**COUNCIL MEETING AGENDA**

**November 12, 2019**

**APPROVAL OF MINUTES**

**The Regular Meeting Minutes**

**of October 15, 2019**

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**SWEARING-IN OF EIGHTH WARD COUNCILMAN GARNETT BLAINE**

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**PRESENTATION**

**The Galloping Hill Cruisers**

**To Mayor Armstead and Members of Council**

**ORDINANCE ON HEARING**

63-49 Ordinance to adopt a second 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.

* 1. Ordinance approving the application for a long term tax exemption and authorizing the execution of a financial agreement with Meridia 1001 Urban Renewal Linden, LLC.
  2. Ordinance amending the Redevelopment plan for the South Wood Redevelopment project pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.

**63-52** An ordinance to amend and supplement Chapter VII, Traffic, of an Ordinance entitled, “An Ordinance adopting and enacting the revised General Ordinances of the City of Linden, 1999,” Passed November 23, 1999 and approved November 24, 1999, and as amended and supplements

7-33 Handicapped Parking Regulations

7-33.1A Handicapped Parking On-Street

Name of Street Spaces No. of Location

**ADD:**

738 Dennis Place 1 On the northeasterly sideline of Dennis Place,

(opposite side of Street) 25 feet more or less northwesterly from the

Projection of the northwesterly curbline of Grier Avenue across from 738 Dennis Place for a length of 22 feet. The aforesaid space is specifically reserved and designated to a

Vehicle for Jussara Bastos to be identified by license plate number and placard to be issued by the City, and no other vehicle bearing or displaying handicapped license plates and/or placards, or not, shall be permitted to park in such space.

**CONSENT AGENDA**

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

1. The amount of money collected during the month of September 2019 and turned over to the treasurer’s office is as follows: To be added once received

**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

57 11 10/31/19 16-00043 $23,800.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $23,800.00 payable to: Arianna Holding Co, LLC, 1148 Springfield Avenue, Mountainside, NJ 07092, charging same to account #-9-01-55-276-999-956.

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

Block Lot Redemption Date Cert# Premium

79 7 10/15/19 18-00041 $600.00

152 20 10/15/19 18-00090 $600.00

210 6 10/17/19 18-00123 $1,300.00

241 2 10/15/19 18-00133 $100.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $2,600.00 payable to: Fig as Cust. for Fig NJ19, LLC, P.O. Box 54226, New Orleans, LA 70154, charging same to account #9-01-55-276-999-956.

**Tax Sale** Requesting the refund of the premium paid at the 2017 & 2019 tax sale on the following block

& lot.

Block Lot Redemption Date CTF# Amount

79 7 10/15/19 16-00063 $400.00

354 3 10/17/19 16-00230 $1,100.00

472 36 10/23/19 18-00205 $400.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the

amount of 1,900.00 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

126 19 10/22/19 16-00096 $100.00

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

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

Block Lot Redemption Date CTF# Amount

173 8 10/25/19 18-00100 $14,600.00

540 4 10/29/19 18-00231 $29,700.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $44,300.00 payable to: Christiana T C/F, CE/1 Firsttrust, P.O. Box 5021, Philadelphia, PA 19111-5021, charging same to account #-9-01-55-276-999-956.

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

Block Lot Redemption Date Cert# Premium

319 28 10/25/19 17-00233 $14,300.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $14,300.00 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 2019 tax sale on the following blocks & lots.

Block Lot Redemption Date CTF# Amount

341 7 10/24/19 18-00154 $2,700.00

416 8 10/31/19 18-00180 $2,400.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $5,100.00 payable to Greymorr, LLC, BMO 85, P.O. Box 1414, Minneapolis, MN 55480, charging same to account #9-01-55-276-999-956.

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

Block Lot Redemption Date CTF# Amount

452 2 10/22/19 17-00288 $1,600.00

452 3 10/22/19 17-00289 $1,300.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $2,900.00 payable to: 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 2019 tax sale on the following block & lot.

Block Lot Redemption Date CTF# Amount

538 18 7/18/18 17-00325 $11,300.00

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 FNA DZ, LLC FBO WSFS,120 N. La Salle Street, Suite #-1220, Chicago, IL 60602charging same to account #-9-01-55-276-999-956.

**Refund** Block 48 Lot 12, Former Owner: 2602 Deerfield, LLC

New Owner: Luis M. Goncalves Flora, 200 Cranford Avenue

The above referenced former property owners are entitled to a refund due to a County Board Judgment reducing the assessment by 68,700 for 2019 creating a total overpayment of $949.59.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $949.59 payable to: Spiotti & Esposito, 271 Route 46, #F105-106, Fairfield, NJ, 07004, charging same to account #9-01-55-275-999-000.

**Credit Balance** Block 78 Lot 5, 1124 E. Blancke Street

Garbage Fee Overpayment Refund to Sewer

There now exists a credit balance on the above referenced block & lot due to the owner paying additional garbage fees. The owner would like this applied to the sewer balance.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $60.00 payable to: Linden Roselle Sewerage Authority, Attention: Tax Collector, 301 N. Wood Avenue, Linden, NJ 07036, charging same to account # 9-01-55-276-999-958.

**Overpayment** Block 319 Lot 29, Giuseppe D. Lavorato, 356 De Witt Street, 2018 overpayment

The above referenced owner’s prepaid the 2018 3rd quarter property taxes and the mortgage company have paid and the owner’s payment has created an overpayment in the amount of $1,639.02 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 1,639.02, payable to: Giuseppe D. Lavorato, 356 De Witt Street, Linden, NJ 07036, charging same to # 9-01-55-288-999-904.

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

1. Requesting approval of the following Refunds:
   1. Nicholas Bruton is entitled to a refund of $50.00 for a Certificate of Smoke Detector and Carbon Monoxide Alarm Compliance. Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of $50.00 payable to: Nicholas Bruton, 523 Beechwood Road, Linden, NJ 07036, charging same to account 9-01-09-699-069.

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

1. Advising that sixty-three (63) Certificates of Occupancy were issued during the month of October, 2019.

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

1. Advising that the parking meters will be bagged for the Holiday Season for the period beginning December 13, 2019 through January 2, 2020.

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

1. Requesting approval of the following Bingo/Raffle Applications:

**Organization** **Type** **Fee**

School #9 PTA 50/50 n/a

School #9 PTA Tricky Tray n/a

**RESOLUTIONS**

**PUBLIC COMMENTS WILL BE PERMITTED FOR THOSE SPECIFIC RESOLUTIONS TO BE REMOVED FROM THE CONSENT APPROVAL. PLEASE READ THE SYNOPSIS OF THE RESOLUTIONS, WHICH HAVE BEEN PREPARED BY THE CITY CLERK’S OFFICE. EACH IS INFORMATIVE AND SELF-EXPLANATORY. HOWEVER, IF YOU WISH TO ADDRESS A SPECIFIC RESOLUTION, THE COUNCIL, WILL ENTERTAIN QUESTIONS ON IT.**

2019-393 Resolution authorizing an application for enrollment of the Linden Police Department in the United States Department of Defense 1033 Program (obtaining of surplus federal property intended for use by the U.S. Armed Forces)

2019-394 Resolution awarding a contract, in the amount not to exceed $14,950.00, to Northern Screening & Crushing for the screening of compost for the Division of Public Works in accordance with their low quote.

2019-395 Resolution ratifying certain payments made by the Municipal Treasurer during the month of October 2019 which do not appear on the Claims List.

2019-396 Resolution authorizing the issuance of a duplicate tax sale certificate pursuant to Chapter 99 of the Public Laws of 1997 for the property known as Block 468, Lot 2. (413 W. Linden Ave.)

2019-397 Resolution awarding a contract for a security system, for City Hall, to Maffey’s Lock and Safe, Inc., an authorized vendor under the Union County Co-Op pricing system in an amount not to exceed $74,240.32, for the Division of Public Property.

2019-398 Resolution awarding a contract to Rich’s Tree Service, Inc., an authorized vendor under the State of New Jersey contract #80902, in the amount not to exceed $120,000.00, for the trimming, pruning and removal of trees for the Division of Public Works

2019-399 Resolution for the purchase of required infrastructure for the Police Department, from Taser International (Axon Enterprise, Inc.), an authorized vendor under the State of New Jersey Contract 81321 in an amount of not exceed $23,674.00, for the body-worn camera system.

2019-400 Resolution requesting the Union County Community Development Revenue Sharing Committee to approve the proposal for year 46 funding (2020-2021) priorities, for the City of Linden. (Priority 1 = Street Improvements; Priority 2 = Home Improvement Program).

2019-401 Resolution waiving the fees for a Community Wide Garage Sale to be held in the First Ward on November 22, 2019 with a rain date of November 23, 2019.

2019-402 Resolution appointing Elizabeth Cornwell a member of the Linden Board of Alcoholic Beverage Control for a three year term commencing June 17, 2019 and terminating June 16, 2022 and until her successor is appointed and qualifies.

2019-403 Resolution requesting that the Director of the Division of Local Government Services approve the insertion of an item of appropriation, in the amount of $9,400.00, from the County of Union, Greening Union County Grant. (Shade Tree Planting)

2019-404 Resolution declaring certain items surplus, not needed for government use, and authorizing their sale or disposition.

2019-405 Resolution approving an amendment, in the amount of $15,000.00, to the contract with Inglesino, Webster, Wyciskala & Taylor, LLC for work as Special Aviation Counsel.

2019-406 Resolution authorizing the cancellation of various capital appropriations. (Balance of funds in a capital account not spent)

2019-407 Resolution creating a Municipal Council Investigatory Committee, pursuant to N.J.S.A. 40:48-25, to investigate violations of the City’s own personnel policy.

2019-408 Resolution for the removal of ID27 sweepings services, in the amount of $19,068.57 for the Division of Public Works to Deer Carcass Removal Services, LLC through the Union County Co-op. (Disposal of street sweepings).

2019-409 Resolution adopting the Policy Manual of the City of Linden, effective November 1, 2019.

2019-410 Resolution to approve the transfer of 2019 appropriations.

2019-411 Resolution appoint Peter Matlosz a member of the Housing Authority of the City of Linden for a five year term effective June 15, 2019 and terminating June 14, 2024, and until his successor shall have been appointed and shall have been qualified.

2019-412 Resolution amending the contract with Ricci Planning, in the amount of $17,500.00, for on-call Planning Services. The total value of the contract, inclusive of this change, is $47,500.00.

2019-413 Resolution establishing the regular meeting dates of the Council of the City of Linden and prescribing the rules governing the procedure at all meetings of the Council for 2020.

2019-414 Resolution authorizing an amendment, in the amount of $60,000.00, to the contract with DLS Contracting, Inc. for the resurfacing of Cranford Avenue. Inclusive of this change order the total value of this contract is $393,334.00.

2019-415 Resolution authorizing the interim use of a portion of East Baltimore Ave by Ferreira Construction Company Jnc., for the PSE&G AWL Project, subject to the providing of a certificate of insurance, in the amount of $1,000,000.00 and the execution of a hold harmless agreement.

2019-416 Resolution authorizing the use of State Contract G-0576 for the provision of fire suppression maintenance services and awarding a contract to Fyr Fyter Sales & Service Inc.

2019-417 Resolution authorizing a contract, in an amount not to exceed $17,500.00, to the law offices of William Strazza, LLC for legal services concerning personnel matters.

2019-418 Resolution calling upon the State Legislature to create a study commission to review the Open Public Records Act.

**ORDINANCES ON INTRODUCTION**

63-53 An Ordinance authorizing the sale of Lot 11, Block 537, known as 1610 Clinton Street on the current tax atlas of the City of Linden, in the County of Union, not needed for public use, by auction and establishing a minimum bid price of $90.000.00 and setting December 27, 2019, at 11:00 AM as the date and time for said Public Action in the Council Conference room of the Linden City Hall.

63-54 An Ordinance to amend and supplement Chapter VII, Traffic, of an ordinance entitled, “An ordinance adopting and enacting the Revised General Ordinances of the City of Linden, 1999,” passed November 23, 1999 and approved November 24, 1999, and as amended and supplemented.

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

Section 1. That Chapter VII, Traffic, Section 7-15, Parking by Permit Only in Designate Residential Areas, shall be and the same is hereby amended as follows:

DELETE SECTIONS 7-15.1 PARKING DECALS in its entirety

ADD NEW SECTION 7-15.1 PARKING DECALS.

63-55 An Ordinance authorizing the sale of a portion of Lot 13, Block 580, known as 1601 West Edgar Road, on the current tax atlas of the City of Linden in the County of Union, and not needed for public use to the New Jersey Department of Transportation for $10,000.00. (Required for intersection improvements for Route 1&9 at Avenue C.

63-56 An Ordinance to amend and supplement Chapter VII, Traffic, of an ordinance entitled, “An ordinance adopting and enacting the Revised General Ordinances of the City of Linden, 1999,” passed November 23, 1999 and approved November 24, 1999, and as amended and supplemented.

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

Section 1. That Chapter VII, Traffic, shall be and the same is hereby amended as follows:

Chapter VII, Traffic

7-33 HANDICAPPED PARKING REGULATIONS

7-33.1A Handicapped Parking On-Street

Name of Street Spaces No. of Location

ADD:

817 Lincoln Street 1 On the southeasterly sideline of Lincoln Street, 30 feet more or less southeasterly from the

Projection of the southeasterly curbline of East

Henry Street in front of 817 Lincoln Street for a

Length of 22 feet. The aforesaid pace is specifically reserved and designated for a

` vehicle for Wilbur Taylor to be identified by a

License plate number and placard to be issued

By the City, and no other vehicle bearing or

Displaying handicapped license plates and/or

Placards, or not, shall be permitted to park in

Such space.

DELETE:

622 East Curtis Street 1 On the southeasterly sideline of East Curtis

Street, 216 feet more or less southwesterly

Curbline of Bower Street, in front of 622 East

Curtis Street, for a length of 22 feet. The

Aforesaid space is specifically reserved and

Designated for a vehicle for Rachel Williams

To be identified by a license plate number and a

Placard to be issued by the City, and no other

Vehicle bearing or displaying handicapped license plates and/or placards or not, shall be permitted to park in such place.

63-57 BOND ORDINANCE AMENDING BOND ORDINANCE NUMBER 59-10 FINALLY ADOPTED BY THE CITY COUNCIL OF THE CITY OF LINDEN, NEW JERSEY ON MARCH 17, 2015, AS AMENDED. (Changing the amount of the amount of the bonds or notes to be issued from $501,600 to $2,211,600 and the amount of the down payment from $26,400 to $116,400.

63-58 An ordinance amending Chapter 2-7 entitled “Administrative Organization” by the City Council of the City of Linden. (amending 2-7.1, Creation of Committees; Appointment of Members; 2-7.2 Committees of the City Council, and 2-7.3 Departments, Boards and Commissions)

63-59 An ordinance to amend and supplement Chapter VII, Traffic, of an ordinance entitled, “An ordinance adopting and enacting the Revised General Ordinances of the City of Linden, 1999,” passed November 23, 199 and approved November 24, 1999, and as amended and supplemented.

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

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

Name of Street Side Location

**ADD:**

Washington Avenue West From a point approximately 232 feet north of the north

Curbline of East Curtis Street and continuing 16 feet in

Northerly direction.

South Wood Avenue East From south curbline of East Edgar Road for a distance

Of 130 feet to the south.

63-60 An ordinance amending Chapter 4-37 entitled “Towing of unauthorized vehicles from private or quasi-private property within the City” by the City Council of the City of Linden.