p.m.

Nov. 12, 5:00 p.m. to 7:00 p.m. Nov. 12, at 7:00 p.m.

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

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

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

**RESOLUTION: 2019-310**

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

**TO BE HELD IN THE SIXTH WARD**

WHEREAS, the City Council has determined to allow a community wide garage sale in the Sixth Ward on September 21, 2019 with a rain date of September 22, 2019 ; 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 Sixth Ward 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 Sixth Ward on September 21, 2019, with a rain date of September 22, 2019.
2. The Sixth 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: 2019-311**

**RESOLUTION SUPPORTING THE 2020 U.S. CENSUS AND A COMPLETE COUNT FOR LINDEN**

**WHEREAS,** preparations for the 2020 U.S. Census are well underway, signaling once again our nation’s decennial effort to count and analyze its growing population; and

**WHEREAS,** the Census, mandated by Article 1, Section 2 of the U.S. Constitution, is a civic activity that affects people of all ages, races, cultures, and ethnicities; and

**WHEREAS,** the importance of a complete and accurate 2020 Census cannot be overstated, as its results help decide how more than $675 billion in federal funds are spent annually across the country on services ranging from emergency response and fire departments to clinics and hospitals; and

**WHEREAS,** Census results also will determine the number of Congressional districts that New Jersey is allotted and will also be used to help draw state legislative and ward lines; and

**WHEREAS,** failing to achieve a complete count of the City of Linden’s residents could deny funding in federal grants for each person not counted; and

**WHEREAS,** when Census Day arrives on April 1, 2020, people will, for the first time, be able to respond anytime and anywhere, be it online, from any device, by mail or by phone; and

**WHEREAS,** conducting the 202 Census will nonetheless be a massive human undertaking, requiring the hiring of hundreds of thousands of part-time workers to carry it out.

**Now, therefore be it resolved,** that the Mayor and Council of the City of Linden do hereby proclaim, April 1, 2020 as “2020 Census full participation day” throughout the City of Linden. In so doing, we pledge our full support to a thorough and accurate count of all Linden residents. We urge all of our municipal counterparts to do likewise, and we commend the U. S. Census Bureau for all of its hard work toward achieving this objective.

**RESOLUTION: 2019-312**

**RESOLUTION ADOPTING THE POLICY MANUAL OF THE CITY OF LINDEN**

BE IT RESOLVED that the Council of the City of Linden adopts the attached revised Policy Manual effective September 1, 2091 and that this Policy Manual supersedes the City’s current Policy Manual.

BE IT FURTHER RESOLVED that this Council authorizes the Personnel Division to distribute the Policy Manual to all employees.

**RESOLUTION: 2019-313**

**RESOLUTION ACCEPTING THE RESIGNATION OF STANLEY FILS AS**

**A MEMBER OF THE LINDEN ECONOMIC DEVELOPMENT CORPORATION**

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

That Stanley Fils, a resident of the City of Linden, New Jersey has tendered his resignation, on August 8, 2019, as a member of the Linden Economic Development Committee, and said resignation is hereby accepted effective as of the date of this resolution.

**RESOLUTION: 2019-314**

**A RESOLUTION APPOINTIN REBECCA KERNS TATTOLLI A MEMBER**

**OF THE LINDEN ECONOMIC DEVELOPMENT CORPORATION OF**

**THE CITY OF LINDEN**

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

That Rebecca Kerns Tattoli, a resident of the City of Linden, County of Union and State of New Jersey, shall be and she hereby is appointed a member of the Linden Economic Development Corporation of the City of Linden (Council Appointment) to serve a term that began January 1, 2019 and terminating December 31, 2020, and until her successor shall have been appointed and shall have qualified.

**resolution: 2019-315**

**A Resolution AUTHORIZING THE CITY OF linden TO PARTICIPATE IN THE National cooperative purchasing alliance (nCPA)**

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

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

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

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

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

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

**RESOLUTION: 2019-316**

**RESOLUTION AMENDING RESOLUTION 2019-247 AUTHORIZING THE INTERIM USE OF A PORTION OF WEST MORRIS AVE BY MERIDIA DEVELOPMENT COMPANY**

**WHEREAS,** Meridia Development Company (“Owner”) is the owner of certain property that is subject to the South Wood Avenue Redevelopment Plan (“RDP”) and

**WHEREAS**, they have requested that they be allowed to use a portion of certain City of Linden owned property known as West Morris Avenue, at its intersection with South Wood Avenue, for the staging certain pieces of construction equipment, needed for the project that they are building between Morris Avenue and Linden Avenue; and

**WHEREAS,** residents would have access, from Penn Pl., and on street parking would still be available to residents; and

**WHEREAS,** by resolution 2019-247, the governing body of the City of Linden granted said request, with a termination date of September 2, 2019; and

**WHEREAS,** it is now necessary to extend the termination date to December 31, 2019.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that resolution 2019-247 is hereby amended to include a termination date of December 31, 2019, and that Meridia Development Company is required to update the insurance certificate naming the City of Linden as co-insured in the amount of $1,000,000.00 and the hold harmless agreement.

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

**RESOLUTION: 2019-317**

**RESOLUTION AMENDING THE CONTRACT WITH CME ASSOCIATES FOR SAMPLING AND ANALYSIS OF WELLS AND PIEZOMETERS, AIR PERMITTING AND REPORTING, LEACHATE MONITORING AND ACO COMPLIANCE SERVICES AT THE LINDEN LANDFILL FOR THE YEAR 2019 IN THE CITY OF LINDEN**

**WHEREAS,** the City Council of the City of Linden passed a resolution on February 20, 2019, No. 2019-94, retaining consulting services for various services at the City of Linden Landfill; and

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

**WHEREAS**, CME Associates, 3141 Bordentown Avenue, Parlin, NJ 08859 submitted a qualification to the City and has qualified for the aforesaid services for 2019; and

**WHEREAS**, due to the ongoing nature of the work, it is necessary to provide an amendment for additional funds not to exceed $82,500.00; and

**WHEREAS**, inclusive of these additional funds the total expenditures paid to CME Associates for services rendered under the original or substantially related contract is $263,548.00; and

**WHEREAS,** Chief Financial Officer has certified to the availability of funds for this purpose, to be charged to Account No. C-04-55-907-665-919.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that the agreement for Professional Services awarded to CME Associates, 3141 Bordentown Avenue, Parlin, New Jersey, is hereby amended to increase the contract an additional sum of $82,500.00, for a total contract of $263,548.00; and

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

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

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

**RESOLUTION: 2019-318**

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

**WHEREAS,** the City Council of the City of Linden passed a resolution on October 16, 2018, No. 2018-408 approving an award of a contract to Pennoni Associates, Inc. for UST A/B Operator License services in the City of Linden in the amount of $19,600.00; and

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

**WHEREAS**, Pennoni Associates, Inc., 24 Commerce Street, Suite 300, Newark, NJ 07102 submitted a qualification to the City and has qualified for the aforesaid services for 2019; and

**WHEREAS**, due to the ongoing nature of the work, it is necessary to provide an amendment for additional funds not to exceed $15,300.00; and

**WHEREAS**, inclusive of these additional funds the total expenditures paid to date to Pennoni Associates, Inc. for services rendered under the original or substantially related contract is $34,900.00; and

**WHEREAS,** Chief Financial Officer has certified to the availability of funds for this purpose, to be charged to Account No. C-04-55-901-611-919.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that the agreement for Professional Services awarded to Pennoni Associates, Inc., 24 Commerce Street, Suite 300, Newark, NJ 07102 , is hereby amended to increase the contract an additional sum of $15,300.00, for a total contract of $34,300.00; and

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

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

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

**RESOLUTION: 2019-319**

**RESOLUTION APPROVING A CONTRACT WITH M. DISKO ASSOCIATES FOR ENGINEERING SERVICES ASSOCIATED WITH THE STUDY AND RECOMMENDATION FOR STORM SEWER IMPROVEMENTS IN THE AREA OF DEWITT TERRACE, ELMWOOD TERRACE, MYRTLE TERRACE, ROSEWOOD TERRACE, EAST HENRY STREET AND HARRISON PLACE IN THE CITY OF LINDEN**

**WHEREAS**, there exists a need for the Study and Recommendation for Storm Sewer Improvements in the Areas of DeWitt Terrace, Elmwood Terrace, Myrtle Terrace, Rosewood Terrace, E. Henry Street and Harrison Place in the City of Linden; and

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

**WHEREAS**, M. Disko Associates, submitted a qualification to the City and has qualified for the aforesaid services for 2019; and

**WHEREAS**, pursuant to the Local Public Contract 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 her designee has certified to the availability of funds for this purpose, which will be charged to Account No. C-04-55-901-657-919.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** that the agreement for Professional Services awarded to M. Disko Associates, P.O. Box 1627, Union, NJ 07083 at a fee not to exceed $34,400.00 in accordance with their proposal dated August 13, 2019; and

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

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

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

**RESOLUTION: 2019-320**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDEN, COUNTY OF UNION, NEW JERSEY DISQUALIFYING EZNERGY NJ LLC FOR THE LEASE OF THE FORMER CITY LANDFILL FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF A SOLAR SYSTEM**

**WHEREAS**, the City of Linden (the “**City**”) is the owner of approximately 55 acres of property that is the former site of a municipal landfill, located off Lower Road within Linden, New Jersey, identified on the City’s official tax maps as parts of Block 581, Lots 11.03 and 17 (hereinafter the “**Linden Landfill**”); and

**WHEREAS,** the City desires to make beneficial use of the Linden Landfill, which was capped at a significant cost to the City and is otherwise vacant and unused land; and

**WHEREAS**,on or about June 11, 2019 the City of Linden issued a Request for Bid Proposals for the Lease of the of the Linden Landfill for the Development and Maintenance of Solar System (the “**Solar System**”) on the Linden Landfill (with all addendums thereto, the “**Solar RFB**”); and

**WHEREAS**,sealed responses to the Solar RFB were received on or about July 2, 2019 with the City receiving seven (7) responses, of which one was disqualified at the outset as untimely; and

**WHEREAS**,after review of the remaining six (6) responses, a tabulated summary of each of the proposed annual lease payments attached here to as **Exhibit A**, the City has determined that the bid proposal package of EZnergy NJ LLC, the highest numeric bidder, contained certain material deficiencies that would potentially disqualify it from consideration; and

**WHEREAS**, on August 1, 2019, at a Special Meeting of the City Council, EZnergy was offered an opportunity to present any clarifications at a public hearing (the “**Public Hearing**”); and

**WHEREA**S, the EZnergy did appear before the City Council for the Public Hearing and the City Council considered all information;

**WHEREAS**, the City Council finds that the EZnergy should be deemed disqualified for the reasons put forth on the public record by the City’s professionals at the Public Hearing, and as reiterated herein; and

**WHEREAS**, the City’s Solar RFB set forth detailed specifications regarding the Landfill Cap and Engineering Controls, and the critical importance and requirement for the Successful Bidder to protect and maintain the Landfill Cap and Engineering Controls; and

**WHEREAS**, in order to provide an overview of the complex engineering system of the Linden Landfill, the Solar RFB included information on the landfill capping system and cover, and grading and fill layers, including the dredge material, well graded-sand with SW Classification, soil specifications and a textured geo-membrane liner with a Geosynthetic Clay Liner on sloped areas; and

**WHEREAS**, the Landfill Cap and Engineering Controls also included details regarding the landfill gas extraction and control system, including, but not limited to information on the active vacuum system, and gas flow elements consisting of vertical gas well points above the groundwater table, HDPE lateral piping system, a condensate pump station to convey the condensate from the knockout-pot to the existing leachate collection system cleanout and a 40-foot enclosed flare system to control gas emissions; and

**WHEREAS**, the Landfill Cap and Engineering Controls also included details regarding the stormwater management system, including the stormwater channels located around the landfill mound, the Gabion down chutes and concrete flow structures, the Gabion Spillways and the detention basin; and

**WHEREAS**, the Solar RFB made clear that the Successful Bidder would be responsible for maintenance of the integrity of the landfill cap, and therefore, required amongst other things, details regarding prior experience with constructing solar on capped landfills, including specifically, which role(s) the solar vendor played in its prior landfill projects (RFB, Section N):

* + Under Section N, “BID PROPOSAL REQUIREMENTS”, 1.) Vendor Qualifications: Each vendor shall provide…
    - An overview of the vendor’s commercial grid-connected photovoltaic experience, **especially on capped landfills**. Do not include residential photovoltaic experience.
  + Under Section N, “BID PROPOSAL REQUIREMENTS”, 3.) Relevant solar project development experience. **Vendors must demonstrate the capability to competently and responsibly develop a System for the City**…
    - **A list and description of the number, size, location and total capacity of commercial solar photovoltaic energy systems installed by the vendor on capped landfills utilizing ground-mounted systems,** including the type of photovoltaic module used and current operation status of the system(s). **Describe the exact role(s) your organization performed for the projects (e.g. material supplier, lead contractor, electrical subcontractor, etc.) as well as challenges that are unique to capped landfill projects.**
  + Under Section N, “BID PROPOSAL REQUIREMENTS”, 4.) References:
    - “…**references who can attest to the vendor’s solar project experience; siting Solar Systems on landfills utilizing ground-mounted systems are of particular interest**.”

**WHEREAS**, as noted above, under the Solar RFB, vendors were required to identify the exact roles performed in their relevant landfill projects, as such information was also material and relevant for the Solar RFB; and

**WHEREAS**, EZnergy’s Proposal provided a list of EZnergy’s representative projects, and listed the Brick Township and Princeton/Stony Brook landfill projects; and

**WHEREAS**, EZnergy’s Proposal, also stated that “EZnergy was part of the 5MW landfill project in Brick, New Jersey”; and

**WHEREAS**, EZnergy’s construction or development work on the above two solar landfill projects could not be verified through contact with references; and

**WHEREAS**, during a clarification interview held with EZnergy on July 16, 2019, it became clear that EZnergy constructed neither of the above two solar landfill projects, and had no other actual solar landfill construction or development experience, which information was not previously clear from EZnergy’s Proposal; and

**WHEREAS**, EZnergy appeared to indicate that its partner, Summit Ridge Energy (“**Summit Ridge**”), had some solar landfill experience, however, during the Public Hearing it was verified that the construction of the Solar System would have nonetheless been performed by EZnergy as the EPC contractor, and Summit Ridge’s experience was on a rubber landfill, not a municipal solid waste landfill; and

**WHEREAS**, the City believes that the lease of the Solar System on the Linden Landfill should be awarded to be awarded to the highest numeric bidder that has met the bid specifications set forth in the City’s Solar RFB; and

**WHEREAS**, the City believes it is in the public interest and in the taxpayers’ interest to ensure that the lease of the Solar System on the Linden Landfill be awarded to a solar vendor that has demonstrated it is qualified and has the experience to undertake such work without harm to the landfill cap and engineering controls.

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

Section 1. The City has conducted a Public Hearing on the disqualification of EZnergy, reviewed such information in consultation with counsel and its professionals and made factual findings as set forth herein and on the public record.

Section 2. The City finds that due to the reasons set forth during the Public Hearing and herein, EZnergy should be deemed disqualified for award of the Solar RFB.

Section 3. The Mayor and City Clerk are hereby authorized to execute any documents, and to undertake all actions reasonably necessary, to effectuate this Resolution.

Section 4. If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.

Section 5. This Resolution shall take effect immediately.

**Resolution:2019-321**

**Resolution of Support for Fibrodysplasia Ossificans Progessiva (FOB) Awareness and Research to the Mayor of Harding Township and the Mayor of Walpack Township**

**WHEREAS,** on January 15, 2018 Governor Chris Christie signed into Law AJR-147 and SJR-98 which called for the Permanent Designation and Recognition of April 23rd as Fibrodysplasia Ossificans Progressive Awareness Day in the State of New Jersey;

**WHEREAS,** the Fibrodysplasia Ossificans Progessive (FOB) awareness initiative began in Union County in 2002. To-date, 568 Proclamations and Resolutions have been approved by numerous municipalities throughout the State of New Jersey, all 21 County Boards of Chosen Freeholders and 13 U.S. Governor’s including one from California Governor Arnold Schwarzenegger; and

**WHEREAS,** Harding Township and Walpack Township are the only two (2) remaining municipalities in New Jersey who have not supported the FOP Awareness Initiative via a Proclamation or a Resolution; and

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and City Council of the City of Linden, by copy of said resolution urges the Townships of Harding and Walpack to support the Fibrodysplasia Ossificans Progressive Awareness Initiative.

**RESOLUTION: 2019-322**

**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, the Linden Municipal Landfill and the Linden Municipal Airport has resulted in overbrowsing of native vegetation in this largely undeveloped area, and an creating animpediment to safe operation, at the airport; and

**WHEREAS**, the overpopulation impacts the Hawkrise Sanctuary, the Linden Municipal Landfill and the Linden Municipal Airport in the form of damage to greens and ornamental vegetation, and creating an impediment to safe operation, at the airport; 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, the Linden Municipal Landfill and the Linden Municipal Airport during the Fall Bow, Permit Bow and Winter Bow Seasons of 2019 and 2020 and the Permit Shotgun Season of 2020; 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 2019-2020 and the Permit Shotgun Season of 2019-2020; 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 Director of 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, Linden Municipal Landfill and the Linden Municipal Airport 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, the Linden Municipal Landfill and the Linden Municipal Airport; 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.

**RESOLUTION: 2019-323**

**RESOLUTION AUTHORIZING APPLICATION TO THE COUNTY OF UNION FOR A GREENING UNION COUNTY GRANT FOR TREE PLANTING FOR 2019**

**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 and 2010, and Greening Union County in 2008, 2009, 2010, 2011, 2012, 2013 and 2019; and

**WHEREAS,** the City of Linden wishes to apply to the Union County Trust Fund through the Greening Union County program for a matching grant in the amount of $20,000.00; and

**WHEREAS,** the City of Linden will match the Greening Union County grant program award for a total of $20,000.00, in accordance with the Grant Application attached hereto and made a part hereof; 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. A copy of this Resolution be forwarded to Victoria Durbin Drake, Trust Fund Administrator, Office of the Trust Fund/Greening Union County, Union County Administration Building, 6th Floor, Elizabethtown Plaza, Elizabeth, New Jersey 07207.

5. This Resolution shall take effect pursuant to law.

**RESOLUTION: 2019-324**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDEN, COUNTY OF UNION, NEW JERSEY DISQUALIFYING NEXAMP SOLAR LLC FOR THE LEASE OF THE FORMER CITY LANDFILL FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF A SOLAR SYSTEM**

**WHEREAS**, the City of Linden (the “**City**”) is the owner of approximately 55 acres of property that is the former site of a municipal landfill, located off Lower Road within Linden, New Jersey, identified on the City’s official tax maps as parts of Block 581, Lots 11.03 and 17 (hereinafter the “**Linden Landfill**”); and

**WHEREAS,** the City desires to make beneficial use of the Linden Landfill, which was capped at a significant cost to the City and is otherwise vacant and unused land; and

**WHEREAS**,on or about June 11, 2019 the City of Linden issued a Request for Bid Proposals for the Lease of the of the Linden Landfill for the Development and Maintenance of Solar System (the “**Solar System**”) on the Linden Landfill (with all addendums thereto, the “**Solar RFB**”); and

**WHEREAS**,sealed responses to the Solar RFB were received on or about July 2, 2019 with the City receiving seven (7) responses, of which one was disqualified at the outset as untimely; and

**WHEREAS**,after review of the remaining six (6) responses, a tabulated summary of each of the proposed annual lease payments attached here to as **Exhibit A**, the City has determined that the bid proposal package of Nexamp Solar LLC (“**Nexamp**”), the second highest numeric bidder, contained certain material deficiencies that would potentially disqualify it from consideration; and

**WHEREAS**, on August 19, 2019, at a Public Conference Meeting of the City Council, Nexamp was offered an opportunity to present any clarifications at a public hearing (the “**Public Hearing**”); and

**WHEREA**S, Nexamp did appear before the City Council for the Public Hearing and the City Council considered all information;

**WHEREAS**, the City Council finds that the Nexamp should be deemed disqualified for the reasons put forth on the public record by the City’s professionals at the Public Hearing, and as reiterated herein; and

**WHEREAS**, the City’s Solar RFB set forth detailed specifications regarding the Landfill Cap and Engineering Controls, and the critical importance and requirement for the Successful Bidder to protect and maintain the Landfill Cap and Engineering Controls; and

**WHEREAS**, in order to provide an overview of the complex engineering system of the Linden Landfill, the Solar RFB included information on the landfill capping system and cover, and grading and fill layers, including the dredge material, well graded-sand with SW Classification, soil specifications and a textured geo-membrane liner with a Geosynthetic Clay Liner on sloped areas; and

**WHEREAS**, the Landfill Cap and Engineering Controls also included details regarding the landfill gas extraction and control system, including, but not limited to information on the active vacuum system, and gas flow elements consisting of vertical gas well points above the groundwater table, HDPE lateral piping system, a condensate pump station to convey the condensate from the knockout-pot to the existing leachate collection system cleanout and a 40-foot enclosed flare system to control gas emissions; and

**WHEREAS**, the Landfill Cap and Engineering Controls also included details regarding the stormwater management system, including the stormwater channels located around the landfill mound, the Gabion down chutes and concrete flow structures, the Gabion Spillways and the detention basin; and

**WHEREAS**, the Solar RFB made clear that the Successful Bidder would be responsible for maintenance of the integrity of the landfill cap, and therefore, required amongst other things, details regarding prior experience with constructing solar on capped landfills, including specifically, which role(s) the solar vendor played in its prior landfill projects (RFB, Section N):

* + Under Section N, “BID PROPOSAL REQUIREMENTS”, 1.) Vendor Qualifications: Each vendor shall provide…
    - An overview of the vendor’s commercial grid-connected photovoltaic experience, **especially on capped landfills**. Do not include residential photovoltaic experience.
  + Under Section N, “BID PROPOSAL REQUIREMENTS”, 3.) Relevant solar project development experience. **Vendors must demonstrate the capability to competently and responsibly develop a System for the City**…
    - **A list and description of the number, size, location and total capacity of commercial solar photovoltaic energy systems installed by the vendor on capped landfills utilizing ground-mounted systems,** including the type of photovoltaic module used and current operation status of the system(s). **Describe the exact role(s) your organization performed for the projects (e.g. material supplier, lead contractor, electrical subcontractor, etc.) as well as challenges that are unique to capped landfill projects.**
  + Under Section N, “BID PROPOSAL REQUIREMENTS”, 4.) References:
    - “…**references who can attest to the vendor’s solar project experience; siting Solar Systems on landfills utilizing ground-mounted systems are of particular interest**.”

**WHEREAS**, as noted above, under the Solar RFB, vendors were required to identify the exact roles performed in their relevant landfill projects, as such information was also material and relevant for the Solar RFB; and

**WHEREAS**, Nexamp’s Proposal provided a list of Nexamp’s representative projects, and listed only two landfill projects: the Ontario, California and the South Hadley, MA landfill projects; and

**WHEREAS**, Nexamp’s Proposal listed the Ontario, California proposal as “acquired” rather than constructed or developed, and upon review with the officials at South Hadley, it was discovered that that project was built on a stabilized wall near the landfill, not the landfill mound itself; and

**WHEREAS**, Nexamp’s Proposal also included the experience of its partner, Infiniti Energy Services (“**Infiniti**”), and listed persons with experience at the Pennsauken NJ Landfill and the City of Webster, MA, and more recently, at the landfill in Delanco, NJ and

**WHEREAS**, the City’s consulting engineer reviewed the references regarding all of the aforementioned projects, and the work of Infiniti could not be verified at Pennsauken, NJ or at Webster, MA; and

**WHEREAS**, at the Public Hearing, affidavits were presented regarding the work of an individual who worked on the construction of the Webster, MA project while at another solar firm; and

**WHEREAS**, an affidavit was also presented regarding current work at the landfill in Delanco, NJ, which work, however, appears to have a construction completion deadline of 2020, in accordance with Nexamp’s Proposal; and

**WHEREAS**, no affidavits were presented to verify work on the Pennsauken, NJ landfills or the Ontario, California project; and

**WHEREAS**, neither Nexamp’s nor Infiniti’s role through all stages – procurement, construction, development and operation and maintenance, could be verified through contact with references or at the Public Hearing; and

**WHEREAS**, during the Public Hearing the role of Pennoni Associates on the Nexamp team was discussed as a conflict to the City, as Pennoni serves directly as the City’s consulting engineering on other projects; and

**WHEREAS**, Pennoni’s experience with landfills was verified, and therefore without their participation due to a conflict, the experience of the Nexamp team was unclear and insufficient to meet the responsiveness required in the RFB for the critical and material requirement of solar landfill experience; and

**WHEREAS**, the City believes that the lease of the Solar System on the Linden Landfill should be awarded to be awarded to the highest numeric bidder that has met the bid specifications set forth in the City’s Solar RFB; and

**WHEREAS**, the City believes it is in the public interest and in the taxpayers’ interest to ensure that the lease of the Solar System on the Linden Landfill be awarded to a solar vendor that has demonstrated it is qualified and has the experience to undertake such work without harm to the landfill cap and engineering controls.

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

Section 1. The City has conducted a Public Hearing on the disqualification of Nexamp, reviewed such information in consultation with counsel and its professionals and made factual findings as set forth herein and on the public record.

Section 2. The City finds that due to the reasons set forth during the Public Hearing and herein, Nexamp should be deemed disqualified for award of the Solar RFB.

Section 3. The Mayor and City Clerk are hereby authorized to execute any documents, and to undertake all actions reasonably necessary, to effectuate this Resolution.

Section 4. If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.

Section 5. This Resolution shall take effect immediately.

**RESOLUTION: 2019-325**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDEN, COUNTY OF UNION, NEW JERSEY AUTHORIZING 1.) AN AWARD OF THE LEASE OF THE FORMER CITY LANDFILL FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF A SOLAR SYSTEM TO HATHAWAY SOLAR LLC AND 2.) THE CITY’S PARTICIPATION IN THE BOARD OF PUBLIC UTILITY’S COMMUNITY SOLAR PILOT PROGRAM**

**WHEREAS**, the City of Linden (the “**City**”) is the owner of approximately 55 acres of property that is the former site of a municipal landfill, located off Lower Road within Linden, New Jersey, identified on the City’s official tax maps as parts of Block 581, Lots 11.03 and 17 (hereinafter the “**Linden Landfill**”); and

**WHEREAS,** the City desires to make beneficial use of the Linden Landfill, which is otherwise vacant and unused land; and

**WHEREAS**,on or about June 11, 2019 the City issued a Request for Bid Proposals for the Lease of the Linden Landfill for the Development and Maintenance of Solar System (the “**Solar System**”) on the Linden Landfill (with all addendums thereto, the “**Solar RFB**”); and

**WHEREAS**,the City received seven (7)sealed responses to the Solar RFB on or about July 2, 2019, of which one was disqualified at the outset as untimely; and

**WHEREAS**, the solar vendors’ responses were contingent upon entry into the BPU’s Community Solar Program (defined below) in order to maximize lease payments and ensure certain off-takers of the electricity; and

**WHEREAS**,after review of the remaining six (6) responses and a tabulated summary of each of the proposed annual lease payments attached here to as **Exhibit A**, the City determined that the bid proposal package of EZnergy NJ LLC and Nexamp Solar LLC, the highest and second highest numeric bidders, respectively, contained certain material deficiencies that would potentially disqualify them from consideration; and

**WHEREAS**, public hearings were held on August 1, 2019 and August 19, 2019 with each of the aforementioned vendors (the “**Public Hearings**”); and

**WHEREAS**, the City Council found that both aforementioned bids should be deemed disqualified for the reasons put forth on the public record by the City’s professionals at the Public Hearings, and as reiterated via resolutions of the City Council; and

**WHEREAS**, the City has reviewed the bid proposal package of Hathaway Solar LLC, an affiliate of CS Energy (“**Hathaway**”), with a proposed lease payment of $22,916.67 per month with annual 1.5% escalation for twenty (20) years, and declares them to be the highest bidder in conformance with the bid specifications set forth in the City’s Solar RFB; and

**WHEREAS**, in addition, Hathaway has agreed to provide the City with a professional and administrative reimbursement of $100,000.00 for procurement and oversight over the project in accordance with its bid proposal, which first payment of $5,000.00 shall be made within fifteen (15) days of this award, the second payment for counsel and engineering costs incurred to date within sixty (60) days of this award, and the remainder based on upon a mutually acceptable payment schedule; and

**WHEREAS**, *N.J.S.A.* 40A:12-14 authorizes the leasing of public property not needed for public use to a private person by submission of sealed bids; and

**WHEREAS**, the City recommends the award of a ground lease agreement for the purpose of a Solar System on the Linden Landfill (“**Lease Agreement**”), in the form attached to the Solar RFB, subject to any changes recommended by the City’s engineering professionals or counsel; and

**WHEREAS**, the initial term of the lease agreement shall be up to twenty (20) years, which term may be extended by the City in its sole discretion; and

**WHEREAS**, on January 17, 2019 the New Jersey Board of Public Utilities (the “**BPU**”) approved the three-year Community Solar Energy Pilot Program Rules and the BPU has already opened the Application Period for Program Year 1, with the second pilot year anticipated to be opened in early 2020 (the “**Community Solar Program**”); and

**WHEREAS**, the City believes that the Solar System on the Linden Landfill is an ideal candidate to participate in the Community Solar Program and desires to support such application with Hathaway.

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

Section 1. An award of a Lease Agreement as outlined hereinabove is hereby made to Hathaway Solar LLC, an affiliate of CS Energy, as the highest responsive bidder pursuant to the terms of the Local Lands and Buildings Law, *N.J.S.A.* 40A:12-1 *et seq.*, in the amount of $22,916.67 per month with annual 1.5% escalation for a term of up to twenty (20) years, which term may be extended by the City in its sole discretion.

Section 2. In addition to the lease payments, Hathaway has agreed to provide the City with a professional and administrative reimbursement of $100,000.00 for procurement and oversight over the project in accordance with its bid proposal.

Section 3. In accordance with the bid proposal, the construction of the Solar System is subject to the project’s entry into the Community Solar Program, and the City does hereby provide its support for such application.

Section 4. The Mayor and City Clerk are hereby authorized to execute the Lease Agreement and all other documents, and to undertake all actions reasonably necessary, to effectuate this Resolution, including any documents needed for the Community Solar Program.

Section 5. If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.

Section 6. This Resolution shall take effect immediately.

Mrs. Hickey moved Resolutions for approval 2019-292 through 2019-325, with the exception of Resolutions 2019-292. 293, 294, 295, 297, 299, 301, 302, 303, 304, 307, 308, 309, 316, 317, 320, 323, 324, and 325. The motion was seconded by Mrs. Ormon and was ordered approved by a roll call vote, with all voting in favor, of all, except Ms. Cosby who voted no to 2019-314 and abstained on 2019-312,

Hans Herberg. Mr. Herberg, on 292 asked how much was the audit; on 303 why the payments are not on the claims list; On 304 why the Newark Liberty, as it is in Newark and Elizabeth and we have our own airport. Ms. Cosby responded to the questions on 304 and explained her reasons for requesting the resolution. Mr. Antonelli responded to the questions on resolutions 292 and 303. Mr. Bodek also commented on 303.

Diane Wilverding. Ms. Wilverding on 302, asked why is there a moratorium, and why wouldn’t we be applying for grant funds. On 316 she asked if that meant that the street would be closed for an additional period of time. Mr. Antonelli responded to both. The closure would extend to 12/31/19 and explained the reasons for the moratorium. Ms. Wilverding stated that she thought we should be applying for grant funds.

Craig Halloran. Mr. Halloran questioned the amount being spent on the disposal of grass clippings in 294;; on 295 he thought that a lot of money to spend on repairing a piece of equipment, and though that the City should consider buying a new frontend loader; On 301 he spoke about the nursing services being provided; On 309 he questioned the reasons for the change in dates; Mr. Pantina responded to the questions on the grass clipping and equipment repair. Mr. Bodek responded to the questions on change in meeting dates, and Mrs. Yamakaitis addressed the issue of the nursing services.

Virginia Malik. On 293, she asked what was being inspected; On 297, what is being done; on 299 is this replacing old equipment; On 302 what if repairs are needed at the airport; On 308 what is going to be learned and how does it benefit the City; Her questions on 316 were already answered; On 317 she called the landfill a sinkhole for money from the City, and asked what is the time period that the money is going to be spent over; She lumped 323, 324, and 325 together she asked how was the assessment done and how much money is the City going to lose if this doesn’t produce sufficient gas. Mr. Antonelli responded to the questions on 293, 302, and 308; Captain **Geisheimer** responded; Mr. Strano responded to 299; Special Counsel Bhavini Doshi responded to the questions on 323, 324 and 325. Mr. Pantina responded to the questions on 317.

Ed Kaminiski. Mr. Kaminisky, noted that his question on the various resolutions were already answered except for 323. He asked what the money was being used for and how will the money interact with the folks on the Shade Tree Commission. He asked where the trees were going to be planted. Mr. Bodek responded to the questions.

Robert Kingsley. #302. Mr. Kingsley noted that he is not a resident of Linden, but he does use the airport. He stated that he represents the Richmond Pilots Association. He stated that he found it strange that the Council did not want to accept money that would go into the community, and yet, in 304, support Newark Airport, which is not in the immediate community.

Thomas Madden. #302. Mr. Madden began by reading from a past agreement with the FAA/ He explained what the grant agreement covers, and that the City agreed to it, all are reasonable conditions. He stated that currently the airport is in disarray. He asked the members of the governing body to go to his website and see the reports. Linden has hired an attorney, and that person says that the issues have to be addressed. Mr. Antonelli responded and informed Council that what Mr. Madden failed to tell them is that the runaway crack and lighting issues have all been addressed. He then spoke about the work, specifically the work on aircraft that Mr. Madden is doing, without proper approvals, in the hanger he rents.

Adam Williams. #302. Mr. Williams of the Aircraft Pilots and Owners Association thanked the Mayor for putting together a corrective action plan. He stated, as had been noted some of the improvements have been made, and went on to add that the moratorium has no purpose and explained his reasoning. The City is turning down grants, and how it takes away flexibility from the City. He next spoke about the rhetoric, from the City, about pro-growth and more jobs for the City, but when it comes to the airport the City is saying that it has no plan, except to just maintain it. He spoke about the need for a long term plan for the airport, and how this resolution leaves millions of dollars, for the City, on the table. He urged members of Council to vote no to resolution 302.

Mrs. Hickey moved for approval of resolutions 2019-292, 293, 294, 295, 297, 299, 301, 302, 303, 304, 307, 308, 309, 316, 317, 320, 323, 324, and 325. The motion was seconded by Mrs. Ormon.

Mr. Roman stated that he wanted to clarify and explain to everyone the reasons that he pulled these off. He noted that for resolution 292, due to his weekend, he did not get a chance to review the audit, as much as he would like, therefore he would be abstaining on the resolution and would not sign-off on it, until he is comfortable. He stated that he was also abstaining on 302, until he has an opportunity to research the issue more. On resolution 307, he clarified that the grant helps with the widening of W. Linden Ave, a project that is necessary due to the opening of the new Walmart. For 316, Meridia did not act quickly enough, as they may not have been aware of the deadline, but he stated his concerns for the children going to school, and described the crossing issue they would be facing. He explained his request to Merdia, to make the crossing safe for the children. On 323, he spoke about the number of dead trees that have been removed. More trees are being removed then are being replaced. He asked Council for a plan to provide more money to replace more trees.

President Yamakaitis had the clerk call the roll. The resolutions were adopted, with all voting for all with the following exceptions: Ms. Cosby voted no to resolution 302, and abstained on 292, 320, 324, and 303. Mr. Roman abstained 292, and 302. Mr. Coates voted no to 302; Mrs. Hickey abstained on 302. It was then determined that the count on resolution 302 was five to five. The Mayor was called upon to break the tie, and he voted yes, passing the resolution.

**ORDINANCE FOR INTRODUCTION**

**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 supplements

7-33 Handicapped Parking Regulations

7-33.1A Handicapped Parking On-Street

Name of Street Spaces No. of Location

Delete:

222 First Avenue 1 On the Southeasterly sideline of First Avenue 125 feet more or less southwesterly from the projection of Walnut Street for a length of 22 feet. The aforesaid space is specifically reserved and designed for a vehicle for Ronald D. Guerra to be identified by license plate and number and a placard XXXX, 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.

such space.

**ADD:**

1004 Chandler Avenue 1 On the northeasterly sideline of Chandler Avenue, 65 feet more or less northwesterly from the projection of the northwesterly curbline of Middlesex Street in front of 1004 Chandler Avenue for a length of 22 feet. The aforesaid space is specifically reserved and designated for a vehicle for Michelle Williams-Lewis to be identified by license plate number and placard number to be issued by the City, and no other vehicle bearing or displaying handicapped license plates and/or placards, or not, shall be permitted to park in such space.

2214 East Edgar Road

(on Dennis Place) 1 On the northeasterly sideline of Dennis Place, 70 feet more or less southeasterly from the projection of the southeasterly curbline of East Edgar Road for a length of 22 feet. The aforesaid space is specifically reserved and designated for a vehicle for Ida Rodriguez to be identified by license plate number and placard number to be issued by the City, and no other vehicle bearing or displaying handicapped license plates and/or placards, or not, shall be permitted to park in such space.

Ordinance #63-35 was introduced by Mrs. Ormon and was read on first reading by the Clerk.

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

unanimously ordered approved.

**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, 199 and approved November 24, 1999, and as amended and supplemented.

Section 1 That Chapter VII, Traffic, Section 7-10, Parking Prohibited at All Times on Certain Streets, shall be and the same is hereby amended as follows;

7-10 PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS

Name of Street Side Location

ADD:

DeWitt Street East From a north curbline of West Elm Street and continuing 60 feet

In northerly direction

DeWitt Street East From a south curbline of West Elm Street and continuing 110 feet in southerly direction.

Ordinance #63-36 was introduced by Mrs. Ormon and was read on first reading by the Clerk.

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

unanimously ordered approved.

**An Ordinance entitled:**

* 1. An Ordinance to amend Chapter 2, Article II, Section 4.3 of the City Code to create the Bureau

Of Constituent Services

Section 1. That Chapter 2, Article II, Section 4.3 of the City Code, shall be and the same is hereby amended to add the following:

g. Within the Office of the Mayor, there shall be the Bureau of Constituent Services, the head of which shall be the Mayor. The Bureau of Constituent Services shall consist of three divisions: a) Division for Special Needs and Disabilities, b) Division on Aging Services, and c) Division of Cultural Diversity. Each division shall have employed one person who shall perform all functions and discharge all duties necessary to assist the Mayor in formulating policy recommendations for the Council, including but not limited to acting as a direct liaison for residents of Linden; assist residents in directing them to City, County, State and private resources; plan and develop socialization programs and social services for the Bureau; and assess the impact of human services programs operated by the City, and develop and implement recommendations as necessary.

Ordinance #63-37 was introduced by Mr. Strano and was read on first reading by the Clerk.

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

unanimously ordered approved.

**PUBLIC COMMENT**

Craig Halloran, 120 Donaldson Pl. Mr. Halloran state that we are all here to work together to make this City the envy of the State. The members of the governing body need to stop tearing each other apart. Let’s all work together, stop the fractions. He then noted that he had asked prior asked questions, about the establishment of a Linden Port Authority that remain unanswered. He requested that the placement of additional traffic signage be looked into for Donaldson Pl., noted what he was looking for and that a number of children do use it to go to school #8. Mr. Halloran spoke about a City ordinance for citizens to maintain their City issued garbage cans. He then spoke about issues related to the sanitary and storm sewers, and how many people, in DPW would be needed to address these issues.

Diane Wilverding, 150 E. Morris Ave. Ms. Wilverding stated that she had spoken, last month, about the lack of maintenance of the outside of the library. The custodial staff has since cleaned it up and it looks great. She noted, that again, this month, she did not hear a library report. Ms. Wilverding made suggestions regarding the hiring of personnel to staff the new Bureau of Constituent Services, and the qualifications they should have.

John Kaczor, Mr. Kaczor began by calling Mr. Brown a coward, noted Mr. Brown’s supposed reasons for not being present at this Council meeting and used a number of unflattering terms to describe Mr. Brown’s personality. He then spoke about Mr. Brown’s behavior at the Council Conference meeting, and was critical of the Council for not responding to it and allowing it. He went on a tirade about Mr. Brown, and his mental stability. He was critical of the proposed SID for St. George, and the issues with Wood Ave, calling it a dead area. Mr. Kaczor then was critical of Mr. Brown’s position on marijuana and the methods that he used to campaign against it, calling it misinformation.

Hans Herberg, 1501 Westover Rd. Mr. Herberg stated that last night he had a really good conversation with Mr. Bono. Wood Ave does need a face lift. Next he spoke about the behavior of Council members and that we all need to get along. Let’s all get along and work with each other, and don’t take your personnel issues out on the residents.

Virginia Malik, 1633 Lenape Rd. Ms. Malik spoke about various parking at the Linden Train Station, and an issue that she had. She asked who could answer questions about shared parking, and wondered where people were going to park, at the new Merida building. Mayor Armstead, responded and explained the number of parking spots that Merida would be required to have, for their tenants, in the new building. President Yamakaitis suggested that Ms. Malik discuss her parking issues with Lt. Gunther of the Traffic Division.

Anthony Mislan. Mr. Mislan stated he had no comments.

Ed Kaminski, 201 Maple Ave. Mr. Kaminski noted that part of the problem is that there is no one looking out after all of the issues. He was glad to see the Mayor extend an olive branch. He gave kudos to the Fire Department for the Junior Fire Academy, and the success it was. He noted that the benches at the train station have been replaced, as have the vending machines. He spoke about the dumping that had been taking place along the train tracks, and that the cameras should be monitored better. Mr. Kaminski talked about the SID, and a restaurant, on Wood Ave, whose owner is on the SID and the deplorable conditions outside of their restaurant. He noted other items of concern, to him, regarding the actions of members of the dais. Next he talked about special needs children, and comments made last month about an issue. There comments were well thought out and addressed the issue. He was critical of the response, by Mrs. Ormon, to those comments, by Ms. Vlasic .He talked about his encounters, with Ms. Ormon on two occasions.

Henry Mack. Mr. Mack spoke about Linden not being at peace. He thanked the police for dealing with an issue on Wood Ave, yesterday. He addressed the issue of tractor trailers hitting the railroad bridge, on Wood Ave, and how many more times does this have to happen before the issue is addressed. Mr. Mack talked about the peoples and how the peoples want Council members to stop belittling each other

There being no other members of the public wishing to speak, Mrs. Ormon moved to close the public comment portion of the meeting. The motion was seconded by Mrs. Hickey and was unanimously ordered approved by a roll call vote.

COMMENTS FROM MEMBERS OF THE GOVERING BODY

Ms. Cosby stated that she wanted to make it clear that she was not attacking any individual, when she requested an investigation committee but was attacking our process and failures. She noted that she has been saying this for nine years. She was critical of other investigative committees, and what they were formed to investigate. She reiterated her call for a committee to investigate our practices in personnel. It’s the policy. Ms. Cosby noted that she made complaints to the Local Finance Board, and them but it back to us. She asked for a Committee to be formed.

Mrs. Hickey stated that she heard everything that Mr. Mack said, and thanked him for his comments. She cheered on the Elizabeth little league team that is in the Little League World Series, announcing that they won their came tonight. She urged all to enjoy the rest of their summer.

Mrs. Ormon stated that she was concerned about comments that were made at the microphone, this evening, particularly when members of the public speak about discussions that were held in executive session. She commented to Council that they need to be mindful of what they leak.

Mr. Roman, He addressed himself to the comments made by members, of the public who spoke about anger and hate, and said that he believed there comments were made due to incident involving himself and Mrs. Hickey, who were berated by an individual who should be sitting up here. He talked about the individual’s behavior. He stated that he and Mrs. Hickey fear for their safety, and in response to Mr. Mack he stated that it will stop, next year, with two new fresh faces on Council.

Mr. Strano wished his wife, Marybeth, a happy birthday.

Mr. Mohammed apologized for speaking out of turn, during the personnel report. He thanked an individual for their hard work and invited all to the Fourth Ward Celebration. God bless Linden

President Yamakaitis spoke to Ms. Cosby and noted that her comments did not fall on deaf ears. She also noted that she will be going over, with council, some of the rules for behavior. Council sets an example, and needs to lead by example. She wished all a happy Labor Day weekend.

**ANNOUNCEMENTS**

President Yamakaitis announced the following Council Meetings:

\*Council Conference meeting:

Monday, September 16, 2019 at 6:00 pm in the Council Conference Room, City Hall, 301 N. Wood Ave.

\*Council Conference meeting prior to the Council meeting.

Tuesday, September 17, 2019 at 6:00 pm in the Council Conference Room, City Hall, 301 N. Wood Ave.

\*Council Meeting: Tuesday, September 17, 2019 at 7:00 p.m. in the Council Chambers, City Hall, 301 N. Wood Ave.

**ADJOURN**

There being no further business to come before the governing body, Mr. Strano moved to adjourn the meeting. The motion was seconded by Mr. Roman and was unanimously ordered approved by a roll call vote. The meeting was adjourned at 10:16 pm

Respectfully submitted,

Joseph C. Bodek

City Clerk

HAPPY BIRTHDAY TO MY BABY GIRL C.C. THIS IS THE LAST BIRTHDAY WISH YOU WILL HEAR FROM ME THIS YEAR SO, HAPPY BIRTHDAY CC!

REGARDING HAGEL AVE PARK – I WAS INFORMED A WEEK AGO THAT THERE WAS A MAJOR ISSUE WITH THE PARK RELATED TO UNDERGROUND DRAINAGE AND AS SUCH THE INSTALLATION OF THE PLAYGROUND EQUIPMENT WILL HAVE TO WAIT AND THE PLAN BE RECONFIGURED. FOR MORE DETAILED INFOMATION PLEASE CONTACT THE DIRECTOR IN HIS OFFICE, MR. DANN 9084748666.

THE REQUESTS FOR THE INSTALLATION OF LIGHTS ON MILDRED AVE AND BERNARD AVE WERE SUBMITTED AND NOT READ IN FOR THE JUNE MEETING AND WERE SUBMITTED TO PSEG ON JULY 3RD.  THIS TAKES ABOUT TWO MONTHS TO INSTALL.

YAY, CRANFORD AVE IS COMPLETED THANKS IN PART TO THE GRANT FROM THE UNION COUNTY BOARD OF CHOSEN FREEHOLDERS. THANK YOU FOR YOUR PAITENCE TO THE NEIGHBORS IN THE AREA.

OUR COMMUNITY MEETING LAST WEEK FEATURED A DEMONSTRATION OF THE VOTING MACHINE THAT WILL BE USED IN OUR CITY IN NOVEMBER AND THE BOARD OF HEALTH PROVIDED VALUABLE INFOMRATION ABOUT IMMUNIZATION.  REMINDER ALL OF THE 5TH WARD VOTES AT SCHOOL 4 AND THE ENTRANCE IS IN THE BACK PARKING LOT. THE NEXT SCHEDULED MEETING IS OCTOBER 17 AT 6:30 PM I WILL INVITE THE BOARD OF EDUCATION CANDIATES AND WE WILL AS ALWAYS CELEBRATE HISPANIC HERITAGE.

 ON SEPTEMBER 14 AT WHEELER PARK ON SOUTH WOOD AVE WE WILL HAVE OUR 4TH ANNUAL.  CO-HOSTED BY , MY CIVIC ASSOCIATION, SAVE A LOT SUPERMARKETS. ALL CANCER AWARENESS WALK.  WE ARE RAISING FUNDS TO DONATE TO LINDEN RESIDENTS.  MR. WILLIAM JOHNSON UNFORTUNATELY LOST HIS BATTLE WITH LUNG CANCER. MY SINCERE CONDOLENCES TO HIS FAMILY.  WE WILL DONATE THE REGISTRATION DOANTIONS TO LINDEN LIONS ( LESS EXPENSES ) FOR PEDIATRIC CANCER SURVIOR HERE IN LINDEN. IF ANYONE WANTS TO REGISTER PLEASE CONTACT ME DIRECTLY 9087187933.

I HAD EXPECTED TO SEE THE ORDIANCE FOR INTRODUCTION OF THE NEW TRAFFIC PATTERNS FOR THE 5TH WARD 4TH DISTRICT IN THE AREA OF THE NEW DEVELOPMENT HOWEVER, THE EMAIL OF JULY 30TH WAS NOT ACTED UPON SO EXPECT IT NEXT MONTH.  WHAT IS IMPORTANT TO NOTE IS

ONE WAY STREETS to add E. Baltimore Ave between E. St. George Ave & Union St in the south direction.

THREE-WAY STOP INTERSECTIONS to add E. Baltimore Ave and Union St.

PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS to add Charles St, both sides, between E. St. George Ave & Union St.

I MADE A REQUEST TO HAVE AN INVESTIGATION COMMITTEE AND GUESS WHAT, WE RAN OUT OF TIME AND MY REQUEST WAS PUSHED TO NEXT MONTH.  IF YOU EVER APPLIED FOR A CITY JOB, STAND UP, IF YOU APPLIED FOR A JOB AND NEVER HEARD BACK, STAND UP, IF YOU KNOW A CITY EMPLOYEE WHO WAS TREATED POORLY STANDUP. SINCE BEFORE I WAS ELECTED I HAVE BEEN CALLING FOR PAIR HIRING PRACTICES.  THERE WAS AN EMPLOYEE HIRED BUT WHOS EMPLOYMENT APPLICATION WAS DATED 25 DAYS AFTER THEY STARTED WORK. ANOTHER EMPLOYEE WHO LEFT THEIR EDUCATION BLANK AND WAS STILL HIRED AND STILL NEVER PROVIDED PROOF.  WHEN I WAS ELECTED I SAID, ME AS AN ELECTED OFFICIAL MY FAMILY CAN NOT GET A JOB UNLESS THEY PASSED A TEST!  WE NEED AN INVESTIGATION COMMITTEE.  YES, WE HAVE A PERSONNEL COMMITTEE BUT YOU SEE, THE MEMEBERS OF THE COMMITTEE ARE REFERENCES ON APPLCIATIONS OR THEY HAVE PERSONAL RELATIONSHIPS WITH THESE PEOPLE. I WILL LEAVE IT THERE.​