**Minutes of the Regular**

**Meeting of the 2019 Council of the**

**City of Linden, held Tuesday,**

**March 19, 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, March 19, 2019 at 7:04 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:

**ROLL CALL**

Councilwoman Lisa Ormon

Councilman Barry Javick

“ Peter Brown

“ Alfred Mohammed

Councilman John F. Roman

Councilman Ralph Strano

8th Ward Council Vacant

Councilman Armando Medina

Councilwoman Gretchen Hickey

Council President Michele Yamakaitis

Mayor Derek Armstead

President Yamakaitis announced that Ms. Cosby was excused.

**APPROVAL OF MINUTES**

Mr. Strano moved for approval of the regular meeting minutes of February 19, 2019. The motion was seconded by Mr. Roman and was unanimously ordered approved by a roll call vote.

**PROCLAMATION**

National Poison Prevention Week

Mayor Armstead read the following proclamation:

Proclamation

**WHEREAS**, Congress designated the third full week in March to be National Poison Prevention Week (NPPW) in 1961 and since then this week has helped to raise national awareness of the dangers of potentially poisonous medicines, household chemicals, and other substances; and

**WHEREAS**, poisoning is a preventable illness! From the youngest to the oldest, all people and even pets are at risk; and

poison centers across the country will focus the public’s attention on identifying poisoning hazards at home as well as learning ways to prevent poisoning emergencies; and

**WHEREAS**, a poison is defined as anything that is taken in the wrong amount, in the wrong way or by the wrong person; and unintentional poisoning is the leading cause of unintentional injury death in New Jersey outnumbering deaths by motor vehicles and firearms; and

**WHEREAS**, drug overdose deaths including those from prescription and over-the-counter medications, as well as illegal drugs such as heroin and methamphetamines remain at epidemic proportions for both New Jersey and the United States.; and in approximately 94% of unintentional poison death nationally and 96% in New Jersey, drugs are the poison; and

**WHEREAS**, although the majority of reported poison exposures involve children five (5) years old and younger; the majority of poisoning deaths occur in adults aged 20 to 59; and lead poisoning remains a major public health concern. Elevated blood lead levels can cause significant and permanent damage to the health and wellbeing of a young child. There is no safe level of lead. Stop a child’s exposure to lead before it causes harm; and

**WHEREAS**, the New Jersey Poison Information and Education System (NJPIES), a division of the Department of Emergency Medicine of the New Jersey Medical School of Rutgers, The State University of New Jersey, provides expert advice, drug information, and poison prevention education to NJ residents through the 800-222-1222 Poison Help Hotline; and all services are free, confidential, multilingual and available 24 hours a day, 7 days a week, 365 days a year even during bouts of Mother Nature; and

**WHEREAS**, the public can contact a poison expert by calling (1-800-222-1222), chatting ([www.njpies.org](http://www.njpies.org)), or texting ([8002221222@njpies.org](mailto:8002221222@njpies.org)); and

**WHEREAS**, consumers must be aware that e-cigarette devices, hookah pipes and liquid nicotine may contain very high doses of nicotine in enticing colors, aromas, and flavors – increasing the likelihood that small children and pets will focus their attention on them. These products pose serious risk of poisoning; and poison experts urge residents to use our services as a resource for poison and drug information instead of consulting the internet for information that may not be accurate; and

**WHEREAS**, we encourage all residents to program the Poison Help Line 800-222-1222 into home, office, and cell phones because a rapid response can make a difference in preventing serious injury and saving lives; and poison centers help to eliminate thousands of unnecessary and expensive emergency department visits by offering callers access to free, confidential medical advice; and

**WHEREAS**, NJPIES is also involved with the state’s efforts in homeland defense, counter-terrorism, emergency preparedness and response, bio surveillance, and surveillance for clusters of poisonings and their sources (products, food and beverages, chemicals in the workplace and at home, environmental toxins, drugs and medicine, and animal and insect bites and stings);

**NOW, THEREFORE, I,** Derek Armstead, Mayor of the City, State of New Jersey, do hereby proclaim, that the week of March 17th – 23rd, 2019 as National Poison Prevention Week in New Jersey and encourage all citizens to pledge their commitment to ensuring the safety of themselves, their families, and their community.

**PROCLAMATION**

Honoring Joseph Ogonowski for

His 100th Birthday

Council President Yamakaitis called up Mayor Armstead, Councilman Javick and Mr. Ogonowski.

Mr. Javick read the following proclamation:

**WHEREAS**, Joseph Ogonowski was born on March 2, 1919 in Elizabeth, NJ. He was the fifth child born to Martin and Katherine Ogonowski. Joseph had four older siblings, Mary, Michael, Charles, and Bernice and four younger siblings, Frank, Stanley, Albert, and Felix; and,

**WHEREAS**, Joseph attended St. Adalbert’s School in Elizabeth, where he later became an usher and trustee for the church until retiring in 1984. He retired from Burry Biscuits where he worked for 12 years. Prior to that, he worked at Union Carbide for 28 years; and,

**WHEREAS**, Joseph married his first wife, Lillian Pikula and they started their family. Joseph and Lillian were married 27 wonderful years until her passing in 1975. They were blessed with five children of their own, Mark, Paul, Joel, Claudia and Maria. Their first grandchild was born in 1980. Joseph now has five grandchildren and four great-grandchildren; and,

**WHEREAS**, Joseph married his second wife, Betty. After marrying Betty, Joseph found a new appreciation for travel. They traveled to many places like Barbados, Hawaii, Las Vegas and Poland just to name a few; and,

**WHEREAS**, Joseph’s zest for life continued when he married his third wife Terry, once again traveling and enjoying life; and,

**WHEREAS**, Joseph was and still is active in various organizations such as The Knights of Columbus, The Holy Name Society, The Polish National Home of Elizabeth and The Pulaski Parade Committee. He was also a member of The Catholic Golden Age, The Linden Moose and The Linden Elks; and,

**WHEREAS**, Joseph retired in 1984 and joined the Linden Retired Men’s club as an active member. Now, and for the past thirty five years, he enjoys meeting with all his friends at their weekly meetings; and,

**WHEREAS**, Joseph enjoyed swimming, League bowling, playing softball with the St. Stan’s Club and dancing at various Ballrooms though out the state; and,

**NOW THEREFORE BE IT PROCLAIMED** that I, Derek Armstead, Mayor of the City of Linden, in the State of New Jersey on this the 26th day of February, 2019 am honored to congratulate Joseph Ogonowski on his 100 years of life, he is a man of integrity who lives a rich life full of love, friendship, service to others, and especially helping wherever and whenever he can.

Mr. Ogonowski spoke about the meaning of life, and urged all to enjoy it.

**PROCLAMATION**

Declaring May 18th 2019 as “Kids to Parks Day”

Mayor Armstead noted the reasons for Kids to Parks Day, and then read the following proclamation:

WHEREAS, May 18th, 2019 is the Ninth “Kids to Parks Day” organized and launched by the National Park Trust, held annually on the third Saturday of May; and,

WHEREAS, Kids to Parks Day empowers kids and encourages families to get outdoors and visit America’s parks; and,

WHEREAS, it is important to introduce a new generation to our nation’s parks; and,

WHEREAS, we should encourage children to lead a more active lifestyle to combat the issues of childhood obesity, diabetes mellitus, hypertension and hypercholesterolemia; and,

WHEREAS, Kids to Parks Day is open to all children and adults across the country to encourage a large and diverse group of participants; and,

WHEREAS, Kids to Parks Day will broaden children’s appreciation for nature and outdoors; and,

NOW THEREFORE, I Derek Armstead, the Mayor of Linden, NJ do hereby proclaim on this the 19th day of March 2019 to participate in Kids to Parks Day in partnership with our Mayor’s Youth Commission & Public Property & Community Services Department and I urge the residents of our community to make time on May 18th, 2019 to take the children in their home to a park.

**PROCLAMATION**

Gilbert Nolasco

Overcoming adversity to achieve outstanding accomplishments

President Yamakaitis called upon Mayor Armstead and Mr. Nolasco to come forward. Mayor Armstead spoke about Mr. Nolasco, the adversity that he faced and how he overcame it. He then read the following proclamation:

**WHEREAS, Gilbert Nolasco** at an early age was deaf and used sign language as a way to communicate with others, and while enrolled in the public school pre-kindergarten class he was unable to communicate with peers and because of his disability was enrolled into a special education program; and

**WHEREAS, Gilbert Nolasco** while in elementary school miraculously regained his hearing, and with the support of his parents and teacher began to catch up with his peers and started to take regular education classes in the special education program; and

**WHEREAS, Gilbert Nolasco** was frequently teased for his learning deficiencies and he struggled with feeling isolated and unaccepted, it was because of this he became determined to not let others define him and he worked relentlessly to achieve success in school, spending countless hours outside of school working diligently to complete homework and review material that he struggled with in class; and

**WHEREAS, Gilbert Nolasco** by the time he reached the 8th Grade he was out of the special education program and enrolled in regular education classes, and remembers the unbelievable feeling that he had at that time, weeping with tears of joy. Since that time, he has continued to grow as an individual, both academically and personally; and

**WHEREAS,** **Gilbert Nolasco** during his tenure in high school is determined to succeed and challenge himself by enrolling in both the demanding Navy Junior ROTC and the rigorous IB Diploma Programs, he works tirelessly to achieve success in both endeavors and continually demonstrates an unmatched work ethic and commitment level, and his academic success has been remarkable and he has risen to be Regimental Commanding Officer, which is the highest ranking cadet leadership position in a unit comprised of over 450 high school cadets; and

**WHEREAS, Gilbert Nolasco** is humbled by the fact that if it were not for his parents, teachers and many others who have supported him and guided him on his path to overcome obstacles and achieve success and he has used this as his motivation to constantly look for opportunities to help others in need, wherever and whenever possible; and

**WHEREAS, Gilbert Nolasco** sees the challenges he faced in life as a part of a larger purpose, and that is being able to positively impact others and help them with their own struggles and he constantly puts himself in the service of his community for the betterment of others, and has never once looked for any type of accolades or recognition, Gilbert always strives to lead by example, and he is an example that is extremely worthy of emulation; and

**NOW THEREFORE BE IT PROCLAIMED** that I, Derek Armstead, Mayor of the City of Linden, in the State of New Jersey on this the 19th day of March, 2019, **do hereby proclaim** that it is my honor to express appreciation to **Gilbert Nolasco,** for he is a great example of an individual who was faced with difficulties and setbacks throughout his childhood, and these challenges were his motivation to persevere and achieve tremendous success, and he used these personal experiences as a positive example in helping others to strive to overcome the obstacles that may block their path.

Mr. Nolasco urged all not to view obstacles and failures as something bad, but it use them as a motivation, that makes you to do better, to achieve success.

**PRESENTATIONS**

New Jersey State Coaches Hall of Fame

Cherie Pizzano

President Yamakaitis called upon Mayor Armstead, Mrs. Ormon, Mr. Brown and Coach Pizzano to come forward. Mayor Armstead spoke about how when people think of Linden, they think of Linden meaning basketball. However that may have to be changed, as Linden has, and has had, an outstanding bowling team, winning many tournaments. He noted that all this would not be possible without a tremendous coach, Cherie Pizzano. He thanked her for her time and energy, especially the time she puts in with her children. Mrs. Ormon stated that Coach Pizzano is one of the kindness, gracious, women that she has met. Mrs. Ormon spoke about Ms. Pizzano’s love of the children, and her commitment to their success. She then read the resolution honoring Coach Cherie Pizzano. Ms. Pizzano thanked all and stated her appreciation for the recognition.

Union County Bowling Tournament Winners

Linden High School Bowling Team

President Yamakaitis asked the Mayor, Mrs. Ormon, Mr. Brown and Ms. Pizzano to remain and called up the members of the high school bowling team. Mayor Armstead spoke about the team, and their attributes. Mrs. Ormon read the resolution honoring the 2018-2019 Linden High School bowling team. A copy of the resolution was presented to each of the members of the team.

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**ORDINANCE CONTINUED FROM THE FEBRUARY 19, 2019 MEETING**

President of Council Michele Yamakaitis announced that this is the date designated for the hearing and

further consideration respecting an ordinance entitled:

* 1. An ordinance to adopt an amendment to the Redevelopment Plan entitled “1001 West Elizabeth Avenue Redevelopment Plan – Block 423, Lot 4.02,” pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (increasing the number of units to 402 residential units, as previously agreed upon)

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

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

There being no persons to be heard, Mrs. Ormon moved for approval of Ordinance #63-7. The motion was seconded by Mr. Javick and was ordered approved on a roll call vote with all voting yes with the exception of Mr. Roman who voted no.

**ORDINANCE ON HEARING**

President of Council Michele Yamakaitis announced that this is the date designated for the hearing and

further consideration respecting an ordinance entitled:

* 1. An ordinance entitled, “An ordinance to establish a schedule of titles, salary ranges and regulations for maintaining the classification and salary standardization plan for all employees of the City of Linden,” passed August 15, 1995 and approved August 16, 1995. Schedule 4-NN-2 (various titles)

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

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

There being no persons to be heard, Mr. Brown moved that the hearing be closed and the ordinance be adopted. The motion was seconded by Mr. Strano and on a roll call vote the foregoing ordinance was unanimously ordered approved.

President of Council Michele Yamakaitis announced that this is the date designated for the hearing and

further consideration respecting an ordinance entitled:

**63-10** Bond Ordinance providing an appropriation of $435,875 for various public safety IT computer upgrades for the Police Department and authorizing the issuance of $414,081 bonds or notes of the city for financing part of the appropriation.

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

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

There being no persons to be heard, Mr. Brown moved that the hearing be closed and the ordinance be adopted. The motion was seconded by Mrs. Ormon and on a roll call vote the foregoing ordinance was unanimously ordered approved.

President of Council Michele Yamakaitis announced that this is the date designated for the hearing and

further consideration respecting an ordinance entitled:

* 1. Bond Ordinance providing an appropriation of $368,500 for the acquisition of various vehicles for the Police Department and authorizing the issuance of $350,075 bonds or notes of the City for financing part of the appropriation.

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

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

Diane Wilverding 150 E. Morris Ave. Ms. Wilverding asked how many vehicles were being purchased and what type. Mrs. Zack provided a response.

There being no other persons to be heard, Mr. Brown moved that the hearing be closed and the ordinance be adopted. The motion was seconded by Mrs. Ormon and on a roll call vote the foregoing ordinance was unanimously ordered approved.

President of Council Michele Yamakaitis announced that this is the date designated for the hearing and

further consideration respecting an ordinance entitled:

* 1. An ordinance to further amend an ordinance entitled, an ordinance authorizing the City Clerk, Police Chief, Fire Chief, Director of Community Services, City Engineer, Municipal Treasurer, Construction Code Official, Director of Parks and Recreation to be paid for Holiday time in Lieu of appropriate time off, “Passed March 7, 1978 and approved March 8, 1978 and as amended and supplemented.”

DELETE: Public Works Superintendent

Superintendent of Public Property

ADD: Director of Community Services

Director of Parks and Recreation

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

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

There being no persons to be heard, Mr. Brown moved that the hearing be closed and the ordinance be adopted. The motion was seconded by Mr. Javick and on a roll call vote the foregoing ordinance was unanimously ordered approved.

President of Council Michele Yamakaitis announced that this is the date designated for the hearing and

further consideration respecting an ordinance entitled:

**#63-13** An ordinance approving the application for a Long Term Tax Exemption and authorizing the execution of a Financial Agreement with Peak Park Urban Renewal, LLC. For property known as Block 496, Lots 3 and 4. (The project will include 14 town houses at Park Avenue and Bedle Place).

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

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

John Principato, 1706 Westover Rd. Mr. Principato asked what the exact tax exemption was on this property. Mr. Antonelli responded that this is a PILOT agreement, and how it was structured. Mr. Principato asked what the numbers were, and it was noted that no one present had them with them this evening. Mr. Principato insisted that he should receive them now. The Mayor offered to have Mr. Principato come to his office, tomorrow, and he would provide the information. Mr. Principato declined and was critical of the governing body for being unprepared. Mr. Brown noted that a lot of the information was available, online. Mr. Brown responded and spoke about the importance of PILOT agreements to the municipal budget. He noted that the budget, being introduced this evening, contained a decrease in taxes, for the second year in a row. Mr. Brown and Mr. Principato had a discussion on what the numbers were. Mr. Roman noted that he had asked for the numbers, last month, and provided the approximate numbers from memory. Mrs. Hickey noted the condition the property was in for a very long time, being an eyesore. She noted the amount of money the City would be receiving per unit. Mr. Roman added that the site contained environmental contamination, that needed to be addressed, and how it supports the numbers in the PILOT.

Alexis Lospinoso, LEDC Director. Mr. Lospinoso noted that there have been all types of meetings, where these issues were discussed, and resources made available. The matter had been gone over during a caucus meeting. He stated that Mr. Principato could have obtained this information, at any time, instead of wasting time here to do it on TV. President Yamakaitis informed Mr. Principato that he was out of time.

There being no other persons to be heard, Mrs. Ormon moved that the hearing be closed and the ordinance be adopted. The motion was seconded by Mr. Javick and on a roll call vote the foregoing ordinance was unanimously ordered approved.

**CONSENT ITEMS**

**(\*\*\*)** **Tax Collector:**

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

**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**

5 13 3/4/19 17-00004 $1,100.00

22 16 2/19/19 17-00022 $1,300.00

88 1 2/19/19 17-00068 $1,300.00

178 4 2/22/19 17-00144 $1,400.00

198 35 2/19/19 17-00161 $800.00

198 37 2/19/19 17-00162 $1,400.00

247 19 2/12/19 17-00197 $1,400.00

277 4 2/19/19 17-00211 $800.00

393 26 2/25/19 17-00266 $1,000.00

487 3 2/25/19 17-00308 $800.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $11,300.00 payable to: Fig as Custodian for Fig NJ18, LLC, Secured Party, P.O. Box 54472, New Orleans, LA 70154, charging same to account #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**

33 15 2/22/19 17-00029 $60,200.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $60,200.00 payable to FNA DZ, LLC FBO WSFS,120 N. La Salle Street, Suite #-1220, Chicago, IL 60602charging 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**

99 11.01 2/19/19 17-00074 $1,400.00

155 20 2/25/19 17-00130 $1,100.00

242 8 2/11/19 17-00192 $1,100.00

563 21 2/25/19 17-00348 $1,400.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $5,000.00 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 2018 tax sale on the following block & lot.

**Block Lot Redemption Date CTF# Amount**

138 4 3/8/19 17-00113 $5,500.00

141 5 3/8/19 17-00114 $1,500.00

260 4 2/22/19 17-00202 $1,000.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $8,000.00 payable to: US Bank Cust for PC7, LLC Firstrust Bank, 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**

153 2 2/19/19 16-00126 $800.00

200 55 2/12/19 16-00160 $800.00

209 6 2/27/19 17-00168 $1,200.00

225 5 2/22/19 17-00188 $900.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $3,700.00 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**

472 22 2/14/19 16-00297 $3,100.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $3,100.00 payable to: US Bank Cust for PC6, LLC Sterling National, 50 South 16th Street, Suite #2050, Philadelphia, PA 19102, charging same to account #-9-01-55-276-999-956.

**Overpayment** Block 37 Lot 9

Old Owner: Marjorie Nazaire

New Owner: Vincent C. Giles Jr.

1627 Essex Avenue

The above referenced old owners Mortgage Company and the new owner’s Title Agency have paid the 2018 2nd quarter property taxes creating this overpayment and the old owner’s mortgage company is entitled a refund in the amount of $ 1,790.62.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,790.62, payable to Core Logic Tax Services, LLC, Attention: Centralized Refunds, 3001 Hackberry Road, Irving TX 75063-0156 charging same to account #-9-01-55-288-999-904.

**Overpayment** Block 40 Lot 35

Former Owner: Dolly V. Wekesa

Current Owner: Ronette Jones & Michael Dixon

1411 Passaic Avenue

The above referenced old owner’s Mortgage Company and the new owner’s title agency have paid the 2018 4th quarter property taxes creating this overpayment and the Old owner’s mortgage company is entitled a refund in the amount of $ 2.827.02.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $2,827.02 payable to: Lereta, LLC, Returns & Refunds, 1123 Park View Drive, Covina, CA 91724 charging same to # 9-01-55-288-999-904.

**Refund** Block 91 Lot 4

1109 Union Street

Certificate #13-00111

After reviewing a lien account, due to the lien holder paying a tax quarter in error, and should have not been processed and returned. The lien holder is entitled to a refund of the incorrect payment, MTAG Cust Fig Cap Invest NJ 13.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,045.73 payable to: MTAG Cust Fig Cap Invest NJ 13, P.O. Box 54472, New Orleans, LA 70154, charging same to account #-9-01-55-288-999-904.

**Refund** Block 155 Lot 16

600 Harrison Place (Mother- Lot) 2018 Overbill

There now exists a credit balance on the above referenced block & lot due to an overbill of the 1st & 2nd quarter 2018 property taxes when the house was demolished and then rebuilt. This overpayment occurred when the assessment was reduced creating this overbill. This should be refunded to the owner.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of **$2,088.78** payable to: Grunwald Properties, LLC, 107 E. Curtis Street, Linden, NJ 07036, charging same to account #9-01-55-288-999-904.

**Refund** Block 184 Lot 4

Brenda P. Jones

629 Clark Street

2018 overpayment

The above referenced owner’s mortgage company paid the 2018 3rd quarter twice and said payment has created an overpayment in the amount of $1,917.21 and the owner is entitled a refund.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,917.21 payable to: Brenda P. Jones, 629 Clark Street, Linden, NJ 07036-, charging same to # 9-01-55-288-999-904.

**Refund** Block 198 Lot 8, 325 E. Price Street (Mother- Lot)

2018 Overbill

There now exists a credit balance on the above referenced block & lot due to an overbill of the 1st & 2nd quarter 2018 property taxes when the house was demolished and then rebuilt. This overpayment occurred when the assessment was reduced creating this overbill. This should be refunded to the owner.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of **$3,750.23** payable to: Grunwald Properties, LLC, 107 E. Curtis Street, Linden, NJ 07036, charging same to account #9-01-55-288-999-904.

**Refund** Block 200 Lot 8, 307 E. Elizabeth Avenue

2014 Overbill

There now exists a credit balance on the above referenced block & lot due to an overbill of the 3rd & 4th quarter 2014 property taxes when the house was demolished and then rebuilt. This overpayment occurred when the assessment was reduced creating this overbill. This should be refunded to the owner.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of **$2,391.81** payable to: K & J Niemczyk, 107 E. Curtis Street, Linden, NJ 07036 charging same to account #9-01-55-288-999-904.

**Refund** Block 236 Lot 6

Old Owner: John P. Fuimo

New Owner: Goldberger

20 Harvard Road

The above referenced old owners Mortgage Company and the new owner’s Title Agency have paid the 2019 1st quarter property taxes creating this overpayment and the old owner’s mortgage company is entitled a refund in the amount of $2,813.34.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $2,813.34, payable to Core Logic Tax Services, LLC, Attention: Centralized Refunds, 3001 Hackberry Road, Irving TX 75063-0156 charging same to account #-9-01-55-288-999-904.

**Refund** Block 239 Lot 4

Carmine & Elizabeth Antonucci

935 N. Wood Avenue

County Board Judgment #09-1800063L

The above referenced property owners are entitled to a refund due to a County Board Judgment reducing the assessment by 63,700 for 2018 creating a total overpayment of $1,304.67.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,304.67 payable to: Spiotti & Esposito, 271 Route # 46 # F105-106, Fairfield, NJ 07004, charging same to account #9-01-55-275-999-000.

**Refund** Block 268 Lot 1

Matthew P. Barret

1819 Orchard Terrace

2018 overpayment

The above referenced owner’s prepaid the 2018 3rd quarter property taxes and said payment has created an overpayment in the amount of $934.18 and the owner is entitled a refund.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $934.18, payable to: Matthew P. Barret, 1819 Orchard Terrace, Linden, NJ 07036-, charging same to # 9-01-55-288-999-904.

**Refund** Block 353 Lot 11.03

Old Owner: A. & K Branco & F. Ramirez

New Owner: Sergio Sagareli

313 De Witt Street

The above referenced old owners Mortgage Company and the new owner’s Abstract Company have paid the 2019 1st quarter property taxes creating this overpayment and the old owner’s mortgage company is entitled a refund in the amount of $ 3,255.83.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $3,255.83, payable to Core Logic Tax Services, LLC, Attention: Centralized Refunds, 3001 Hackberry Road, Irving TX 75063-0156 charging same to account #-9-01-55-288-999-904.

**Refund** Block 438 Lot 5

Old Owner: Steve Guillaume

New Owner: Katherine Mora & Jean Paul Mora

307 E. Linden Avenue

The above referenced old owners Mortgage Company and the new owner’s Abstract Company have paid the 2019 1st quarter property taxes creating this overpayment and the old owner’s mortgage company is entitled a refund in the amount of $ 2,393.24.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $2,393.24, payable to Core Logic Tax Services, LLC, Attention: Centralized Refunds, 3001 Hackberry Road, Irving TX 75063-0156 charging same to account #-9-01-55-288-999-904.

**Refund** Block 470 Lot 27.01

Naomi M. McCombs

805 Hampden Street

2015 overpayment

The above referenced owner had purchased from an exempt taxpayer and the title agency has made this payment in error and the owner is entitled a refund in the amount of $1,633.68.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $1,633.68, payable to: Naomi M. McCombs, 805 Hampden Street, Linden, NJ 07036-, charging same to # 9-01-55-288-999-904.

**(\*\*\*) Personnel:**

1. Advising that the following City of Linden employees have filed for retirement:

**Department** **Employee** **Title** **Date**

Law Department Anthony Palumbo Chief Public Defender March 1, 2019 Fire Department Timothy Poskay Fire Fighter April 1, 2019

**(\*\*\*) Municipal Treasurer:**

1. Requesting approval of the following refunds:

Oxford Health Insurance, Inc. is entitled to a refund in the amount of $223.87 for service that was provided on 7/23/2018. Therefore, it would be in order for the council to authorize the treasurer to issue a check payable to: Oxford Health Insurance, Inc. 4 Research Drive Shelton, CT 08484 charging same to 9-01-08-629-011.

**(\*\*\*) Board of Health:**

1. Advising that sixty-eight (68) Certificates of Occupancy were issued during the month of January, 2019 and forty-seven (47) Certificates of Occupancy were issued during the month of February, 2019.

**(\*\*\*) CITY CLERK’S OFFICE:**

1. Requesting approval of the following bingo/raffle applications which have been submitted to the Clerk’s Office.

**Application Organization Raffle Fee**

RA-1908 Kiwanis Club 50/50 $20.00

RA-1909 School #1 50/50 $20.00

RA-1910 School #1 Tricky Tray $20.00

RA-1911 FOLAS 50/50 $20.00

RA-1912 FOLAS Tricky Tray $20.00

**(\*\*\*) POLICE DEPARTMENT UNITY TOUR:**

1. Requesting permission to hang a banner across Wood Avenue from April 15, 2019 through May 15, 2019 advertising the Police Unity Tour that will travel through Linden on May 9, 2019 and closing Wood Avenue between the hours of 12 noon and 3pm.

**(\*\*\*) MAYOR ARMSTEAD ADVISING OF PLANNING BOARD APPOINTMENTS**

1. Be advised that the Mayor has made the following appointments to the Planning Board: George Doney as a Class IV Member for a term of 1/1/19 to 12/31/19

Mike Anderson as a Class IV Member for a term of 1/1/19 to 12/31/22 Joseph LaPlaca as a Class IV Member for a term of 1/1/19 to 12/31/22

Noya Edem as Alternate #1 for a term of 1/1/2019 to 12/31/20

Mr. Brown moved for the approval of Consent Items #1 through #7. The motion was seconded by Mr. Mohammed and was unanimously ordered approved.

**COMMITTEE REPORTS**

**FIRST WARD**

Mrs. Ormon announced that Wales Park is under construction, and spoke about the project. Next she announced that construction has also begun on Gesner St., which is a project that was first scheduled for 2017. She noted the short term inconvenience that the project was causing.

Mrs. Ormon spoke about a training that her and other members of Council attended on March 2nd, regarding budgeting and PILOT programs. She noted how others present laughed at Linden for the embarrassment that these council meetings are. She noted that both the members of the dais and the members of the public are guilty. She spoke about her concerns, and who she is and what she is about. She concluded by stating that she wants to be remembered for the positive accomplishments that she has done to make Linden a better place.

**SECOND WARD**

Mr. Javick gave the report of the Fire Committee. The Fire Prevention Bureau collected a total of $5,052.45 for the month of February. The ambulance reimbursement system collected a total of $58,247.98 for the month of February, bringing the year to date amount to $116,393.27. He informed all that the new ambulance was now in service.

Mr. Javick announced that the buildings on the former United Lacquer site have been demolished, and noted the plans for the site. Next he announced that the former JTG scaffolding site is being cleaned out and prepped for demolition, and talked about the development that would be built there. Mr. Javick then reported on the new residential parking permit program that was put into place to ensure adequate parking for residents, the installation of heaters on the platforms at the train station, and the filling of potholes by DPW. As the liaison to the Shade Tree Commission, he informed all residents that if they need a tree trimmed, or planted, they should contact their council person. He also provided details on the upcoming Arbor Day activities and planting. He also provided details on an upcoming public safety meeting, and plans for a joint First, Second and Third Ward barbeque. Mr. Javick announced that there would be a Second Ward Family Game Night, at the JTG Center, and provided those details. He concluded by stating that Linden had a bright future in front of it.

**THIRD WARD**

Mr. Brown moved for approval for the installation of a street light at 449 Ainsworth St., poll number 60726 LD. The motion was seconded by Mrs. Ormon and was unanimously ordered approved by a roll call vote.

Mr. Brown announced a number of recreational activities and how to obtain information on them.

**Mr. Brown gave the following Finance Report:**

1. The payment of bills totaling $ 1,475,246.34. 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 February at the rate of 2.75%.

**Mr. Brown moved for the approval of the Finance Report. The motion was seconded by Mrs. Ormon and was unanimously ordered approved.**

Mr. Brown then gave the following statement regarding the introduction of the 2019 Budget.

I would like to take this time to introduce the 2019 City of Linden Municipal Budget.

The Budget represents a total of $110,463,333.40 in expenditures for the year 2019. The Finance Committee will continue to work to further reduce expenses, wherever possible. The Finance Committee has worked with every Department Head in keeping expenditures to a minimum.

The Finance Committee is proud to deliver this budget at a decrease in the municipal portion of your tax rate by $4.93 based on the average assessed home value of $131,637.00.

Once again, this year’s budget addresses many issues pertaining to our Police Department. It puts more cops on the streets.

I would like to thank all the members of the governing body for their assistance and recommendations on the 2019 budget. I would like to especially thank every Department head for their dedication and diligence in preparing their 2019 municipal budget requests.

Please be advised that anyone interested in obtaining a copy of the 2019 Municipal budget, copies will be available in the City Clerk’s Office from 9:00 am to 5:00 pm Monday through Friday. If you are unable to pick up a copy you may contact the City Clerk’s Office at

(908) 474-8452 and a copy will be sent to you. It is also available on the City’s website

[www.linden-nj.org](http://www.linden-nj.org) and for viewing at the Linden Municipal Library.

The Clerk then read the following Municipal Budget Notice

Municipal Budget of the City of Linden, County of Union for the Calendar Year 2019.

Be it resolved, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the Year 2019.

Be it Further Resolved, that said Budget be published in the Union County Local Source in the issue of March 28, 2019.

The Governing Body of the City of Linden does hereby introduce the following as the Budget for the year 2019.

Notice is hereby given that the Budget and Tax Resolution was introduced by the Governing Body of the City of Linden, County of Union, on March 19, 2019.

A hearing on the Budget and Tax Resolution will be held at City Hall, on April 16, 2019 at 7:00 o’clock pm at which time and place objections to said Budget and Tax Resolution for the year 2019 may be presented by taxpayers or other interested persons.

Mr. Brown moved the introduction of the 2019 budget. The motion was seconded by Mrs. Ormon and was unanimously ordered approved by a roll call vote.

Mr. Brown then reported on the reverse 911 system and it’s being tested in the Third Ward. He had Police Chief David Hart provide details on the test. Next Mr. Brown spoke about an email that he had received, noted complaints that he had made, in prior months, regarding a person following him and investigating him. He stated that this is getting out of control, and a lot of this type of activity is linked to people on this dais. He talked about the need to stop this type of activity and spoke about the constructive programs that have been established over the past few years, and the need to continue with positive programs.

**FOURTH WARD**

Mr. Mohammed gave the report of the City Clerk’s office. The City Clerk’s office collected a total of $3,477.61 from various sources. The City Clerk’s Licensing Division collected a total of $2,412.00.

Mr. Mohammed reported that the Department of Public Works has made tremendous progress in the Fourth Ward, addressing a number of different issues.

**SIXTH WARD**

Mr. Roman reported on the issue of permit parking, in the Sixth Ward. He noted that over 1600 permits have been issued between the Second and Sixth Ward. The program is working. He added that the purchase of permits, for train station parking, has increased as a direct result of the residential parking permit program. Next he reported on his Sixth Ward Community meeting. He then announced that he is planning his Sixth Ward Community Cleanup. He also informed all about a fundraiser that the School 6 PTA was hosting, and a battle of the badges being planned for the John St. recreation center.

Mr. Roman then spoke about PILOT programs, that he had no problem with PILOTS for warehousing as it did not contain children. He also talked about the extra funding that the State of New Jersey provided to the Linden School District. He then went on to speak about his deep concern for the City, and that his votes are only based on what is right for the City and its residents, adding that he would always have the back of the people.

**SEVENTH WARD**

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

1. Department of Community Services

Division of Public Works:

1. Permission to post for two laborers in the Division of Public Works, internally and externally at the same time.
2. Permission to post for the position of Truck Driver in the Division of Public Works, internally and externally at the same time.
3. Police Department:
4. Accepting the voluntary resignation in good standing of Dispatcher Jennifer Sepulveda effective February 27, 2019.
5. Accepting the voluntary resignation in good standing of Katarzyna Dziadosz, Clerk 1, from the Records Bureau, effective March 11, 2019.
6. Accepting the voluntary resignation in good standing of Edgard Enrique Remigio, Police Recruit effective February 26, 2019.
7. The hiring of eight (8) Public Safety Telecommunicator Trainees from the attached list effective March 27, 2019 at the annual salary of $38,000, pending the successful completion of all necessary pre-employment requirements.
8. The hiring of Shaunice Randolph, Clerk 1, at the annual salary of $34,548, effective April 8, 2019 pending successful completion of all necessary pre-employment requirements.
9. The hiring of Alaya Bishop, Clerk 1, at the annual salary of $34,548, effective April 8, 2019, pending successful completion of all necessary pre-employment requirements.
10. Municipal Court:
11. The hiring of Dharmisa Patel as a full time Clerk 1, at the rate of $18.98 per hour, effective March 25, 2019, pending the successful completion of all necessary pre-employment requirements.
12. The hiring of Rebecca Casablanca as a part time Clerk 1, at the rate of $18.00 per hour, effective March 25, 2019, pending the successful completion of all necessary pre- employment requirements. (To be paid out of the POAA trust account)
13. The hiring of Evann Hardy as a part time Clerk 1, at the rate of $18.00 per hour, effective March 25, 2019, pending completion of all necessary pre-employment requirements. (To be paid out of the POAA trust account)
14. Law Department:

a) The hiring of William Reynolds as temporary Clerk 1, at the rate of $18.98 per hour, effective March 25, 2019, pending the successful completion of all necessary pre-employment requirements.

1. Personnel:
2. Amending the hiring date of Athena B. Robinson from March 4, 2019 to March 5, 2019, and correction of her name from Athena Thompson to Athena B. Robinson.
3. Approve the FMLA/NJFMLA leaves for the following employees:

The list of employees are on file in the Personnel Division

**Mr. Strano moved for approval of the Personnel Report. The motion was seconded by Mr. Roman and was unanimously ordered approved.**

Mr. Strano then told a story, about what he termed the lighter side of government. The story concerned a Seventh Ward resident and how his experience in trying to mail a letter resulted in getting the old, beat up mailbox replaced.

**NINTH WARD**

Mr. Medina began his report by noting the work being done by the Technology Committee. He then spoke about the Ninth Ward streets that he submitted to be repaved in 2019. He went on to speak about his conversations with Director Dann about patching streets that had trouble spots. Mr. Medina informed Ninth Ward residents that the 2018 sidewalk replacements, not completed last year, will be done this year, with the work starting shortly. He then noted several other issues of concern in the Ninth Ward that were being addressed by DPW.

Mr. Medina then talked about packages, being stolen from front porches and asked Ninth Ward residents to keep an eye out for this kind of activity and report it to the police. Lastly he informed all that a joint 9th and 10th ward newsletter should be coming out shortly.

**TENTH WARD**

Mrs. Hickey thanked all for coming out this evening. She spoke about her attendance at the Union County St. Patrick’s Day Parade and how great of a day it was. She noted that, a few months ago, when she spoke about OEM and its members, she forgot to mention an individual, and then did so tonight. Next she spoke about the grant application for parks, on tonight’s agenda, and suggested that some of the money be dedicated to Al Kalla Park renovations. Mrs. Hickey reviewed statistics for work being done, by OEM, during the past few years, and congratulated them for the great job they did.

Mrs. Hickey spoke about street cleaning issues in the Tenth Ward. She offered her condolences to the Villani family, and congratulations to the bowling team and coach. She spoke about the SID budget and the manner in which the money was being spent, which she did not agree with. Next she noted the presence of on duty police officers, in the chambers, and stated her frustrations that they were here and not on the street. She spoke about an incident, at Monday night’s conference meeting and how she feared for her and Mr. Roman’s safety. Mrs. Hickey talked about how upset she was by an employee’s response to Mr. Principato earlier this evening. She concluded by speaking about the Investigation Committee, expressed her opinion that the members that were chosen to sit on it should undergo a background investigation. Mrs. Hickey went on to state that Council should not be doing this, that if an investigation is warranted, that it should be done by existing law enforcement agencies, and concluded by stating that she was not going to be intimidated or bullied.

**MAYORS REPORT**

Mayor Armstead began his report by announcing the following events and providing details on them, Women’s History Brunch, Family Game Night, First Annual Women’s History Month celebration, Cornhole tournament to support the Police Unity Tour, Lions Club Fish Fry, First Annual City Wide Easter Egg hunt, Linden High School Food Truck Festival, and Kids to Park Day. He spoke about a planned forum on the effects of smart phones on individuals and families, noting the sponsors and providing details on the event.

Mayor Armstead provided details on various developments and redevelopments going on in the City, speaking about the proposal by Sterling Equities to build a 500 square foot warehouse and noting that the demolition of the United lacquer buildings. He thanked the members of the Finance Committee for their hard work in bringing in a budget with a tax reduction. He added that first the garbage tax was removed, which was followed by a tax reduction, last year, and now a second tax reduction. The Mayor informed all about a increase in state funding that the Board of Education received, and that the Board would have zero tax increase, this year. He stated that he hoped that the County of Union would work towards also having a zero tax increase, giving Linden tax payers a break.

Mayor Armstead thanked the members of Council who had the answers, for the public, on the PILOT programs, and talked about a seminar he attended on the PILOTS, and their use. He concluded by stating that Linden is dead on in its use of PILOTS.

President Yamakaitis spoke on the issue of pot holes, in the City, and the efforts of Public Works, to address them. She informed all that Cranford Ave repaving will be going out to bid, in a few weeks, and asked Mr. Antonelli to report on the proposal for the South Stiles St. project. He explained the question, regarding the placement of the RFQ for the redevelopment, and that after a review, it was determined that nothing inappropriate was done.

President Yamakaitis then read the following Proclamation:

**WHEREAS**, the citizens of Linden have a valuable voice to contribute to the discussion of gun violence and should be heard. Prior to and since that 2013 resolution, unspeakable mass shootings have and occurred at schools, houses of worship, and public events. Daily shootings occur in our nation’s streets and neighborhoods every day; and,

**WHEREAS**, Gun violence effects the lives of hundreds people daily. Now is the time that we take a stronger stand against gun violence and address gun violence in the best way possible that WILL improve the quality of life in our neighborhoods; and,

**WHEREAS**, On May 19, 1986 President Ronald Regan signed and hereby committed into law the Firearms Owner’s Protection Act, Public Law 99-308, which included provisions outlawing civilian possession and transfer of “machine guns”. The provisions of the Firearms Owners’ Protection Act regarding machine guns resulted from an amendment by New Jersey Representative William J. Hughes.

**WHEREAS**, It appears that this 1986 law effective in limiting possession and use of machine guns nationwide and we believe that a reasoned, rational approach for the access to certain weaponry is an essential first step in addressing the scourge of gun violence ; and,

**WHEREAS**, The following measures for the ban on assault firearms should be implemented. Enactment of a ban on the sale, importation, transfer, and ownership of “assault firearms”. Adoption of requirements for thorough background checks for all gun purchases without loopholes. Appropriations of funding for additional research into smart gun technology. An increase in the minimum age for purchase of any type of firearm in the United States to twenty one years.

**WHEREAS**, Implementation of an extensive buy-back program should focus specifically on reducing the number of assault firearms and other military style semi-automatic weapons currently in circulation across the country. Fund gun violence research and no longer include language in the Federal Budget or elsewhere that would restrict the Centers for Disease Control and Prevention or other federal agencies from expending funds for research on gun violence; and

**NOW THEREFORE BE IT PROCLAIMED** that I, Derek Armstead, Mayor of the City of Linden, in the State of New Jersey designate that on this 19th day of March 2019 support the ban of assault firearms.

**RESOLUTIONS**

**Mrs. Yamakaitis stated that public comments will be permitted for those specific resolutions to be removed from the consent approval. Please read the synopsis of the resolutions, which have been prepared by the City Clerk’s office. Each is informative and self-explanatory. However, if you wish to address a specific resolution, the Council, will entertain questions on it.**

**Virginia Malik asked to remove Resolutions 2019-126; 132; 144; and 152.**

**John Principato asked to remove Resolutions 2019-126; 131; 144; 148; 156; and 159.**

**Craig Hollaran asked to remove Resolutions 2019-139; 140; 141; and 143**

**Mr. Roman asked to remove Resolutions 2019-136.**

Mr. Roman moved for the approval of Resolutions #2019-120 through #2019-161 with the exception of Resolutions #2019-126, 2019-131, #2019-132, #2019-136, #2019-139, #2019-10, #2019-141, #2019-143, #2019-144, #2019-148, #2019-152, #2019-156 and #2019-159. The motion was seconded by Mrs. Hickey and was unanimously ordered approved by a roll call vote.

**RESOLUTION: 2019-120**

**RESOLUTION FOR BUS TRANSPORTATION FOR VILLANI BUS COMPANY BY QUOTATIONS FOR THE CITY OF LINDEN**

**WHEREAS**, the City of Linden wishes to purchase bus transportation services for the City of Linden; and

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

**WHEREAS,** Villani Bus Company, 811 E. Linden Avenue, Linden, NJ 07036 was solicited for quotations; and

**WHEREAS,** Villani Bus Company provided the most advantageous quote, price and others factors considered in the amount not to exceed $34,375.00; and

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

9-01-28-370-199-271 $18,075.00

9-01-28-370-199-294 1,050.00

T-14-56-850-000-107 15,250.00

**NOW THEREFORE BE IT RESOLVED** Villani Bus Company be awarded a contract to supply bus transportation services at the low quote of $34,375.00.

**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: 2019-121**

**STATE CONTRACT RESOLUTION FOR MAINTENANCE SERVICE FOR CITYWIDE FIRST RESPONDER EMERGENCY COMMUNICATION SYSTEM**

**WHEREAS**, the City of Linden wishes to obtain services from an authorized vendor under the State of New Jersey Cooperative Purchasing Program 1-NJCP; for citywide first responder emergency communication system maintenance from Motorola Solutions, Inc. , an authorized vendor under the State of New Jersey Cooperative Purchasing Program 1-NJCP; and,

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

**WHEREAS**, Motorola Solutions, Inc., 5 Paragon Drive, Suite 200, Montvale, NJ 07645 has been awarded New Jersey State Contract No. 83909 for radio communication equipment, maintenance, accessories ; and,

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

**WHEREAS**, the amount of the service is not to exceed $66,453.85; and,

**WHEREAS**, the Chief Finance Officer has certified the availability of funds for this contract, which will be charged to account number 9-01-25-250-314-275; and,

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

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

**RESOLUTION: 2019-122**

**A RESOLUTION AUTHORIZING Stacey L. carron, TAX COLLECTOR, TO PARTICIPATE IN ELECTRONIC TAX SALE PROCESS**

**WHEREAS**, N.J.S.A. 54:5-19, authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Government Services; and

**WHEREAS**, the Director of the Division of Local Government Services has promulgated rules and regulations; and

**WHEREAS**, Tax Collector, Stacey L. Carron has advised that an electronic tax sale is innovative and provides a greater pool of potential lien buyers, thus creating the environment for a more complete tax sale process; and

**WHEREAS**, the rules and regulations require a municipality to send two (2) notices of tax sale to all properties included in said sale; and

**WHEREAS**, the rules and regulations allow said municipality to charge a fee of $25.00 per notice for the creation, printing and mailing of said notice; and

**WHEREAS**, in an effort to more fairly assign greater fiscal responsibility to delinquent taxpayers, the City of Linden wishes to charge $25.00 per notice mailed which will be assessed specifically to the delinquent accounts that are causing the need for a tax sale and not to the general tax base.

**NOW, THEREFORE, BE IT RESOLVED** **BY THE GOVERNING BODY OF THE CITY OF LINDEN** that the City of Linden wishes to participate in the electronic tax sale; and

**BE IT FURTHER RESOLVED** that Stacey L. Carron, Tax Collector shall and hereby is authorized to participate in the electronic tax sale program.

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

**RESOLUTION: 2019-123**

**Resolution Authorizing Contracts with Approved State Contract Vendors for Contracting Units Pursuant To N.J.S.A. 40A: 11-12a**

**WHEREAS,** the City of Linden, pursuant to N. J. S. A. 40A: 11-12a and N. J. A. C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of Treasury; and

**WHEREAS**, the City of Linden has the need on a timely basis to purchase goods or services utilizing State contracts; and

**WHEREAS**, the City of Linden intends to enter into contracts with any State Contract Vendors through this resolution and properly executed contracts, which shall be subject to all the conditions applicable to the current State contracts;

**NOW, THEREFORE, BE IT RESOLVED**, that the City of Linden authorizes the Purchasing Agent to purchase certain goods or services from those approved New Jersey State Contract Vendors on the attached list, pursuant to all conditions of the individual State contracts; and

**BE IT FURTHER RESOLVED**, that the governing body of the City of Linden pursuant to N. J. A. C. 50:30-5.5(b), the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Financial Officer; and

**BE IT FURTHER RESOLVED** that the duration of the contracts between the City of Linden and the State Contract Vendors shall be from January 1, 2019 – December 31, 2019

**RESOLUTION: 2019-124**

**RESOLUTION AUTHORIZING AN AWARD OF CONTRACT FOR ANNUAL MUNICIPAL MAINTENANCE SUBSCRIPTION WITH PROPERTY PILOT**

**WHEREAS**, the City of Linden has a need to renew required maintenance subscription to GIS Municipal Mgmt. System for various departments; and

**WHEREAS**, N.J.S.A. 40A:11-5.1(dd) provides for the support software maintenance, consultation services and training services of propriety computer hardware and software; and

**WHEREAS,** pursuant to the provisions of N.J.S.A. 19:44A20.4 or 20.5, said contract is renewed as a non-fair and open contract; and

**WHEREAS,** the anticipated term of this contract is one (1) year, commencing on January 1, 2019 through December 31, 2019 at the rate of $32,500.00; and

**WHEREAS**, Property Pilot d/b/a GovPilot, 79 Hudson Street, Suite 503, Hoboken, NJ 07030 has submitted a proposal indicating they will provide the software and maintenance required for the aforesaid price; and

**WHEREAS**, funds have been previously certified and will be charged to account/line items: 9-01-20-131-113-245 $17,000.00

9-01-26-310-126-206 $15,500.00

**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: 2019-125**

**RESOLUTION**

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

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

**WHEREAS,** pursuant to the fair and open process, and based upon review of the qualifications and recommendations therefore, certain professionals are qualified for certain positions for the calendar year 2019;

**PUBLIC RELATIONS**

**Dealessi Enterprises, Inc.**

**54 South Glen Road**

**Kinnelon, NJ 07405**

**SPECIAL COUNSEL FOR ENVIRONMENTAL LITIGATION AND OTHER ENVIRONMENTAL MATTERS**

**Locks Law Firm LLC**

**801 N. Kings Highway**

**Cherry Hill, NJ 08034**

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

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

**RESOLUTION: 2019-126**

**STATE OF NEW JERSEY**

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**GREEN ACRES**

**ENABLING RESOLUTION**

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program (“State”), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

WHEREAS, the **City of Linden** desires to further the public interest by obtaining a grant of $**1,000,000.00** from the State to fund the following project(s): **The City of Linden Multi-Park Rehabilitation Project.**

NOW, THEREFORE, the governing body/board resolves that Mayor Derek Armstead is hereby authorized to:

(a) make application for such a grant

(b) provide additional application information and furnish such documents as may be required

(c) act as the authorized correspondent of the above named applicant, and

WHEREAS, the State shall determine if the application is complete and in conformance with the scope and intent of the Green Acres Program , and notify the applicant of the amount of the funding award; and

WHEREAS, the applicant is willing to use the State’s funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the State for the above named project;

NOW, THEREFORE, BE IT RESOLVED BY THE City of Linden

1. That the Mayor is hereby authorized to execute an agreement and any amendment thereto with the State known as **Linden Parks Renovation Project** and; **[Note: Please authorize only one official to sign the project agreement on behalf of the local government or nonprofit.]**
2. That the applicant has its matching share of the project, if a match is required, in the amount of $**1,000,000.00.**
3. That, in the event the State’s funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project, and;
4. The applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project.5.That this resolution shall take effect immediately.

Virginia Malik. Ms. Malik asked if making application, means this is a grant that we are going after? Mrs. Zack responded yes.

John Principato. Mr. Principato began by requesting the new ground rules for speaking on resolutions. He began questioning them, and Mr. Antonelli noted that Mr. Principato’s time, for speaking on resolutions was running. Mr. Principato then asked if this was a grant the City was applying for. Mrs. Zack responded yes, and spoke on the purpose of the green acres funding.

**RESOLUTION: 2019-127**

**A RESOLUTION HONORING AND RECOGNIZING THE ACCOMPLISHMENTS**

**OF DONALD MILFORD PAYNE, A MAN OF FIRST, DURING BLACK HISTORY**

**MONTH**

**WHEREAS,** the history of our Nation and State is inextricably linked to the heritage of our country’s Black Americans; and

**WHEREAS,** the history of Black Americans is the story of extraordinary individuals whose achievements have set examples for citizens of all races, who dedicated their lives to creating a nation where all people are created equal; and

**WHEREAS,** the late Donald Milford Payne, a “Man of First” is one such individual, having been born in Newark, New Jersey, on July 16, 1934, graduating from Barringer High School, Newark, NJ and receiving his B.A. from Seton Hall University, South Orange, in 1957; and

**WHEREAS,** he began his career of public service as a teacher in the Newark Public Schools. His service as an educator, helped shaped his future role as a passionate human rights advocate for our local and global communities; and

**WHEREAS,** in 1970, Donald M. Payne, became the first black president of the Nation Council of YMCAs, and went on to become, Chairman of the World Y.M.C.A Refugee and Rehabilitation Committee in 1973; and

**WHEREAS,** seeking to improve the lives of his community, he was first elected to the Essex County Board of Chosen Freeholders, where he served three terms and also served on the Newark City Council; and

**WHEREAS,** Donald Milford Payne went on to become New Jersey’s first Black Congressman in 1988, representing the 10th Congressional District, which included the City of Linden, where he served with distinction, until his death in 2012; and

**WHEREAS,** during his tenure in the House of Representatives he played a crucial role in shaping the legislative agenda in such areas as education and international human rights, earning a reputation as one of the most consistently progressive leaders of all times; and

**WHEREAS,** Donald Milford Payne legacy continues to this day through such institutions as the Essex County Donald M. Payne School of Technology and the Donald M. Payne, Sr. Global Foundation, which fosters his passion as a human rights advocate in improving the lives of the most vulnerable among us.

**NOW THEREFORE BE IT RESOLVED,** by the Mayor and Council of the City of Linden do hereby recognize Donald M. Payne, during Black History Month, as a “Man of First” and whose accomplishments set examples for citizens of all races.

**RESOLUTION: 2019-128**

**RESOLUTION AUTHORIZATING AN AGREEMENT WITH THE CITY OF ELIZABETH, DEPARTMENT OF HEALTH AND HUMAN SERVICES TO PROVIDE STD CLINIC SERVICES FOR THE CITY OF LINDEN**

**WHEREAS**, the City of Linden (“City”) wishes to enter into an agreement with the City of Elizabeth, Department of Health and Human Services to provide STD Services for the City of Linden; and

**WHEREAS**, the Linden Board of Health is hereby authorized to pay for said services in the amount of $8,000.00; and

**WHEREAS**, the Chief Financial Officer or his designee has certified to the availability of funds for this purpose, to charged to Account No. 9-01-27-330-183-255;

**WHEREAS**, it is in the City’s best interest for the health, safety and welfare of its citizens to enter into this agreement.

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

1. The Mayor and City Clerk is hereby authorized to execute an agreement with the City of Elizabeth, Department of Health and Human Services to provide STD Clinic Services for the City of Linden.
2. This Resolution shall take effect pursuant to law.

**RESOLUTION: 2019-129**

**RESOLUTION APPOINTING CAROL BITTITTERI**

**A MEMBER OF THE BOARD OF HEALTH**

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

That CAROL BITTITTERI, residing in the City of Linden, County of Union and State of New Jersey, be and he hereby is appointed a member of the Board of Health of the City of Linden according to an ordinance entitled, "AN ORDINANCE REGULATING THE BOARD OF HEALTH OF THE CITY OF LINDEN", as amended, to serve a four year term commencing January 1, 2019 and expiring December 31, 2022, and until his/her successor is appointed and qualifies.

**RESOLUTION: 2019-130**

**RESOLUTION APPOINTING MONTY BROOKS**

**A MEMBER OF THE BOARD OF HEALTH**

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

That MONTY BROOKS, residing in the City of Linden, County of Union and State of New Jersey, be and he hereby is appointed a member of the Board of Health of the City of Linden according to an ordinance entitled, "AN ORDINANCE REGULATING THE BOARD OF HEALTH OF THE CITY OF LINDEN", as amended, to serve a four year term commencing January 1, 2019 and expiring December 31, 2022, and until his/her successor is appointed and qualifies.

**RESOLUTION: 2019-131**

**RESOLUTION AUTHORIZING ACTING MUNICIPAL PROSECUTORS FOR LINDEN MUNICIPAL COURT FOR 2019**

**WHEREAS**, the City of Linden passed a Resolution at the December Council meeting authorizing acting municipal prosecutors for Linden Municipal Court for 2019; and

**WHEREAS**, the following are hereby authorized to provide Acting Prosecutor services: Steven H. Merman, Esq., Moshood Muftau, Esq., Drew Bauman, Brian Aloia, Esq., Victoria Lucido, Esq., and Christopher Howard; and

**WHEREAS,** it is necessary to provide for funds for said purpose in an amount not to exceed $6,000.00

**WHEREAS**, the Treasurer has certified to the availability of funds for this purpose, to be charged to Account No. 9-01-20-155-123-255;

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

1. The above named attorneys are approved to provide Substitute Prosecutor services, when authorized by the City Attorney or his designee.
2. This Resolution shall take effect pursuant to law.

John Principato. Mr. Principato asked if this was all acting municipal prosecutors, adding that he does not understand what this says. Mr. Antonelli explained the reason for the resolution and how the amount of the funding was determined.

**RESOLUTION: 2019-132**

RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN

AGREEMENT WITH SAFETY-KLEEN SYSTEMS, INC. PURSUANT TO THE

MAJOR HAZARDOUS WASTE FACILITIES SITING ACT

WHEREAS, the State of New Jersey adopted the major hazardous waste facilities siting which became effective on September 10, 1981, as N.J.S.A. 13:15-80; and

WHEREAS, a dispute arose between the City and Safety-Kleen which resulted in agreements, most recently requiring Safety-Kleen to pay annually increasing amounts from 2012 through 2017 (the last of which was $90,610); and

WHEREAS, negotiations have taken place between the City of Linden and Safety-Kleen Systems in connection with the obligations of Safety-Kleen Systems under the major hazardous waste facilities siting act; and

WHEREAS, as a result of said negotiations, the parties have agreed that Safety-Kleen Systems pay to the City of Linden an increase to $123,000 for 2018, and established a formula for future payments;

NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF LINDEN, County of Union, State of New Jersey:

1. The mayor and city clerk are hereby authorized and directed to execute a certain agreement between the City of Linden and Safety-Kleen Systems, Inc., a copy of which is attached hereto, which agreement will resolve Safety-Kleen System, Inc.’s obligation to the City of Linden under the Major Hazardous Waste Facilities Siting Act.

Virginia Malik. Ms. Malik asked for an explanation as to what this means. Mrs. Zack responded.

**RESOLUTION: 2019-133**

**CITY OF LINDEN RESOLUTION TO**

**ESTABLISH THE CURRENT FUND**

**OPERATING BUDGET FOR THE PERIOD OF**

**JANUARY 1, 2019 THROUGH APRIL 30, 2019**

**WHEREAS,** N.J.S. 40A:4-19 provides that where any contract, commitment or payments are to be made prior to the final adoption of the 2019 Current Operating Budget, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided; and

**WHEREAS,** the total appropriations in the 2018 Current Operating Budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance, is the sum of $87,727,208.10 and

**WHEREAS,** four months of the total appropriations in the 2018 Current Operating Budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance in said Current Operating Budget is the sum of $29,242,402.70; and

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

**RESOLUTION: 2019-134**

**CITY OF LINDEN RESOLUTION TO**

**ESTABLISH THE SANITARY LANDFILL**

**UTILITY OPERATING BUDGET**

**FOR THE PERIOD OF**

**JANUARY 1, 2019 THROUGH APRIL 30, 2019**

**WHEREAS**, N.J.S. 40A:4-19 provides that where any contract, commitment or payments are to be made prior to the final adoption of the 2019 Sanitary Landfill Utility Operating Budget, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided; and

**WHEREAS**, the total appropriations in the 2018 Sanitary Landfill Utility Operating Budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance, is the sum of 80,150.00; and **WHEREAS,** four months of the total temporary appropriations for the Sanitary Landfill Utility Operating Budget cannot exceed the sum of $26,716.67; and

**NOW, THEREFORE, BE IT RESOLVED** that the following temporary appropriations be made in the amount of $26,716.67 and that a certified copy of this resolution be transmitted to the Chief Financial Officer for his records.

**RESOLUTION: 2019-135**

**RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE COUNTY OF UNION FOR AN INTEGRATED WILDLIFE DAMAGE MANAGEMENT (IWDM) PROGRAM**

**WHEREAS**, the City of Linden is experiencing an unmanageable population of Canadian Geese, which poses potential risks to the health, safety, and welfare of the Citizens of Linden; and

**WHEREAS, the County of Union** has a cooperative agreement with the United States Department of Agriculture’s Wildlife Services for a year-round integrated wildlife damage management program; and

**WHEREAS,** one purpose of this agreement is to control the Canadian geese population thereby mitigating the risks posed by their overpopulation; and

**WHEREAS,** the County is offering this program to the City of Linden for formulation of a comprehensive plan to address the problems the City is experiencing with the overpopulation of Canadian geese at no charge; and

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** that the City of Linden authorizes the execution of a shared services agreement with the County of Union for the aforementioned services and authorizes the Mayor and Clerk to sign said agreement; and

**BE IT FURTHER RESOLVED** that the City of Linden authorizes the Director of Community Services to coordinate with the County of Union through it’s Director of Parks and Recreation to provide adequate oversight and coordination of the integrated wildlife damage management program; 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, and the County Manager.

**RESOLUTION: 2019-136**

**RESOLUTION ACCEPTING THE RESIGNATION OF**

**RICHARD KOZIOL AS A MEMBER OF THE ZONING BOARD OF ADJUSTMENT**

WHEREAS, Richard Koziol, the First Alternate member of the Linden Zoning Board of Adjustment has, with regrets, his resignation effective March 5, 2019.

NOW THEREFORE BE IT RESOLVED THAT, that the City Council of the City of Linden does hereby accept the resignation of Richard Koziol as First Alternate member of the Linden Zoning Board of Adjustment.

John Roman. Mr. Roman noted that he had served with Mr. Koziol, on the Zoning Board, and spoke about how smart Mr. Koziol. He noted that the after Mr. Koziol term on council ended, Mr. Koziol had been given a contract to rebrand the City, noting some examples of Mr. Koziol’ s work. He stated that Mr. Koziol did not get a new contract this year, and his belief that it was because Mr. Koziol allegedly did not make political contributions. Adding that Mr. Koziol resigned from the Zoning Board because he was down heartened.

Peter Brown. Mr. Brown stated that he did not like it when someone spoke for someone that wasn’t here. It has to stop.

**RESOLUTION: 2019-137**

**RESOLUTION APPOINTING SALVATORE RENNA**

**ALTERNATE MEMBER No. 1 TO THE**

**ZONING BOARD OF ADJUSTMENT**

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

That **SALVATORE RENNA** residing in the City of Linden, New Jersey, be and he hereby is appointed as Alternate Member No. 1 of the Zoning Board of Adjustment of the City of Linden to fill the unexpired term of Richard Koziol, which began January 1, 2018 and terminating December 31, 2019, and until his successor is duly appointed and qualifies.

Alternate members may participate in discussions of the proceedings but may not vote except in the absence or disqualification of a regular member. A vote shall not be delayed in order that a regular member may vote instead of an alternate member. In the event that a choice must be made as to which alternate member is to vote, Alternate No. 1 shall vote.

No member or alternate member shall be permitted to act on any matter in which he has directly or indirectly any personal or financial interest.

These appointments are made in accordance with Chapter 216, Laws of New Jersey, 1979 (N.J.S.A. 40:55D-69).

All resolutions or ordinances or parts thereof which are inconsistent with the provisions of this resolution are hereby repealed to the extent of such inconsistency.

This resolution shall take effect immediately.

**RESOLUTION: 2019-138**

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

**TO BE HELD IN THE SEVENTH WARD**

WHEREAS, the City Council has determined to allow a community wide garage sale in the Sixth Ward on May 4, 2019 with a rain date of May 5, 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 city wide garage sale shall not impact a resident’s right to conduct up to two garage sales in a year; and

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

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

1. The City of Linden hereby waives fees for permits for a community wide garage sale in the Seventh Ward to be held on May 4, 2019 with a rain date on May 5, 2019;
2. The city wide garage sale shall not impact a resident’s right to conduct up to two garage sales in a year.
3. Chapter 4-3.6 shall still apply, limiting one singled faced sign containing not more than four square feet in total area to be placed upon the premises where the sale is being conducted, and further prohibiting any other signs and either public or private property.
4. This Resolution shall take effect pursuant to law.

**RESOLUTION: 2019-139**

**RESOLUTION APPOINTING GEORGE KOSTREY A MEMBER OF THE**

**CONSTRUCTION BOARD OF APPEALS**

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

That, **GEORGE KOSTREY**, residing at 66 Furber Avenue, Linden, New Jersey 07036, being qualified as a Fire Protection Subcode Official, be and he hereby is appointed a business/professional member of the Construction Board of Appeals of the City of Linden pursuant to N.J.S.A. 52:27D-127a and an ordinance entitled, "AN ORDINANCE OF THE CITY OF LINDEN ESTABLISHING A STATE UNIFORM CONSTRUCTION CODE ENFORCING AGENCY, A CONSTRUCTION FEE SCHEDULE, AND A CONSTRUCTION BOARD OF APPEALS PURSUANT TO CHAPTER 217, LAWS OF NEW JERSEY 1975 AND TITLE 5, CHAPTER 23 OF THE NEW JERSEY ADMINISTRATIVE CODE" passed December 21, 1976 and approved December 22, 1976, as amended, and A RESOLUTION APPOINTING MEMBERS TO THE CONSTRUCTION BOARD OF APPEALS PURSUANT TO CHAPTER 217, LAWS OF NEW JERSEY 1975 AND TITLE 5, CHAPTER 23 OF THE NEW JERSEY ADMINISTRATIVE CODE, passed November 8, 1978 and approved November 9, 1978, to serve a four (4) year term, commencing November 8, 2018 and expiring November 7, 2022, and until his successor is appointed and qualifies.

Craig Halloran. Mr. Halloran stated that his questions were for resolutions 2019-139 through 143. Mr. Halloran asked if these individuals get paid, and if yes how much. He also asked if the appointment of Dennis Carbone was a conflict of interest, and the reason why it may be. Mr. Bodek responded that they do not get paid, and the purpose of the board. State statue defines the qualifications of the members of the board. Mr. Antonelli would look into the issue of a conflict for Mr. Carbone.

**RESOLUTION: 2019-140**

**RESOLUTION** **APPOINTING A PLUMBING SUBCODE OFFICIAL**

**TO THE CONSTRUCTION BOARD OF APPEALS**

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

That, **DENNIS CARBONE**, residing at 338 Lafayette Street, Linden, New Jersey, being qualified as a Plumbing Subcode Official, duly licensed to proactive in the State of New Jersey, be and he hereby is appointed a member of the Construction Board of Appeals of the City of Linden pursuant to N.J.S.A. 52:27D-127a, and an Ordinance entitled, "AN ORDINANCE OF THE CITY OF LINDEN ESTABLISHING A STATE UNIFORM CONSTRUCTION CODE ENFORCING AGENCY, A CONSTRUCTION FEE SCHEDULE, AND A CONSTRUCTION BOARD OF APPEALS PURSUANT TO CHAPTER 217, LAWS OF NEW JERSEY 1975 AND TITLE 5, CHAPTER 23 OF THE NEW JERSEY ADMINISTRATIVE CODE" passed December 21, 1976 and approved December 22, 1976, as amended, and A RESOLUTION APPOINTING MEMBERS TO THE CONSTRUCTION BOARD OF APPEALS PURSUANT TO CHAPTER 217, LAWS OF NEW JERSEY 1975 AND TITLE 5, CHAPTER 23 OF THE NEW JERSEY ADMINISTRATIVE CODE, passed November 8, 1978 and approved November 9, 1978, to serve a four (4) year term, commencing November 8, 2018 and expiring November 7, 2022, and until his successor is appointed and qualifies.

**RESOLUTION: 2019-141**

**RESOLUTION APPOINTING ARMAND A. FIORLETTI A MEMBER**

**TO THE CONSTRUCTION BOARD OF APPEALS**

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

That, **ARMAND A. FIORLETTI**, residing at 109 E. Munsell Avenue, Linden, New Jersey, Professional Engineer, duly licensed to practice in the State of New Jersey, be and he hereby is appointed as the Professional Engineer member of the Construction Board of Appeals of the City of Linden pursuant to N.J.S.A. 52:27D-127a and an ordinance entitled, "AN ORDINANCE OF THE CITY OF LINDEN ESTABLISHING A STATE UNIFORM CONSTRUCTION CODE ENFORCING AGENCY, A CONSTRUCTION FEE SCHEDULE, AND A CONSTRUCTION BOARD OF APPEALS PURSUANT TO CHAPTER 217, LAWS OF NEW JERSEY 1975 AND TITLE 5, CHAPTER 23 OF THE NEW JERSEY ADMINISTRATIVE CODE" passed December 21, 1976 and approved December 22, 1976, as amended, and A RESOLUTION APPOINTING MEMBERS TO THE CONSTRUCTION BOARD OF APPEALS PURSUANT TO CHAPTER 217, LAWS OF NEW JERSEY 1975 AND TITLE 5, CHAPTER 23 OF THE NEW JERSEY ADMINISTRATIVE CODE, passed November 8, 1978 and approved November 9, 1978, to serve a four (4) year term, commencing November 8, 2018 and expiring November 7, 2022, and until his successor is appointed and qualifies.

**RESOLUTION**: **2019-142**

**RESOLUTION APPOINTING ANDREW SANDOUKAS A**

**MEMBER TO THE CONSTRUCTION BOARD OF APPEALS**

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

That, **ANDREW SANDOUKAS**, residing at 106 Shadowlawn Way, Cranford, New Jersey, being qualified as a Fire Protection Subcode Official, duly be and he hereby is appointed a business/professional member of the Construction Board of Appeals of the City of Linden pursuant to N.J.S.A. 52:27D-127a and an ordinance entitled, "AN ORDINANCE OF THE CITY OF LINDEN ESTABLISHING A STATE UNIFORM CONSTRUCTION CODE ENFORCING AGENCY, A CONSTRUCTION FEE SCHEDULE, AND A CONSTRUCTION BOARD OF APPEALS PURSUANT TO CHAPTER 217, LAWS OF NEW JERSEY 1975 AND TITLE 5, CHAPTER 23 OF THE NEW JERSEY ADMINISTRATIVE CODE" passed December 21, 1976 and approved December 22, 1976, as amended, and A RESOLUTION APPOINTING MEMBERS TO THE CONSTRUCTION BOARD OF APPEALS PURSUANT TO CHAPTER 217, LAWS OF NEW JERSEY 1975 AND TITLE 5, CHAPTER 23 OF THE NEW JERSEY ADMINISTRATIVE CODE, passed November 8, 1978 and approved November 9, 1978, to serve a four (4) year term, commencing November 8, 2018 and expiring November 7, 2022, and until his successor is appointed and qualifies.

**RESOLUTION**: **2019-143**

**RESOLUTION APPOINTING GREGORY ZYCHOWSKI A MEMBER**

**TO THE CONSTRUCTION BOARD OF APPEALS**

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

That, **GREGORY ZYCHOWSKI**, 6 Deerfield Trails, Monmouth Junction, New Jersey, being as qualified as an Electrical Subcode Inspector, be and he hereby is appointed as the Electrical Subcode member of the Construction Board of Appeals of the City of Linden pursuant to N.J.S.A. 52:27D-127a and an ordinance entitled, "AN ORDINANCE OF THE CITY OF LINDEN ESTABLISHING A STATE UNIFORM CONSTRUCTION CODE ENFORCING AGENCY, A CONSTRUCTION FEE SCHEDULE, AND A CONSTRUCTION BOARD OF APPEALS PURSUANT TO CHAPTER 217, LAWS OF NEW JERSEY 1975 AND TITLE 5, CHAPTER 23 OF THE NEW JERSEY ADMINISTRATIVE CODE" passed December 21, 1976 and approved December 22, 1976, as amended, and A RESOLUTION APPOINTING MEMBERS TO THE CONSTRUCTION BOARD OF APPEALS PURSUANT TO CHAPTER 217, LAWS OF NEW JERSEY 1975 AND TITLE 5, CHAPTER 23 OF THE NEW JERSEY ADMINISTRATIVE CODE, passed November 8, 1978 and approved November 9, 1978, to serve a four (4) year term, commencing November 8, 2018 and expiring November 7, 2022, and until his successor is appointed and qualifies.

**Resolution: 2019-144**

**RESOLUTION AWARDING A CONTRACT TO**

**COMMUNITIES IN COOPERATION, INC.**

**WHEREAS**, the Governing Body of the City of Linden has determined that there exists a need for consulting services for Linden First Employment Readiness Program; and

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

**WHEREAS**, the Chief Financial Officer or his designee has certified as to the availability of finds for this purpose will be charged to account #9-01-40-700-104-255; and

**WHEREAS**, the Purchasing Agent has certified that this meets the statute and regulations governing the award of said contract;

**NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN**, that the contract for professional services be and hereby awarded to Communities In Cooperation, Inc., 9-11 Crawford Street, Suite #3, Newark, NJ 07102 in accordance with their qualifications, in an amount not to exceed $20,000 for the period of April 1, 2019 through December 31, 2019;

**BE IT FURTHER RESOLVED** that this Resolution expressly contingent upon the negotiation of the necessary contract documents between Communities In Cooperation, Inc. and the City of Linden; and

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk are hereby empowered and directed to execute a contact with Communities In Cooperation, Inc. to effectuate the foregoing; and;

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

Virginia Malik. Ms. Malik noted that she had questioned the allocation of monies, last month or the month before, and now there is another allocation. She stated she though the original allocation was to handle everything. Mrs. Zack responded and explained.

John Principato. Mr. Principato asked if there now was a total of $30,000.00 given to Communities in Cooperation, Inc. He asked if they were going to be given any additional sums, next month. Mrs. Zack responded that the original resolution provided funding under the temporary budget. This amount allocates the rest of the funds budgeted for this purpose.

**RESOLUTION: 2019-145**

**RESOLUTION APPROVING THE AWARD OF A CONTRACT TO CHARLES E. HECK FOR REAL ESTATE APPRAISER SERVICES AND OTHER SERVICES FOR STATE COURT TAX APPEALS FOR 2019**

**WHEREAS**, it is necessary to hire a real estate appraiser in order to defend the City of Linden on all industrial and commercial tax appeals filed before the Union County Board of Taxation for 2019 and also new and pending cases before the Tax Court of New Jersey; 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**, Charles E. Heck submitted a qualification to the City and has qualified for the aforesaid services for 2019; and

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

**WHEREAS**, the Chief Financial Officer or his designee has certified to the availability of funds for this purpose, to be charged to Account No. 9-01-20-156-117-273;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that a contract for Professional Services be and hereby is awarded to Charles E. Heck, 506 Thompson Place, Middletown, New Jersey 07748; and

**BE IT FURTHER RESOLVED** the terms of said agreement shall be for a period of one year at a fee not to exceed $15,000.00; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents between Charles E. Heck 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 Charles E. Heck to effectuate the foregoing; and

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

**RESOLUTION: 2019-146**

**RESOLUTION APPROVING A CONTRACT WITH PENNONI ASSOCIATES INC. FOR ENGINEERING SERVICES ASSOCIATED WITH THE 2018 NJDOT LOCAL FREIGHT IMPACT FUND RESURFACING OF SOUTH STILES STREET – LOWER ROAD IN THE CITY OF LINDEN**

**WHEREAS**, there exists a need for the engineering design, bid documents/specifications, contract administration and construction observation services for the resurfacing of South Stiles Street – Lower Road (from US 1&9 to W. 21st Street) in the City of Linden; and

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

**WHEREAS**, Pennoni Associates Inc., 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-04-55-901-699-919.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY 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, at a fee not to exceed $70,000.00 in accordance with their proposal dated March 8, 2019; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary 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 a contract with Pennoni Associates Inc. to effectuate the foregoing; and

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

**RESOLUTION: 2019-147**

**RESOLUTION AUTHORIZING THE CITY OF LINDEN TO PROCESS AN INVOLUNTARY DISABILITY RETIREMENT APPLICATION FOR TIMOTHY POSKAY EFFECTIVE APRIL 1, 2019**

WHEREAS, the City of Linden has employed a Fire Fighter in the Fire Department; and

WHEREAS, this Firefighter is an active member of the PFRS and

WHEREAS, this Firefighter has 13 years 7 months of PFRS service credit, meeting the minimum service credit requirement of at least three (3) years for PFRS members; and

WHEREAS, the City is of the opinion that this Firefighter is totally and permanently disabled and can no longer perform the assigned duties based on the documentation supplied by professionals retained by the City; and

WHEREAS, the City of Linden is unable to provide an alternative to the PFRS covered position with duties capable of being performed by said Firefighter; and

WHEREAS, this Council and the Fire Chief have consented to the processing of this Involuntary Disability Retirement Application.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Linden, accepts the recommendation of its Fire Chief and Personnel Division, and hereby authorizes the staff of the Personnel Division and any other necessary personnel to take all actions necessary to process an Involuntary Disability Retirement Application for this Firefighter; and

BE IT FURTHER RESOLVED that certified copies of this Resolution shall be forwarded to all parties involved in the administration of this action.

**RESOLUTION: 2019-148**

**RESOLUTION APPROVING A SHARED SERVICES**

**AGREEMENT WITH THE CITY OF LINDEN SID TO PROVIDE**

**FOR SHARED MAINTENANCE WORKERS**

**WHEREAS,** the City of Linden and the City of Linden SID wish to enter into a Shared Services agreement whereby the City of Linden will provide maintenance workers dedicated to the City of Linden SID; and

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

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

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

1. That the Mayor and City Clerk be and hereby are directed and authorized to execute a Shared Services Agreement with the City of Linden SID, a copy of said agreement attached hereto. The Law Department is permitted to make any necessary changes.
2. This Resolution shall take effect immediately.
3. This Resolution shall be published as required by law.

John Principato. Mr. Principato asked what the City was going to share, with the SIDS district. Mr. Antonelli responded that the agreement would allow part-time City employees to be dedicated to the SIDS district, and the SID would reimburse the City the cost of those employees

**RESOLUTION: 2019-149**

**RESOLUTION** **AUTHORIZING THE CITY OF LINDEN TAX ASSESSESOR ALONG WITH BLAU & BLAU TO FILE TAX APPEALS ON BEHALF OF THE CITY OF LINDEN THROUGH A NON-FAIR AND OPEN PROCESS**

**WHEREAS**, it has come to the attention of the Tax Assessor that some tax assessments on industrial properties in the City of Linden are under assessed; and

**WHEREAS, the City of Linden has a need to hire Blau & Blau, Attorneys at Law who will assist the City of Linden in filing t**ax appeals on properties that are under assessed and award said contract through a Non Fair and Open process pursuant to N.J.S.A. 19:44A-20.4/20.5; and

**WHEREAS**, Blau and Blau has agreed to represent the City of Linden at no cost to the City; however in the event the City is successful in its tax appeal, than Blau and Blau will be paid from the tax increase, a portion which will be paid to Blau and Blau; and

**WHEREAS,** the City of Linden wishes to award this contract through a Non Fair and Open process and the City Attorney has certified that the fees, if any, to be paid to Blau and Blau will not exceed $17,500.00.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY tOF LINDEN** that the agreement for Professional Services awarded to Blau and Blau, 223 Mountain Avenue, Springfield, N.J. 07081; and

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk be and hereby are empowered and directed to execute said contract; and

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

**RESOLUTION: 2019-150**

**CITY OF LINDEN RAT RESOLUTION**

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

2/5/2019 Elavon, Inc. February Merchant Fee Garage Sale $54.99

172429 2/6/2019 Rahway Post Office Annual Chapter 75 Notices $3,451.28

172430 2/6/2019 Walmart Stores, Inc. Board Games – Family Game Nights $567.48

2/6/2019 Unity Bank Workers Comp 1/28 – 2/3 $15,327.23

2/7/2019 Delta Dental of NJ January Dental Premium – City $40,339.68

2/7/2019 Delta Dental of NJ January Dental Premium – Sewerage $3,513.56

2/7/2019 Delta Dental of NJ January Dental Premium – Housing $1,228.00

2/7/2019 Delta Dental of NJ January Dental Premium – Library $878.00

2/8/2019 Payroll Payroll – Current $1,927,459.46

2/8/2019 Payroll Payroll – Trust $114,776.70

2/8/2019 Payroll Payroll – Grant $5,371.23

2/8/2019 Payroll Payroll – Capital $173.04

2/8/2019 Payroll Payroll – Unemployment $1,955.87

2/11/2019 SHBP Retirees February Health Premium $390,411.68

2/11/2019 SHBP Active December Health Premium $702,511.38

2/13/2019 Unity Bank Workers Comp 2/4 – 2/10 $7,035.13

2/13/2019 County of Union 1st Quarter County Purpose Tax $7,500,034.89

2/13/2019 County of Union 1st Quarter County Open Space Tax $218,119.63

2/13/2019 County of Union 1st Qtr. County Added & Omitted Taxes $118,805.62

2/13/2019 County of Union 1st Qtr. Add&Omit Taxes, Rec, & Hist Pres. $3,373.88

2/13/2019 Express Scripts/Medco Prescription Claims 1/12 – 2/8 $48,267.40

2/13/2019 Express Scripts/Medco Prescription Claims Admin. Fee $4,660.96

2/19/2019 NJDEP Budget&Finance Multiparks 92 Debt Payment Principal $14,665.60

2/19/2019 NJDEP Budget&Finance Multiparks 92 Debt Payment Interest $1,215.14

2/20/2019 Unity Bank Workers Comp 2/11 – 2/18 $13,728.44

2/22/2019 Payroll Payroll – Current $1,712,932.58

2/22/2019 Payroll Payroll – Trust $85,452.71

2/22/2019 Payroll Payroll – Grant $5,390.17

2/22/2019 Payroll Payroll – Capital $389.34

2/22/2019 Payroll Payroll – Unemployment $1,712.60

2/27/2019 Unity Bank Workers Comp 2/19 – 2/24 $19,744.54

2/27/2019 Express Scripts/Medco Prescription Claims 2/9 – 2/22 $90,940.75

172707 2/27/2019 Verizon 3/19 852258990000138 Fios $404.97

172708 2/27/2019 NJ Motor Vehicle Comm. Title for O.E.M. $60.00

172709 2/27/2019 Ready Fresh by Nestle 446229114 Water $23.14

2/27/2019 US Bank S. Wood Ave. 04 Debt Payment Princ. $100,000.00

2/27/2019 US Bank S. Wood Ave. 04 Debt Payment Interest $74,195.75

2/28/2019 Delta Dental of NJ February Dental Premium – City $38,656.95

2/28/2019 Delta Dental of NJ February Dental Premium – Sewerage $3,162.38

2/28/2019 Delta Dental of NJ February Dental Premium – Housing $1,298.88

2/28/2019 Delta Dental of NJ February Dental Premium – Library $948.88

**RESOLUTION:** **2019-151**

**RESOLUTION ENGAGING MULLER BOHLIN ASSOCIATES, INC. TO ASSIST THE CITY OF LINDEN IN IDENTIFYING STATE, FEDERAL & LOCAL FUNDING SOURCES AND TO RENDER TECHNICAL ADVICE, PROGRAM MANAGEMENT AND ASSISTANCE WITH RESPECT TO IDENTIFYING FUNDING PROGRAMS THAT ARE RESPONSIVE TO**

**THE NEEDS OF THE CITY OF LINDEN**

**WHEREAS**, there exists within the City of Linden the need for a consultant in order to continue to obtain grants and for the purpose of assisting the City of Linden in identifying state and federal funding programs; 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**, Muller Bohlin Associates submitted a qualification to the City and has qualified for the aforesaid services for 2019; and

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

**WHEREAS**, Muller Bohlin Associates, having offices at 101B North Wood Ave., Suite B, Linden, NJ 07036 possesses the requisite professional certification and experience necessary to serve in said position; and

**WHEREAS**, funds will be made available for this purpose to be charged to Account No: 9-01-20-110-103-256;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that a contract for Professional Services be and hereby is awarded to Muller Bohlin Associates at a fee not to exceed $20,000.00 for a term beginning April 1, 2019 through June 30, 2019; and

**BE IT FURTHER RESOLVED**, that the scope of such services shall include assisting the City of Linden in identifying State, Federal & Local Grant funding sources and rendering technical advice and assistance with respect to identifying funding programs that are responsive to the needs of 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 Muller Bohlin Associates to effectuate the foregoing; and

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

**RESOLUTION: 2019-152**

**RESOLUTION FOR THE LEASING OF SOFTWARE FOR AN ASSET MANAGEMENT SYSTEM FROM PUBWORKS SOLICIATED BY QUOTATIONS FOR THE CITY OF LINDEN**

**WHEREAS**, the City of Linden wishes to lease software for an asset management system for the City of Linden; and

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

**WHEREAS,** PubWorks, PO Box 6502 Snowmass Village, CO 81615 was solicited for quotations; and

**WHEREAS,** PubWorks provided the most advantageous quote, price and others factors considered in the amount not to exceed $25,000.00; and

**WHEREAS**, the Chief Finance Officer has certified the availability of funds for this award, which will be charged to 9-01-26-300-167-272;

**NOW THEREFORE BE IT RESOLVED** PubWorks be awarded a contract to supply lease of software for a fleet management system at the low quote of $25,000.00.

**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.

Virginia Malik. Ms. Malik stated that she thought that we had a program that allowed a citizen to report an issue. Mr. Dann provided an explanation.

**RESOLUTION: 2019-153**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDEN, COUNTY OF UNION, NEW JERSEY AUTHORIZING THE LEASE OF CITY PROPERTY THROUGH THE SOLICITATION OF PROPOSALS FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF A SOLAR FARM ON THE FORMER CITY LANDFILL**

**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, 11.06, 12 and 17 (hereinafter the “**Linden Landfill**” or “**Real Property**”); 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 August 29, 2017 the City of Linden issued a Request for Proposals for the design, construction, ownership, operation, and financing of a solar farm (the “**Solar Farm**”) on the Linden Landfill (the “**Prior** **Solar RFP**”); and

**WHEREAS**,responses to the Prior Solar RFP were due on or about January 29, 2018 with the City receiving several responses; and

**WHEREAS**,after review of the responses,no award was made by the City; and

**WHEREAS**, the City desires to account for changes in certain market conditions, in an effort to obtain the most competitive responses from potential vendors, and desires to authorize the a competitive Request for Proposals (“**RFP**”) for a ground lease agreement for the purpose of a Solar Farm on the Real Property (“**Lease Agreement**”); and

**WHEREAS**, *N.J.S.A.* 40A:12-14 authorizes the leasing of public property to a private person by submission of sealed bids; and

**WHEREAS**, the City has determined that the Real Property is not needed for public use; and

**WHEREAS**, it is in the best interest of the City to advertise this property for purposes of leasing the property for purposes of allowing a solar farm to be constructed, operated and maintained thereon, by submission of sealed bids in accordance with *N.J.S.A.* 40A:12-14.

**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 Real Property stated above shall be advertised for lease to a private person for purposes of construction, operation and maintenance of a solar farm, and all necessary space and easements that may be required for access to the Real Property, pursuant to all requirements and procedures set forth in the Local Lands and Buildings Law and specifically in accordance with section *N.J.S.A.* 40A:12-14 as it relates to the submission of sealed bids, and shall be subject to the following conditions:

1. Sealed bids for the Lease Agreement shall be received at the time and location as stated in the Notice to Bidders advertised by the City Clerk.
2. All bids for the Lease Agreement shall be referred to the City Council for final review and approval pursuant to *N.J.S.A.* 12-14. The City reserves the right to accept the highest bid or to reject any and all bids, including the highest bid, and shall make its decision known by resolution after bids are received and considered by the City Council for final review and approval.
3. Upon receipt of all sealed bids, the highest qualified bidder, as designated by the City, shall immediately execute a lease agreement, which shall include such terms and conditions required by the City, as well as incorporate by reference the terms and conditions specified herein. Said offer shall be irrevocable until such time as the City has accepted the highest qualified bid and has also accepted and agreed to execute the lease agreement referenced herein.
4. The form of the Lease Agreement shall be attached to the RFP for Bidders to review and acknowledge prior to their bid submissions. The form of the Lease Agreement is not negotiable.
5. Bids shall be received for the Real Property subject to the following minimum lease conditions:
6. The Real Property will be leased “As Is”;
7. Prior to the start of construction, the Successful Bidder shall prepare a metes and bounds survey of the Real Property and the exact locations to be leased;
8. The Successful Bidder shall comply with the requirements of the New Jersey Department of Environmental Project (“NJDEP”) Closure and Post-Closure Care Approval, and shall be responsible, at its sole cost and expense, to obtain all necessary federal, state, local, and other permits and approvals including, but not limited to, an NJDEP landfill minor disruption permit;
9. Prior to the start of construction, the Successful Bidder shall provide preliminary sealed civil engineering drawings of the proposed Solar Farm showing the proposed contouring and the location of all proposed structures, equipment, and the interconnection pathway to the City’s Engineer and Consulting Engineers for their review and comment. The City Engineer and the City’s consulting engineers shall deliver written comments to the Successful Bidder noting any required changes to the civil engineering plans necessary to preserve the integrity and functionality of the existing landfill engineering controls. The Successful Bidder shall be responsible, at its sole cost and expense, for revising its civil engineering plans based on the written comments of the City Engineer and the City’s consulting engineers and shall submit revised sealed civil engineering drawings for their final review prior to the start of construction.
10. The Successful Bidder must account for the presence and continuing functioning and periodic maintenance of the City Landfill engineering controls in place including, but not limited to, the landfill gas capture system. Bidders are advised that the landfill gas capture system is subject to a Clean Air Act Title V permit.
11. The Successful Bidder shall be responsible, at its sole cost and expense, for the maintenance of the integrity of the landfill cap.
12. An April 25, 2007 Administrative Consent Order (“ACO”) required the City to prepare a Wetlands Mitigation/Enhancement Plan (the “WME Plan”). The City has prepared the WME Plan and the Successful Bidder must coordinate the Solar Farm to be compliant with the WME Plan. The ACO also requires that the City provide waterfront access at the Linden Landfill. No portion of the construction activities or Solar Farm can interfere with WME Plan and the waterfront access required by the ACO.
13. Bidders shall comply with the bonding, insurance and indemnification requirements of the City, as shall be set forth in the RFP and Lease Agreement.
14. The initial lease term, including optional extensions, shall be up to 20 years.
15. The failure to comply with any of the above requirements, and/or the terms delineated in the RFP, and/or the conditions of the lease agreement executed by the Successful Bidder, shall entitle the City to rescind prior bid approval, terminate any and all rights of the Successful Bidder in said property and retain all monies theretofore deposited.

Section 3. The City Council hereby authorizes the issuance of a RFP for a Lease Agreement for the construction, operation and maintenance of a Solar Farm, consistent with the advice of the City’s professionals, to be advertised at the earliest possible date.

Section 4. The Mayor, City Clerk, City Attorney and other necessary City Officials are hereby authorized to prepare and advertise the RFP and Lease Agreement and all other documents, and to undertake all actions reasonably necessary, to effectuate this Resolution.

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.

**RESOLUTION**: **2019-154**

**RESOLUTION APPOINTING ALAIN JULIEN AS A MERCHANT MEMBER OF THE LINDEN DISTRICT MANAGEMENT CORPORATION (SID)**

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

That **ALAIN JULIEN,** resident in the City of Linden, County of Union and State of New Jersey, be and he hereby is appointed a merchant member of the Board of Trustees of the City of Linden District Management Corporation according to an ordinance entitled, "AN ORDINANCE TO CREATE A SPECIAL IMPROVEMENT DISTRICT WITHIN THE CITY OF LINDEN AND TO ESTABLISH THE CITY OF LINDEN DISTRICT MANAGEMENT CORPORATION PURSUANT TO N.J.S.A. 40:56-65, ET SEQ.", Ordinance No. 31-63, adopted on October 19, 1994, to serve a three (3) year term, commencing January 1, 2019 and expiring December 31, 2021, and until his successor is appointed and qualifies.

**RESOLUTION: 2019-155**

**RESOLUTION APPROVING THE INTRODUCTION OF THE CALENDAR YEAR 2019 SPECIAL IMPROVEMENT DISTRICT BUDGET**

**AND SETTING THE PUBLIC HEARING ON THE BUDGET**

**WHEREAS,** the City of Linden, pursuant to N.J.S.A. 40:56-65 et seq. has

established a Special Improvement District (“SID”) by Ordinance 31-63 adopted on October 19, 1993 which created Linden Code Section 27-1 et seq.; and,

**WHEREAS,** the City of Linden SID has the responsibility to prepare and submit to the City Council a yearly budget and a report which explains how the budget contributes to the goals and objectives of the Special Improvement District; and,

**WHEREAS,** Linden Code 27-5 establishes a maximum added assessment that shall not exceed a sum of $.0050 of the total assessment; and

**WHEREAS,** the Tax Assessor has determined that the total assessment for the Special Improvement District is $38,038,100. in 2019; and

**WHEREAS,** pursuant to Linden Code Section 27-6 the City Council is in receipt

of the 2019 yearly budget and the report which explains how the budget contributes to the goals and objectives of the Special Improvement District, both of which are attached hereto; and

**WHEREAS,** pursuant to N.J.S.A 40:56-84(f) (2) City Council shall

introduce and approve the yearly budget by a Resolution passed by not less than a majority of the full membership of the City Council; and

**WHEREAS,** pursuant to N.J.S.A 40:56-84(c)the City Council shall upon approval of the budget, fix the time and place for the holding of a public hearing upon the budget with the notice of the hearing and copy of the budget to be published at

least 10 days prior to the date fixed therefore in the official newspaper of the City and not

less than 28 days after the approval of the budget.

**IT IS HEREBY RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN,** that:

1. The 2019 Special Improvement District budget and a report which explains how the budget contributes to goals and objectives for the Special Improvement District are attached hereto as Exhibit “A”, and made part hereof. The budget is hereby introduced being read by its title and declares that the conditions set forth in N.J.S.A 40:56-84(f)(1) are satisfied.

2. The hearing on the 2019 Special Improvement District budget shall be on

Tuesday, April 16, 2019 at City of Linden City Hall, Council Chambers, 301

North Wood Avenue, Linden New Jersey, at 7:00 p.m.

3. The notice of the time and place for the holding of the public hearing upon the

budget, and a copy of the budget shall be published in the Local Source on March

28, 2019. Same was posted in City Hall and made available to any person requesting same.

**RESOLUTION: 2019-156**

**RESOLUTION AMENDING RESOLUTION 2019-71 APPOINTING MICHELLE WELSH, AS ASSISTANT PUBLIC DEFENDER**

**WHEREAS**, there is a need to appoint an Assistant Public Defender; and

**WHEREAS**, the term of the Assistant Public Defender shall commence on January 1, 2019 and terminate on December 31, 2019; and

**WHEREAS,** due to the qualifications required for the position, and due to the qualifications and experience of **MICHELLE WELSH, ESQ.** that a residency requirement waiver is herein granted; and

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that **MICHELLE WELSH, ESQ.**, an Attorney at Law of the State of New Jersey, is appointed to serve as Chief Public Defender for a one year term commencing January 1, 2019 and terminating December 31, 2019 and until her successor is appointed and qualifies for a salary $30,000.00.

John Principato. Mr. Principato asked what the salary was prior to this change to $30,000.00. Mr. Principato then criticized the rule change for public speaking. Mr. Antonelli explained the appointment, the original salary and the reasons for the change in the salary. He added that the funds, for the increase, was not coming from the taxpayers, but from a special fee that the court collects.

**Resolution:2019-157**

**LINDEN HIGH SCHOOL BOWLING TEAM**

**WHEREAS,** under the direction of Coach Cherie Pizzano, the **2018-2019 Linden High School Bowling Team** had a very exciting and successful season; and

**WHEREAS,** the **Linden High School Bowling Team** this season finished at 14-3, capped off a 43 match winning streak that stretched back-to-back seasons winning the Union County Tournament. Over the years, under Coach Pizzano’s direction this Tigers Team have won both Sectional and Watchung Conference titles; and

**WHEREAS,** the **LHS Bowling Team** was able to achieve these accomplishments with the dedicated guidance of Coach Pizzano who became the Linden High School Varsity Bowling Coach in 2000. Ms. Pizzano was named North II, Group IV Coach of the Year three times, the National Federation of High School Coaches 2006 Boys Bowling Coach of the Year, NJ and she currently serves on the NJSIAA Bowling Rules and Regulations Committee and on March 24, 2019 Coach Pizzano will be inducted into the New Jersey State Coaches Hall of Fame; and

**WHEREAS,** the **Linden High School Bowling Team 2018-2019** roster includes members James Fitz, Anthony Golabek, Matthew Soto, Justin Peters, Darius Lewis and Nicholas Plummer; and

**NOW, THEREFORE, I DEREK ARMSTEAD, MAYOR OF THE CITY OF LINDEN AND THE MEMBERS OF THE GOVERNING BODY,** do hereby congratulate the **LINDEN HIGH SCHOOL BOWLING TEAM AND STAFF** on their successful bowling season. This 2018-2019 bowling team and season will be remembered for many years.

**Resolution:2019-158**

**RESOLUTION RECOGNIZING LINDEN HIGH SCHOOL BOWLING**

**COACH CHERIE PIZZANO ON BEING INDUCTED INTO THE**

**NEW JERSEY SCHOLASTIC COACHES ASSOCIATION HALL OF FAME**

**WHEREAS, Cherie Pizzano** has been a part of the Linden School District and Linden’s Athletic Program for over twenty-five years. Cherie started her career in Linden in 1994 when she began teaching Special Education and History; and

**WHEREAS, Cherie Pizzano** coached the Linden High School Softball Team from 1995 – 2010 and led the Tigers to the Union County Tournament Championship game in 2007 and 2009. In 2000 she was approached by school administrators interested in making her the coach of the bowling team. Cherie was surprised by this since she hadn’t applied for the position. It was at that time that she was made aware that one of Linden’s All-State bowlers had made the request for her to become their coach. Cherie accepted; and

**WHEREAS, Coach Cherie and the LHS Bowling Team** have been able to achieve great accomplishments with the dedicated guidance of Coach Pizzano who became the Linden High School Varsity Bowling Coach in 2000. Ms. Pizzano has been name North II, Group IV Coach of the Year three times, the National Federation of High School Coaches 2006 Boys Bowling Coach of the Year, Star-Ledger Bowling Coach of the Year for North Jersey Section 2 three years in a row, (2003-05), NJSCA Bowling Coach of the Year in 2007 and on March 24, 2019 Coach Pizzano will be inducted into the New Jersey State Coaches Hall of Fame; and

**WHEREAS,** on March 24, 2019 when **Coach Cherie Pizzano** is inducted into the New Jersey Scholastic Coaches Association Hall of Fame, she will be the sixth coach and first woman from the City of Linden to be honored; and

**NOW, THEREFORE, I DEREK ARMSTEAD, MAYOR OF THE CITY OF LINDEN AND THE MEMBERS OF THE GOVERNING BODY,** do hereby congratulate **Coach Cherie Pizzano** and thank her for her hard work and dedication to the students and the sport of bowling.

**RESOLUTION: 2019-159**

**SELF-EXAMINATION OF BUDGET RESOLUTION**

**WHEREAS,** N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

**WHEREAS,** N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

**WHEREAS,** pursuant to N.J.A.C. 5:30-7.2 through 7.5, the City of Linden has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2019 budget year.

**NOW THEREFORE BE IT RESOLVED** by the governing body of the City of Linden that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:

a. Payment of interest and debt redemption charges

b. Deferred charges and statutory expenditures

c. Cash deficit of preceding year

d. Reserve for uncollected taxes

e. Other reserves and non-disbursement items

f. Any inclusions of amounts required for school

purposes.

2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).

3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.

4. That pursuant to the Local Budget Law:

a. All estimates of revenue are reasonable, accurate and correctly stated,

b. Items of appropriation are properly set forth

c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.

5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.

6. That all other applicable statutory requirements have been fulfilled.

**BE IT FURTHER RESOLVED** that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

John Principato. Mr. Principato read from the summary regarding this resolution, and asked if the City was going to oversee its own budget, or exam it. He stated that it doesn’t make much sense. Mrs. Zack explained the self-examination process that the State of New Jersey has put into place.

**RESOLUTION: 2019-160**

**RESOLUTION AUTHORIZING A SHARED SERVICES**

**AGREEMENT THE CITY OF RAHWAY FOR THE USE OF AN AUTOMATED BRINE MAKER**

**WHEREAS**, the City of Linden wishes to enter into a Shared Services Agreement with the City of Rahway, which would permit use by the City of Linden, of an Automated Brine Maker; and

**WHEREAS**, the City of Linden shall pay to the City of Rahway the sum of $24,000.00, which is one-fifth of the total purchase price of said Automated Brine Maker, and the City of Linden will be responsible for one-fifth of any costs other than routine maintenance.

**WHEREAS**, the Chief Financial Officer or his designee has certified to the availability of funds for this purpose, to be charged to Account No. 9-01-26-291-173-273; and

**WHEREAS,** the City of Linden will also be responsible for the reimbursement of the cost of the brine so produced, for 2019, in an amount not to exceed $5,000.00; and

**WHEREAS,** the Chief Financial Officer or his designee has certified to the availability of funds for this purpose, to be charged to Account No. T-03-56-807-000-138; and ;

**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, a copy of which is attached; and

**BE IT FURTHER RESOLVED** that a duly executed copy of this Resolution be the City of Rahway; and

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

After discussion, Mr. Mohammed moved for approval of the removed resolution Resolutions #2019-126, 2019-131, #2019-132, #2019-136, #2019-139, #2019-10, #2019-141, #2019-143, #2019-144, #2019-148, #2019-152, #2019-156 and #2019-159. The motion was seconded by Mr. Roman and was unanimously ordered approved by a roll call vote.

**RESOLUTION: 2019-161**

**President Yamakaitis asked the clerk to read Resolution2019-161, which was not on the agenda. The Clerk read the following:**

# RESOLUTION APPOINTING GAZALEH CONSULTING, LLC TO PERFORM FORENSIC ACCOUNTING AND AUDITING SERVICES

**WHEREAS,** on February 19, 2019, City Council adopted a Resolution forming a

Municipal Council Investigatory Committee ("MCI"); and

**WHEREAS,** in order to assist the MCI in its investigation, the MCI needs to hire the services of a forensic accountant to perform auditing services; and

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

**WHEREAS,** the City Attorney has certified that the cost of said services will not exceed $17,500.00; and

**WHEREAS,** the Chief Financial Officer or his designee has certified to the availability of funds for this purpose, to be charged to Account No. 9-01-20-155-123- 255;

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

**OF LINDEN** as follows:

1. City Council hereby awards a contract to Gazaleh Consulting, LLC, P.O. Box 1378, Hightstown, N.J. 08520 in an amount not to exceed $7,500.00.
2. This Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents between Gazaleh Consulting, LLC 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.

John Principato. Mr. Principato asked what the accounting firm was going to be looking into. He then spoke about the flawed system for public speaking. Mr. Antonelli explained the purpose of the resolution and the services that would be provided. Mr. Principato asked if this had to with court proceedings. Mr. Antonelli spoke about the type of items that court would be reviewing and looking into. He added that it was a personnel matter.

President Yamakaitis asked if any member of the council wanted to speak on this matter. Mr. Antonelli stated that there should be a motion and second, before council discussion could take place. Mr. Strano moved resolution 2019-161. The motion was seconded by Mr. Mohammed. Discussion.

Mrs. Hickey stated that this pertains to the investigative committee, which has subpoena powers, but no background checks were done on any members of the Committee. She noted that there is a Law Committee, and Personnel Department that can look into these matters. She criticized the expenditure of these funds.

There being no further discussion, resolution 2019-161, was ordered approved by a roll call vote, with all voting in favor, except Mr. Roman, Mr. Medina, and Mrs. Hickey who voted no.

**ORDINANCES FOR INTRODUCTION**

**An Ordinance entitled:**

#63-14 Ordinance to establish a cap bank, pursuant to N.J.S.A. 40A:4-45.14, for the Calendar Year 2019.

Ordinance #63-14 was introduced by Mr. Brown and was read on first reading by the Clerk.

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

unanimously ordered approved.

**An Ordinance entitled:**

#63-15 An ordinance of the City Council of the City of Linden dedicating “Senator Joseph Suliga Way” pursuant to N.J.S.A. 40:67-1 et seq.

Ordinance #63-15 was introduced by Mr. Javick and was read on first reading by the Clerk.

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

unanimously ordered approved.

**An Ordinance entitled:**

#63-16 An ordinance to amend and supplement Chapter XXXI, Zoning, of an ordinance entitled, an “ordinance adopting and enacting the revised general ordinances of the City of Linden, 1999,” Passes November 23, 1999 and approved November 24, 1999 and as amended and supplemented.

**Revise 31-20.25 Prohibited Uses:**

**ADD SECTION f:**

The operation of retail marijuana stores or retail sales of marijuana.

Ordinance #63-16 was introduced by Mr. Brown and was read on first reading by the Clerk.

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

ordered approved, with all voting in favor except Mr. Roman and Mrs. Hickey who voted no.

**An Ordinance entitled:**

#63-17 An ordinance to amend an ordinance entitled, “An ordinance establishing a schedule of titles, salary ranges and regulations for maintaining the classification and salary standardization plan of all employees of the City of Linden,” passed August 15, 1995 and approved August 16, 1995.

**ADDING:** Schedule 4-NN-3

Ordinance #63-17 was introduced by Mr. Brown and was read on first reading by the Clerk.

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

unanimously ordered approved.

**An Ordinance entitled:**

#63-18 An ordinance amending Chapter VII, Section 10 entitled parking prohibited at all times on certain streets.

**7-10 Parking Prohibited at all times on certain Streets**

Name of Street Side Location

**ADD:**

West Elizabeth Ave. South From a point 210 feet East of the East

Curbline of Donaldson Place and

Continuing 35 feet in easterly direction

Ordinance #63-18 was introduced by Mrs. Ormon and was read on first reading by the Clerk.

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

unanimously ordered approved.

**PUBLIC COMMENT**

Craig Halloran, 120 Donaldson Pl. Mr. Halloran noted that at last night’s Council conference meeting, there was some discussion on reverse tax appeals. He noted the discussion included how the money would be spent, and offered his suggestions on how it should be spent.

Scott Gavin, 134 DeWitt Terrace. Mr. Gavin noted his comments, last year, regarding the behavior of the Council, noting that clearly he missed the mark. He spoke about the current levels of behavior, by the members of the Council, towards each other. He also talked about the attempts, by Council, to limit public speaking. Mr. Gavin provided a number of examples of the behavior that he was speaking about as inappropriate. He made suggestions on how to better the meetings, but noted how low the bar had been set for the conduct at Council meetings. He continued speaking about the demeanor of Council, and urged fellow residents to speak up. He concluded by urging all to be respectful, and providing guidance on how to act.

Kelley Vlasic, 30 West Curtis St. Ms. Vlasic spoke about the treatment of citizens by members of the governing body. She also talked about City issues in the area around her property that have not been addressed despite her bringing it to various officials’ attention. She then spoke about the mess that is made by students, from Linden High School and School 1 as they go through her neighborhood. She spoke about the need for these students to have supervision. Next she spoke about an incident, with a City employee, telling her that if she did not like something, then she should leave Linden. Ms. Vlasic spoke about the abuse of power, and stated that the citizens of Linden deserve better than some of the individuals sitting on the dais.

Virginia Malik, 1633 Lenape Rd. Ms. Malik stated her agreement with the comments made by Mr. Gavin,

And added that she hoped, all sitting on the dais, take heed about what was said. She then talked about the time limits imposed on members of the public, at council meetings, and noted her issues with them. She explained her reasons for not attending Council conference meetings and made suggestions on how to shorten the public council meetings, which included cutting the reports given by members of Council. She spoke about the decorum at Council meetings also.

Brian Schaffor, 11 Colby Co. Mr. Schaffor identified himself as a worker at the Linden Post office, and spoke about the parking problems employees of the Post office are now having due to the new parking restrictions on the blocks surrounding the main post office. He inquired as to where they can park.

John Kazor, Mr. Kazor spoke about his comments at last month’s Council meetings, and referenced Black History month, and comments made by Mrs. Ormon, regarding her brother, the Mayor, appearing on a list of influential black politicians. He criticized her for not mentioning another member of the Council who appeared on the list. He was critical of Mrs. Ormon. He offered other criticisms of Mrs. Ormon. He spoke about a number of other issues of concern to him, regarding various Linden Facebook pages, and provided examples of the problems that he was speaking about. He spoke about the Mayor and post made by him that Mr. Kazor labeled as not true.

John Principato, 1706 Westover Rd. Mr. Principato noted how tough it was to flowing the previous speakers. He went on to speak about the vacant Eighth Ward Council seat and that the constituents of the Eighth Ward need to have a council report, about activity in their ward. The Council President owes it to the residents. Mr. Principato then read from the Ten Commends for public speaking, and how the employees of the City were already breaking them. He then talked about the joint Easter Egg hunt that the Ninth and Tenth Ward had held, how successful and fun it was and now there was competition. Mr. Principato also spoke about the new council rules for public speaking, and pointed how the problems, as he saw them, with the new system. He also noted that a protest rally had been held, in support of firefighters who had racial slurs made against them, by a ranking officer. He offered his condolences to Ms. Cosby on the loss of her sister.

Hans Herberger, 1501 Westover Rd. Mr. Herberger thanked the Linden Police Department for their event,

“Coffee with a Cop.” He expressed his concerns with the fighting, back and forth, between members of Council, adding that he respects the various members of Council and they respect him. He urged all to work together.

Henry Mack. Mr. Mack opened his comments with a prayer, spoke about the issues that were of concern to the people, and provided his view of the interaction between members of Council.

Cleadel Waye. Ms. Waye reminded all about the definition of politics, and that all of the members of the governing body are here as servants of the community. She talked about some of the deplorable post that she has seen, on Facebook. Ms. Waye went on to speak about the new public speaking rules, for council meetings, and felt that the time limits were a good thing. She then spoke about the behavior of some of the members of the public that came up to speak.

Garnett Blame, 1110 E. Blancke St. Mr. Blame stated that he had been to a couple of council meetings, and the last few have been disheartening. He stated that he knows the members of Council, and their families, and they come from good stock. He urged resident to get and speak at these meetings, and those with a passion should run for office. Mr. Blame urged all to stop the personal attacks and to leave members of each other’s families out this. Lastly he thanked Public Works for the job they did in cleaning up the railroad tracks along Baltimore Avenue.

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

**COMMENTS BY MEMBERS OF THE GOVERNING BODY**

Mr. Roman wished a happy birthday to DK. He noted that the people are his boss, and commented on the comments made by Mr. Blame, in his speech, and stated that he hopes it gets better.

Mr. Medina spoke about the issues that are being caused by the patrons of Central Park, in the Ninth Ward, He noted that he has scheduled a meeting with the owners to help resolve these issues. He concluded by recognizing the City’s parking enforcement officers for the job they are doing.

Mr. Brown spoke about the behavior, at meetings, and what has been accomplished in the City. He asked that residents look at the website, to see what has been done in Linden. He stated that we should work together to move the City forward.

Mrs. Ormon noted that she forgot to announce the tricky tray that the School 1 was holding, provided details, and urged all to come out and show their support. Next she announced the First and Second Ward public safety meeting that has been scheduled, and added that she would ask the Board of Education to attend to address some of the issues raised here tonight.

President Yamakaitis thanked the police officers that were present tonight, for their service. She noted that the Ten Commandments of Public Speaking that was handed out came from a priest.

Mr. Antonelli commented on the recent change in the rules, for public speaking, at these meetings, and noted that even with the changes Linden is one of the few towns, in Union County, that allows residents to speak on resolutions before they are voted on.

**ANNOUNCEMENTS**

**President Yamakaitis announced that the next Council Meetings will be as follows:**

**\*Council Conference meeting prior to the Council meeting:**

**Monday, April 15, 2019 at 6:00 pm in the Council Conference Room, City Hall, 301 N. Wood Ave.**

**Tuesday, April 16, 2019 at 5:00 pm in the Council Conference Room, City Hall, 301 N. Wood Ave.**

**\*Council Meeting: Tuesday, April 16, 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 Council Mr. Roman moved to adjourn the meeting. The motion was seconded by Mrs. Hickey and was unanimously ordered approved by a roll call vote. The meeting was adjourned at 10:43 pm.

Respectfully submitted,

Joseph C. Bodek

City Clerk