

**Minutes of the Regular
Meeting of the 2020 Council of the
City of Linden, held Tuesday,
February 16, 2021**

The meeting was called to order by President of Council Michele Yamakaitis and she announced: Notice of this meeting stating the date, place and time, has been disseminated as required under the Open Public Meetings Act, Chapter 231, P.L. 1975" In addition to the publishing of the annual meeting schedule, electronic notice was provided on February 12, 2021 to The Local Source and Star Ledger, noting that the meeting would be conducted through the Ring Central Program and containing information on how to access the meeting. The same information was posted on the City's website, Linden TV, the bulletin board, and the front door of City Hall. Copies of the Agenda, and Personnel Reports are also posted on the City's website and Linden TV for the public. The meeting was called to order at 7:00 p.m.

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

President of Council Michele Yamakaitis announced that members of the public who may be attending are on mute until the public comment portion of the meeting. If you wish to be recognized please use the raised hand icon, in the program, to identify yourself. You will then give your name and address, as at any Council meeting. Failure to do so, will result in you being muted, and not recognized further. If you are registered more than once you will only be recognized to speak one time, under your first registration, as with any council meeting. When public comment is opened, the ability to register will be closed.

A roll call showed the following members were present:

ROLL CALL

Councilwoman	Lisa Ormon
Councilman	Barry Javick
Councilwoman	Monique Caldwell
Councilwoman	Rhashonna Cosby
Councilman	John F. Roman
Councilman	Ralph Strano
Councilman	Garnett Blaine (7:15 pm)
Councilman	Armando Medina (7:05 pm)
Council President	Michele Yamakaitis
Mayor	Derek Armstead

Approval of Minutes

Mr. Strano moved for approval of the minutes of the Regular meeting of January 5, 2021 and January 19, 2021. The motion was seconded by Mrs. Caldwell and was ordered approved by a roll call vote, with all voting in favor except Ms. Cosby who abstained.

PRESENTATION

**Recognizing Linden Resident
Kyle Phipps**

Mrs. Caldwell read the resolution recognizing Mr. Phipps. Mayor Armstead thanked Mr. Phipps and noted that the actions, taken by Mr. Phipps did not surprise him, as it was the way that he grew up. Mr. Phipps is dedicated to keeping Linden, its parks and community nice. All are working for a better Linden.

Mr. Phipps thanked Mrs. Caldwell and the Mayor for the recognition. He thought that it was a great way to make all aware.

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:

65-1 ZONING, OF AN ORDINANCE ENTITLED "AN ORDINANCE ADOPTING AND ENACTING THE REVISED GENERAL ORDINANCES OF THE CITY OF LINDEN, 1999," PASSED NOVEMBER 23, 1999 AND APPROVED NOVEMBER 24, 1999, AND AS AMENDED AND SUPPLEMENTED. NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF LINDEN:

Section 1. That Chapter XXXI, Zoning, Section 31-11 shall be and the same is hereby amended.

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 were none.

There being no persons to be heard, Mr. Javick moved that the hearing be closed and the ordinance be adopted. The motion was seconded by Mrs. Caldwell and on a roll, call vote the foregoing ordinance was ordered approved, with Ms. Cosby voting no and Mr. Blaine absent.

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

65-2 AN ORDINANCE AMENDING CHAPTER VII, TRAFFIC, SECTION 20 ENTITLED ONE-WAY STREETS. BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LINDEN:

7-20 ONE-WAY STREETS, ADD:

<u>Name of Street</u>	<u>Direction</u>	<u>Parking Permitted</u>
W. 15 th St.	West	S. Wood Ave to S. Stiles St.

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 were none.

There being no persons to be heard, Mrs. Ormon moved that the hearing be closed and the ordinance be adopted. The motion was seconded by Mrs. Caldwell 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:

65-3 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. Adopting Salary Schedule 4-PP-1

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 were none.

There being no persons to be heard, Mr. Strano moved that the hearing be closed and the ordinance be adopted. The motion was seconded by Mrs. Ormon. Mr. Roman asked what the Ordinance was doing. Mr. Antonelli read the changes and Mr. Roth stated that it increased the minimum and maximum to comply with the increase in the minimum wage as set by the State of New Jersey. Upon a roll, call vote the foregoing ordinance was ordered approved, with Ms. Cosby voting no.

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

65-4 AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER II, ADMINISTRATION, OF AN ORDINANCE ENTITLED, "AN ORDINANCE ADOPTING AND ENACTING THE REVISED GENERAL ORDINANCES OF THE CITY OF LINDEN, 1999," PASSED NOVEMBER 23, 1999 AND APPROVED NOVEMBER 24, 1999, AND AS AMENDED AND SUPPLEMENTED.

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

Section 1. That Chapter II, Administration, Article IV, Department Established, Section 2-13 DEPARTMENT OF FIRE, Chapter 2-13.1, shall be and the same is hereby amended as follows:

DELETE 2-13.1 CREATION OF DEPARTMENT; SUPERVISION, in its entirety.

ADD NEW 2-13.1 CREATION OF DEPARTMENT; SUPERVISION as follows:

- a. The Department of Fire is hereby created pursuant to N.J.S.A. 40A:14-7 and shall consist of a Chief and as many firefighters, lieutenants, captains, deputy chiefs and civilian personnel as the Council may determine by ordinance. The Department shall be under the day to day supervision of a Chief, who shall be appointed by the Council.
- b. The following positions and ranks shall constitute the Table of Organization of the Department of Fire:

Chief	1
Deputy Fire Chiefs	6
Fire Captains	17
Fire Lieutenants	14
Firefighters	79

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 were none.

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

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

65-5 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 ORDAINED BY THE COUNCIL OF THE CITY OF LINDEN:

Section 1. That Chapter VII, Traffic, shall be and the same is hereby amended as follows: **7-33 HANDICAPPED PARKING REGULATIONS, 7-33.1A Handicapped Parking On-Street**

Name of Street No. of Spaces

Location

ADD:

918 Roselle Street 1
(on East Curtis Street)

On the southeasterly sideline of East Curtis Street, 42 feet more or less northeasterly from the projection of the northeasterly curblineline of Roselle Street on the East Curtis Street side of 918 Roselle Street for a length of 22 feet. The aforesaid space is specifically reserved and designated for a vehicle for Marco Cevallos to be identified by license plate number and placard 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.

1524 Winans Avenue 1

On the southwesterly sideline of Winans Avenue, 70 feet more or less northwesterly from the projection of the northwesterly curblineline of W. 16th Street in front of 1524 Winans Avenue for a length of 22 feet. The aforesaid space is specifically reserved and designated for a vehicle for Robert Sasarak to be identified by license plate number and placard 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.

Returned Check Interest	(\$0.00)
Returned Online 2020 Taxes	(\$0.00)
Returned Online 2021 Taxes	(\$2,844.29)
Returned Online Interest	(\$0.00)
Adv. Before Tax Sale	\$0.00
Premium	\$0.00
Sewer Clean out charge	\$500.00
DPW Reso payments	\$0.00
Interest	\$20,439.95
Total	\$13,521,821.29

Tax Sale Requesting the refund of the premium paid at the 2019 & 2020 tax sale on the following blocks & lots.

Block	Lot	Redemption Date	Cert#	Premium
45	3	2/8/2021	18-00024	\$8,200.00
152	12	1/11/2021	19-00067	\$43,400.00
209	6	2/8/2021	19-00098	\$1,600.00
296	6	1/13/2021	19-00117	\$1,600.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of \$ 54,800.00 payable to: Fig as Cust. for Fig NJ19, LLC, P.O. Box 54226, New Orleans, LA 70154, charging same to account #-1-01-55-276-999-956.

Tax Sale Requesting the refunds of the premiums paid at the 2020 tax sale on the following block & lot.

Block	Lot	Redemption Date	CTF#	Amount
72	14.01	2/8/2021	19-00027	\$1,200.00
77	11	2/8/2021	19-00030	\$1,600.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of \$2,800.00 payable to: Jing Yang, 628 N. Butrick Street, Waukegan, IL 60085, charging same to account #-0-01-55-276-999-956.

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
188	11	2/8/2021	17-00152	\$18,600.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of \$18,600.00 payable to: Lillian Zhang, 11 Walnut Street, Livingston, NJ 07039, charging same to account #1-01-55-276-999-956.

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
241	2	1/29/2021	17-00191	\$32,600.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of \$ 32,600.00 payable to FNA DZ, LLC FBO WSFS, 120 N. La Salle Street, Suite #-1220, Chicago, IL 60602 charging same to account #-1-01-55-276-999-956.

Tax Sale Requesting the refund of the premium paid at the 2020 tax sale on the following block & lot.

Block	Lot	Redemption Date	CTF#	Amount
311	2	2/8/2021	19-00121	\$1,200.00
391	17	1/15/2021	19-00134	\$1,500.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of \$2,700.00 payable to Trystone Capital Assets, LLC., 575 Route #-70, 2nd Floor, P.O. Box 1030, Brick, NJ 08723, charging same to account #-1-01-55-276-999-956.

Tax Sale Requesting the refund of the premium paid at the 2020 tax sale on the following block & lot.

Block	Lot	Redemption Date	CTF#	Amount
--------------	------------	------------------------	-------------	---------------

393 26 1/15/2021 19-00135 \$1,200.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of \$1,200.00 payable to: US Bank Cust ProCap8 PROCAP MTGII, 50 South 16th Street, Suite #2050, Philadelphia, PA 19102, charging same to account #-1-01-55-276-999-956.

Refund Block 7 Lot 23, Marlon M. Andrades Hernanadez
2033 Dill Avenue

The above referenced owners Mortgage Company has paid the 2020 4th quarter property taxes twice creating this overpayment and the owner is entitled a refund in the amount of \$2,056.67.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of \$2,056.67 payable to: Marlon M. Andrades Hernanadez, 2033 Dill Avenue, Linden, NJ 07036 charging same to # 1-01-55-288-999-904.

Refund Block 524 Lot 64, Francisco
1201 Woodlawn Avenue

There now exists a credit balance on the above referenced block & lot due to an overpayment by the title agency on the 2020 4th quarter. The overpayment amount is \$ 2,733.00.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of \$2,733.00 payable to: Francisco, 1201 Woodlawn Avenue, Linden, NJ 07036 charging same to account #-1-01-55-288-999-904.

Refund Block 570 Lot 19, Thomas & Mary Hathaway
2902 Tremley Point Road

There now exists a credit balance on the above referenced block & lot due to an overpayment by the title agency on the 2020 4th quarter. The overpayment amount is \$ 1,404.55.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of \$1,404.55 payable to: Foundation Title, LLC Roseland, 3 Becker Farm Road, Suite # 305, Roseland, NJ 07068 charging same to account #-1-01-55-288-999-904.

(*) Library Board Appointments:**

(2) Advising that Mayor Derek Armstead has appointed the following individuals to the Library Board.

Susan Stanch, for a term beginning January 1, 2021 and terminating 12/31/2025

Iana Byrd, for a term beginning January 1, 2021 and terminating 12/31/2025

Dorota Kotowski, for a term beginning January 1, 2021 and terminating 12/31/2025

Debora Azevedo, to fill an unexpired term beginning immediately and terminating 12/31/2021

(*) Environmental Commission:**

(3) Advising that Mayor Derek Armstead has appointed the following individual to serve as a member of the Environmental Commission:

Peter Brown, for a term beginning January 1, 2021 and terminating December 31, 2023

(*) Linden Recreation Department:**

(4) Requesting permission to close Wood Avenue between the hours of 12noon and 7pm on October 24, 2021 (rain date of October 31, 2021) to hold the Annual Halloween Parade. Additionally, approving the use of two Toro Golf Carts from the Linden Board of Education. A Hold Harmless will be prepared by the Clerk's Office.

(*) Monday Cruise Nights Car Show and Grand Finale:**

(5) In connection with the City of Linden and the Galloping Hill Cruisers, requesting permission to hold their Annual Monday Cruise Nights Car Show at Linden's Aviation Plaza. The event will be held every Monday from May 10th to October 18, 2021 between the hours of 5pm and 9pm. Their Grand Finale will be held on Sunday afternoon October 24, 2021. A Certificate of Liability Insurance has been provided.

(*) Municipal Treasurer:**

(6) Requesting approval of the following refund requests:

A. Parking Permit Refund

Maria Carlucci is entitled to a refund of \$270.00 for a 2nd quarter 2020 railroad parking permit.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of \$270.00 payable to: Maria Carlucci, 67 Runnymede Road, Clark, NJ 07066; charging same to 1-01-55-401-999-918.

- B. Cigna is entitled to a refund in the amount of \$570.59 for service that was provided on 3/29/2019. Therefore, it would be in order for the council to authorize the treasurer to issue a check payable to: Cigna, PO BOX 182223, Chattanooga, TN 37422, charging same to 1-01-08-629-011.
- C. Andres Figueroa is entitled to a refund in the amount of \$80.00 for service that was provided on 4/18/2016. Therefore, it would be in order for the council to authorize the treasurer to issue a check payable to: Andres Figueroa, 516 Allen Dr., Rahway, NJ 07065, charging same to 1-01-08-629-011.
- D. Maria Quiroga-Ross is entitled to a refund in the amount of \$37.41 for service that was provided on 3/29/2019. Therefore, it would be in order for the council to authorize the treasurer to issue a check payable to: Maria Quiroga-Ross, 260 E. Westfield Ave. Apt 209, Roselle Park, NJ 07204 charging same to 1-01-08-629-011.
- E. Horizon BC BS of NJ is entitled to a refund in the amount of \$795.00 for service that was provided on 8/3/2019. Therefore, it would be in order for the council to authorize the treasurer to issue a check payable to: Horizon BC BS of NJ, FEP Cash Management, P.O. Box 11594, New York, NY 10087-1594 charging same to 1-01-08-629-011.

(*) Personnel Division**

(7) Advising that the following employees have filed for retirement:

<u>Department</u>	<u>Employees</u>	<u>Title</u>	<u>Date</u>
Police Dept.	William Bizub	Police Sergeant	March 1, 2021
DPW	Michael Chamberlain	Laborer	March 1, 2021
Municipal Garage	James Venditto	Supervising Mechanic	March 1, 2021

Mrs. Ormon moved for approval of Consent Agenda items #1 through #7. The motion was seconded by Mrs. Caldwell and was ordered approved, with all voting in favor except Mr. Javick who abstained on item #2, Mr. Roman who voted no to item #3.

REPORTS AND COMMENTS BY MEMBERS OF THE GOVERNING BODY

First Ward

Mrs. Ormon gave the following report of the Finance and Budget Committee:

Approval is requested for the following finance actions:

1. The payment of bills totaling \$1,523,879.46. Bills have been checked by the Mayor, Council President and Finance Chairwoman 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 January at the rate of 0.10%.

Mrs. Ormon moved for approval of the Finance and Budget report. The motion was seconded by Mrs. Caldwell and was ordered approved by a roll call vote, with all voting in favor except Mrs. Cosby who voted no.

Mrs. Ormon noted that items, discussed by the Accident Review Committee, and approved, are on the agenda. She spoke about the streets surrounding the PAL and the need to improve safety. She discussed the issue of cars being parked, on emergency snow routes, when it snowed, will be towed. She requested that residents, no matter what their location, use their driveways to park during snow storms. Mrs. Ormon further spoke about the residents, blowing and placing snow back into the streets, once they have been plowed. She asked all to be kind to their neighbors. New neighbors may not know that they only have a certain amount of time to remove snow from their sidewalks after the snow stops. Tell them about it. She thanked DPW for all of their efforts. Lastly, she asked First Ward Residents to reach out to her with any concerns or comments.

Second Ward

Mr. Javick gave the report of the Fire Committee. The Fire Prevention Bureau collected a total of \$7,183.25 in fees for the month of January. The ambulance reimbursement system collected a total of \$67,314.14 for the month of January, 2021.

Mr., Javick spoke about the weather predicted for today, and that snow is still in the forecast. He spoke about the efforts to remove snow, from the last storm, downtown, and how great it is looking. He spoke about the various development projects, and requested that developers come by with a plan to provide for additional parking. He pointed out the that new no parking zones, on the corners on Wood Ave, have been marked and requested that people do not park there.

Third Ward

Mrs. Caldwell began by extending greetings to her Third Ward neighbors. She then gave the report of the Construction Code Department. A total of \$82,839.00 was collected, and 231 permits and 10 certificates were issued for the month of January 2021. Next, she gave the report of the IT Committee. The Committee is looking into a ticketing system, in order to move paper work, electronically, between departments and divisions. Mrs. Caldwell also spoke about the installation of cameras in the Fourth Ward Park. She thanked the IT Division for addressing the spam issues that were affecting the City's computer system.

Mrs. Caldwell spoke about the work, in the Third Ward, to fix a broken water main. She asked residents not to throw snow into the streets. In conclusion she announced information pertaining to her hosting a Third Ward Community meeting, and provided her contact information.

Fifth Ward – Was having technical difficulties, at this time, and could not be clearly heard. Council President continued with the report of the Sixth Ward.

Sixth Ward

Mr. Roman spoke about Pleasant Avenue and noted the issue with flooding there and on Hampton and Smith Street. It is caused by the water company, a 36-inch main is leaking. The water company is doing the work as quick as possible, He discussed the intersection of Stiles St. and Route 1 & 9, its condition, and when it would be restored.

Mr. Roman spoke about the recent snow storm and residents putting snow back into the street. He also spoke about parking spots and what residents are doing, to save them, which is not allowed. He thanked DPW, Mr. Pantina, Jerry Bishop and Mr. Venditto for their efforts during the storm. He spoke about the workers, how they worked in shifts and busted their "behind" clearing snow. In recognition he had raised \$1,300.00, from the Sixth Ward. The original, idea for the funds, was to buy food and place it in public works for the workers. He explained why that wouldn't work, and the decision was now to give each DPW worker a \$13.00 ticket that they could use to buy food from small business around town. Mr. Roman implored residents not to throw snow into the streets, to shovel their sidewalks, and remove their cars from snow emergency routes.

Mr. Roman spoke about working Union County's COVID vaccination hot line. He discussed the issues and that the hotlines were setup as a service, to make appointments to receive the COVID vaccination. He provided the hotline phone number.

Fifth Ward

Good Evening

First, let me ask permission to register my votes for the record as I seemed to be having so many problems! I was using two phones and two computers and I was somehow booted out and not allowed in repeatedly! I vote for Yes for ordinance 65-2. I Abstain on 64-4 and vote no to 65-1 and 65-3. I voted yes to the consent agenda.

I wanted to announce that the annual Black History program is planned in cooperation as usual with the department of recreation and i sent out the invitation for the student to participate. The young people have really disconnected, We have not gotten many entries. The program will be on line and it will be Feb 24. Our honoree is the Honorable Judge Cassandra Corbett, the chief judge in Linden. She is the first woman of color. There is a resolution on for approval tonight and it will be presented to her at the program next week. The information is on the city website. I hope you all will tune in. She is the first woman of color.

I have no report from the environmental commission however, there is to my surprise an appointment of one commissioner on tonight's agenda. As you all know, I have been assigned as the liaison to this commission for two years and have asked and pleaded to have appointments made so the commission can actually function and was ignored. I even volunteered to serve and was told that I could not. This is beyond disappointing that this one new appointment will still not enable the environmental commission to conduct their business for the city of Linden. It is what it is as, it is a Mayor's appointment.

From the shade tree, Jeffrey A. Tandul, LLA, ASLA, M.Arch.

Chairman & Secretary Linden Shade Tree Commission the following is submitted :

"Main items,

1. limited Spring planting for Wards not planted in Fall 2020.

2. No budget increase, losing 200 to 250 trees per year, only planting about 100 to 120, do the math. Losing ground on canopy cover. No increase in secretary salary for 4 or more years despite promised by Mayor each year."

I think that all the secretary salaries should be the same personally, that is just my opinion.

report continued

" 3. From last year, spotted lantern fly in Linden. Mayor's secretary would only allow short period of posting on City website. Should be posted front and center until there is a respite from this invasive insect.

4. Mayor's Secretary and Kathleen Gaylord attended the meeting to try to bully the commission regarding a reforestation plan for tree compensation for stealing of Wilson parkland for a duplicate gymnasium across the street from High School with a perfectly serviceable gym. Chairman is working on it pro bono with no compensation for a plan and work valued at about \$35,000 for his professional services.

5. Ongoing issues with residents damaging and cutting down trees illegally. Fines need to be issued by Code officials, and residents need to pay compensation for damages."

From the 5th ward, I want the residents to know that we had some issues with businesses wh did not remove snow and I want the residents to know that I am here and this time when it snows I will be reporting them and asking for summons' to be issued.

That is about it and I thank you and appreciate your consideration for the time.

Seventh Ward

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

1. Department of the Police:
 - a) Approve the promotion of Officer John Vasquez to Police Sergeant effective March 1, 2021 at the salary of \$113,518.00 (replacement for retirement)
 - b) Approve the appointment of five (5) public safety telecommunicators from the attached list effective March 18, 2021 at the salary of \$38,000.00, pending successful completion of the City's background check.
 - c) Approve the appointment of one (1) Clerk 1 from the attached list effective March 15, 2021 at the rate of \$34,548.00, pending successful completion of the City's background check.
 - d) Approve the appointment of Katarzyna Dziadosz as a Police Officer retroactive to February 1, 2021 at the annual salary of \$51,050.00, pending successful completion of the City's background check.
 - e) Approve the appointment of Daniel Hernandez as a Special Law Enforcement Officer II (SLEO II), at the salary of \$45,945.00 to become a sworn Police Officer pending completion of the Police Training Commission requirements retroactive to February 1, 2021 at the salary of \$45,945.00, and pending the successful completion of the City's background check.
2. Department of Community Services:
 - Division of Building and Grounds:
 - a) Approve the posting of one (1) laborers due to a termination.
 - b) Approve the title change for Rolando Rodriguez, from Bldg. Maintenance Worker 1 to Bldg. Maintenance Worker 2, with no increase in pay.
 - Division of Public Works
 - a) Approve the request to Civil Service for one (1) 2 Public Works Supervisors test.
3. Recreation Department:
 - a) Approve the seasonal list as attached.
4. Municipal Court:
 - a) Approve the appointment of Latoya Boyd, as a Full-Time Clerk 1 effective March 15, 2021 effective March 15, 2021 at the rate of \$34,548.00, pending successful completion of the City's background check.
 - b) Approve the appointments of Javier Marca, Denise Theuret, and Zakiya Brown, as Part-Time Clerks 1 effective March 15, 2021 at the rate of \$18,67 per hour, pending successful completion of the City's background check.
5. Personnel:
 - a) Approval of the requested FMLA/NJFMLA leaves, list is on file in the Personnel Division.

Mr. Strano moved for approval of the Personnel Report. The motion was seconded by Mrs. Ormon and was ordered approved by a roll call vote, with all voting in favor except Ms. Cosby who voted no.

Mr. Strano spoke about Phillips 66 and how they owed residents and employees working and living in the area of the refinery an apology. The issue was that the cross arms for the Quite Zone Railroad Crossing were down for four hours. He called this totally unacceptable. He spoke about the traffic issues that it caused. This was a total disregard for residents and employees in that area.

Mr. Strano stated that he appreciated the work of all of the division that were involved in snow removal He spoke about a recent, large, fire in the Seventh Ward. He informed all about he recent meeting held to discuss snow removal and how to make it better. He noted that the possible purchase of some smaller vehicles to better clean snow from corners, however that would not happen to next year. He pointed out that he is looking for Phillips 66 to help do some things in the ward for residents. Mr. Strano spoke about

an issue regarding snow removal from a private property. The contractors, that were hired by the management company, were not aware of the new sidewalks on S. Stiles, that were put in to make traversing the area safer for residents. The contractor, in clearing the private property, placed large amounts of snow on the sidewalks, blocking them totally. The Construction Code Department is working on the issue.

Eighth Ward

Mr. Blaine spoke about his chairing the Parks and Recreation Committee. He informed all that a number of new programs will be coming forward, speaking about some of them, and explaining how to register. He asked residents that if they have an idea, or suggestion, to please let us know.

Mr. Blain talked about snow issues, from the two feet of snow we had. He talked about the importance of getting cars off of the street, to allow for better plowing. He spoke about his observations regarding residents throwing snow back into the street and talked about DPW's efforts to keep the roads open and cleared. He pointed out that he would be submitting a request for a handicapped parking spot to the Accident Review Committee.

Mr. Blain informed all that he was a health care worker, and talked about the need for all to get vaccinated against COVID 19.

Ninth Ward

Mr. Medina talked about the recent snow, and the need for all to be considerate of their neighbors. He pointed out that while the job done by DPW wasn't perfect, there was a lot of snow, stating it was a terrible storm. He noted that it had been four or five years since the last time there was a storm of that size. He talked about how he used his snow blower to help his neighbors, even though it was a small machine. He asked residents, who have larger machines to help their neighbors. He also asked them, that if they had new neighbors, to knock on their doors and let them know what the rules are.

Mr. Medina informed all that last week he had a good meeting concerning Ninth Ward issues. He thanked the Mayor and Chief Hart for their role in setting up the meeting and participating. He then spoke on the issue of dog waste, around Sunnyside Park. People are picking up after the dogs, but then leaving the bags around, in some cases within three feet of a garbage can. He thought it a shame that people could be that lazy and uneducated. He provided his contact information.

Council President

President Yamakaitis spoke about the retiring employees, William Bizub, Michael Chamberlain, and James Venditto, and thanked them for their service. She spoke about the Library's slime show and that it is also available on their website. She noted some of the services that library offers and urged residents to take advantage of them. She pointed out that if a resident needs a library card, it can now be done on-line.

President Yamakaitis informed all that Linden's 160th anniversary is coming up on March 4th, which marks the formation to the Township of Linden.

MAYOR'S REPORT

Mayor Armstead noted that he had lots to talk about. He discussed snow removal and how difficult of a storm it was to plow. He spoke about the new plow operators and how they are learning to become more efficient. The City can also take some actions to improve snow removal and the Mayor spoke about tweaking ordinances and regulations to make plowing easier. He stated that we cannot make everyone happy. By next year better plans should be in place.

Mayor Armstead announced that Amazon has finished renovating their new location, in Linden, and are planning to open by February 24th. They need to hire employees to staff the facility, and he provided a text message where residents could find out additional information. Next the Mayor discussed charging stations for electric cars. An RFQ is being worked on so that that can be located around town. He spoke about redevelopment and that the first phase of the St. Georges Ave project has 32 of 39 units leased.

Mayor Armstead announced that a community solar program is up and running in Linden. He explained the program, and that the energy is being generated from solar panels that are being placed on the old landfill site. He also announced that the Linden First Program is hosting a job fair for Chick Fillet.

Mayor Armstead discussed what he had learned from a webinar he had attended regarding PLIOT programs. One of the consensuses was that PILOTS do not impact on Board of Education. He then spoke about legislation, in Trenton, that would require developers, getting a PILOT, to have to use either Union labor or pay prevailing wages. This would hurt redevelopment. He also spoke about SID working on a rebate program to help merchants on Wood Avenue. The Mayor then spoke about some of the technical difficulties that some members of the governing body were having logging onto these meetings. He suggested that they come to City Hall, to sign in. He asked that they let us know in advance and arraignments will be made for their separation according to social distancing guidelines. He noted it was important that all attend the meetings.

RESOLUTIONS

Mrs. Caldwell moved to removed Resolution 2021-114 from consideration. The motion was seconded by Mr. Blaine and was unanimously ordered approved by a roll call vote.

RESOLUTION: 2021-95

RESOLUTION AWARDING STATE CONTRACT M003 89850 FOR COMPUTER CONSULTING SERVICES TO DELL

WHEREAS, the City of Linden wishes to obtain services for Installation/Implementation, Computer Consulting Services from an authorized vendor under the State of New Jersey Contract M003 89850

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, Dell, One Dell Way MS R2W-20, Round Rock, TX 78682 an authorized New Jersey State Contract vendor has been awarded Contract M003 89850 for such services; 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 for such services shall not exceed \$34,134.00; and

WHEREAS, the Chief Finance Officer has certified the availability of funds for this contract, which will be charged to account number C-04-55-902-721-919.

NOW THEREFORE BE IT RESOLVED by the City of Linden that Dell 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: 2021-96

RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN VISITING NURSE AND HEALTH SERVICES, INC., D/B/A HOLY REDEEMER HOME CARE AND THE LINDEN DEPARTMENT OF WELFARE FOR 2021

WHEREAS, the City of Linden is desirous of entering into a contract with Visiting Nurse and Health Services, Inc., d/b/a Holy Redeemer Home Care-NJ North for public health nursing services; and

WHEREAS, pursuant to N.J.S.A. 40A:11-5(2), said contract is exempt from the bidding requirements of the Local Public Contracts Law; and

WHEREAS, funds are available for this purpose, to be charged to account/line item No. 1-01-27-331-185-255;

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

1. The City of Linden and the Welfare Department hereby approve the 2021 qualified public health nursing services agreement between the City of Linden and Visiting Nurse and Health Services, Inc., d/b/a Holy Redeemer Home Care-NJ North, attached hereto and made a part hereof, in the amount totaling \$5,500.00, payable in eleven installments of \$458.33 and one installment of \$458.37 per month effective January 1, 2021 through December 31, 2021.

2. The Mayor and City Clerk be and hereby are directed, empowered and authorized to execute said 2021 public health nursing services agreement on behalf of the City of Linden.

3. This Resolution shall take effect pursuant to law.

RESOLUTION: 2021-97

RESOLUTION FOR PURCHASE OF CHEMICAL ROOT CONTROL THROUGH THE HOUSTON-GALVESTON AREA COUNCIL FROM DUKE'S ROOT CONTROL, INC.

WHEREAS, the City of Linden wishes to obtain services from an authorized vendor under the Houston-Glaveston Area Council awarded to Duke's Root Control, Inc., 1020 Hiawatha Blvd West, Syracuse, NY 13204, authorized vendor and,

WHEREAS, the purchase of goods and services by National contracting units is authorized by the Local Finance Notice 2012-10 using National Cooperative Contracts: Application of P.L. 2011, c. 139.; and,

WHEREAS, Duke's Root Control, Inc. Contract #16-5551, for the provision of sewer cleaning, hydro-excavating, inspection equipment & miscellaneous services; 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 \$20,399.67 and,

WHEREAS, the Chief Finance Officer has certified the availability of funds for this contract, which will be charged to account number C-04-55-901-623-919.

NOW THEREFORE BE IT RESOLVED by the City of Linden that Duke's Root Control, 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: 2021-98

**RESOLUTION QUALIFYING CERTAIN PROFESSIONALS
THROUGH A FAIR AND OPEN PROCESS**

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 2021;

Special Counsel Services including but not limited to providing guidance of implementing policies relative to the State of New Jersey's new Cannabis Laws

Florio Kenny Raval
125 Chubb Avenue
Lyndhurst, NJ 07071

Hill Wallack LLP
The Galleria
2 Bridge Avenue
Suite 211
Red Bank, NJ 07701

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN that in 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: 2021-99

**RESOLUTION FOR STATE CONTRACT PURCHASE FROM EAGLE POINT GUN SHOP FOR
AMMUNITION FOR THE POLICE DEPARTMENT**

WHEREAS, the City of Linden wishes to obtain ammunition from an authorized vendor under the State of New Jersey Cooperative Purchasing Program 1-NJCP; from Eagle Point Gun Shop 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, Eagle Point Gun Shop, 1707 Third Street, Thorofare, NJ 08086 has been awarded New Jersey State Contract No #81296 for the provision of Police Homeland Security Equipment; and,

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

WHEREAS, the amount of the service is not to exceed \$50,000.00; and,

WHEREAS, the Chief Finance Officer has certified the availability of funds for this contract, which will be charged to account number 1-01-25-240-155-271; and,

NOW THEREFORE BE IT RESOLVED by the City of Linden that Eagle Point Gun shop 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: 2021-100

RESOLUTION APPROVING A CONTRACT WITH HARBOR CONSULTANTS, INC. FOR ON-CALL ENGINEERING SERVICES FOR THE ENGINEERING DIVISION OF THE COMMUNITY SERVICES DEPARTMENT IN THE CITY OF LINDEN

WHEREAS, there exists a need for on-call engineering services (civil engineering, land surveying and construction management) 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, Harbor Consultants, Inc., submitted a qualification to the City and has qualified for the aforesaid services for 2021; 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. 1-01-20-165-124-255.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN that the agreement for Professional Services awarded to Harbor Consultants, Inc., 320 North Avenue East, Cranford, NJ 07016, at a fee not to exceed \$30,000.00 in accordance with their proposal dated January 27, 2021; and

BE IT FURTHER RESOLVED that this Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents between Harbor Consultants, 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 Harbor Consultants, Inc. to effectuate the foregoing; and

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

RESOLUTION: 2021-101

RESOLUTION AMENDING A CONTRACT WITH BRINKERHOFF ENVIRONMENTAL SERVICES, INC. FOR ENVIRONMENTAL SERVICES REGARDING REMOVAL OF AN UNDERGROUND TANK AT 301 N. WOOD AVENUE IN THE CITY OF LINDEN

WHEREAS, the City Council of the City of Linden passed a resolution on February 19, 2019, No. 2019-103, for environmental services regarding removal of an underground tank at 301 N. Wood Avenue in the City of Linden; and

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

WHEREAS, Brinkerhoff Environmental Services, Inc., 1805 Atlantic Avenue, Manasquan, NJ 08736, submitted a qualification to the City and has qualified for the aforesaid services for 2021; and

WHEREAS, due to the ongoing nature of the work, it is necessary to provide an amendment for additional funds not to exceed \$7,425.75; and

WHEREAS, inclusive of these additional funds the total expenditures paid to date to Brinkerhoff Environmental Services, Inc. for services rendered under the original or subsequently related contract is \$21,845.75; and.

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

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN that the agreement for Professional Services awarded to Brinkerhoff Environmental Services, Inc., 1805 Atlantic Avenue, Manasquan, New Jersey 08736, is hereby amended to increase the contract an additional sum of \$7,425.75, for a total contract amount of \$21,845.75; and

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

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

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

RESOLUTION: 2021-102

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDEN,
COUNTY OF UNION, AUTHORIZING THE EXECUTION OF A
CERTIFICATE OF COMPLETION FOR MERIDIA LIFESTYLES URBAN
RENEWAL LINDEN, LLC WITH REGARD TO PHASE I OF THE
MERIDIA LIFESTYLES I PROJECT**

WHEREAS, Meridia Lifestyles Urban Renewal Linden, LLC (the “**Redeveloper**”) pursuant to the Redevelopment Agreement with the City of Linden (the “**City**”), dated as of June 2013 (the “**Agreement**”) undertook certain work at Block 449, Lots 1, 2, 8-15 (now known as Lot 1.01) and completed construction of Phase I (as defined in the Agreement) of the Meridia Lifestyles project; and

WHEREAS, the Agreement provides that upon completion of the required work for Phase I, the Redeveloper may apply for a Certificate of Completion, which in part recognizes that the work has been completed and releases the Redeveloper from their responsibilities under the Agreement as to Phase I; and

WHEREAS, the Redeveloper has requested that the City issue a Certificate of Completion for Phase I and submits that they have complied with all requirements of the Agreement, the applicable Planning Board and related approvals, and has obtained a Final Certificate(s) of Occupancy from the City Construction Official in accordance with the Agreement; and

WHEREAS, the Redeveloper as part of the Phase I development undertook the construction of 176 residential units at 103 S. Wood Avenue, and has complied with all requirements of the applicable Planning Board and related approvals, and has obtained a Final Certificate(s) of Occupancy from the City Construction Official, dated August 11, 2016; and

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

Section 1. The City Council hereby consents to execution of a Certificate of Completion, as set forth herein, in accordance with the terms of the Agreement.

Section 2. The City Council hereby authorizes and directs the Mayor to execute the Certificate of Completion on behalf of the City, as necessary to further evidence or acknowledge the City’s consent.

Section 3. This resolution shall take effect immediately.

RESOLUTION: 2021-103

CITY OF LINDEN RAT RESOLUTION

WHEREAS, there were certain payments made by the Municipal Treasurer during the month of January 2021 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:

<u>CK#</u>	<u>DATE</u> <u>AMOUNT</u>	<u>PAYABLE TO:</u>	<u>PURPOSE</u>	
	1/8/2021	Delta Dental of NJ	January Dental Claims – City	\$36,747.22
	1/8/2021	Delta Dental of NJ	January Dental Claims – Sewerage	\$2,907.93
	1/8/2021	Delta Dental of NJ	January Dental Claims – Housing	\$1,099.31
	1/8/2021	Delta Dental of NJ	January Dental Claims – Library	\$867.81
	1/8/2021	Delta Dental of NJ	January Dental Claims – Cobra	\$33.67
	1/11/2021	Linden Board of Education	January Board of Education Payment	\$7,851,326.33
	1/11/2021	Linden Free Library	January Library Payment	\$187,630.33
	1/27/2021	Payroll 1/29	Payroll – Current	\$1,797,711.25
	1/27/2021	Payroll 1/29	Payroll – Trust	\$119,571.00
	1/27/2021	Payroll 1/29	Payroll – Grant	\$803.78
	1/27/2021	Payroll 1/29	Payroll – Unemployment	\$1,825.79
	1/14/2021	Vision Service Plan	January Vision Claims	\$3,755.87
	1/14/2021	Unity Bank	Worker’s Comp Claims 12/28 – 1/3	\$4,879.23
	1/14/2021	Unity Bank	Worker’s Comp Claims 1/4 – 1/10	\$28,003.34
	1/14/2021	Benecard Services LLC	January Prescription Funding	\$136,861.48
	1/29/2021	Elavon Inc.	January Merchant Fee – Dog Online	\$71.82
	1/29/2021	Elavon Inc.	January Merchant Fee – Garage Sale	\$59.99
	1/29/2021	NJ State Health Benefits	Health Claims – Active Bill	\$678,558.60
	1/29/2021	NJ State Health Benefits	Health Claims – Retiree Bill	\$442,873.77
	1/21/2021	Treasurer State of NJ	Theatre 2009 Debt Payment	\$20,209.53
	1/22/2021	Delta Dental of NJ	February Dental Claims – City	\$38,336.74
	1/22/2021	Delta Dental of NJ	February Dental Claims – Sewerage	\$2,907.93
	1/22/2021	Delta Dental of NJ	February Dental Claims – Housing	\$1,099.31

	1/22/2021	Delta Dental of NJ	February Dental Claims – Library	\$867.81
	1/22/2021	Delta Dental of NJ	February Dental Claims – Cobra	\$33.67
	1/25/2021	NJDEP, Budget & Finance	Multi Parks 2004 Debt Payment	\$5,882.79
	1/25/2021	Unity Bank	Worker's Comp Claims 1/11 – 1/17	\$7,973.33
179655	1/27/2021	Waste Management	December Tipping Fees	\$31,768.77
179656	1/27/2021	Dell Marketing	Replacement Comp. & Docking Stations	\$47,983.49
	1/27/2021	Payroll 1/29	Payroll – Current	\$1,889,747.54
	1/27/2021	Payroll 1/29	Payroll – Trust	\$188,763.16
	1/27/2021	Payroll 1/29	Payroll – Grant	\$2,787.50
	1/27/2021	Payroll 1/29	Payroll – Unemployment	\$1,972.42
	1/28/2021	Unity Bank	Worker's Comp Claims 1/18 – 1/24	\$6,497.25
	1/28/2021	US Bank	Morningstar 2007 Admin Fees	\$2,793.75
	1/29/2021	Treasurer State of NJ	Multi Parks 2009 Debt Payment	\$5,563.84
	1/29/2021	TD Wealth Management	Airport 2010B Debt Payment	\$1,025,104.12
	1/29/2021	US Bank NA	NJEIT 2004 Debt Payment	\$37,047.96
	1/29/2021	US Bank NA	NJEIT 2006 Debt Payment	\$7,186.32
	1/29/2021	US Bank NA	NJEIT 2005 Debt Payment	\$13,157.84
	1/29/2021	US Bank NA	NJEIT 2009 Debt Payment	\$3,165.00
	1/29/2021	M&T Bank	Airport 1998A Debt Payment	\$100,000.00
	1/29/2021	M&T Bank	UCIA PAL 2003A Debt Payment	\$11,329.38

Resolution: 2021-104

**CITY OF LINDEN
RESOLUTION AUTHORIZING THE CANCELLATION
OF OUTSTANDING CLAIMS CHECKS**

WHEREAS, the City of Linden hereby desires to cancel the following un-cashed checks from the City of Linden Claims Account, which are over six month's old,

WHEREAS, these checks are outdated and hereby void,

<u>Vendor Name</u>	<u>Check Date</u>	<u>Check Number</u>		<u>Check Amount</u>
BJ Wholesale Club	8/30/2019	174271	\$	55.00
TTLBL	9/12/2019	174560	\$	1,500.00
MCI A Verizon Co.	9/18/2019	174596	\$	96.23
Cureton, Brittany	9/18/2019	174702	\$	8.64
Chasen Lamparello Mallon	10/16/2019	174849	\$	11,878.99
Panzarella, Justin	10/16/2019	174957	\$	20.00
Brunton, Nicholas	11/13/2019	175346	\$	50.00
Equity Trust	12/18/2019	175767	\$	120.00
Cozzini, Maria Esq.	2/19/2020	176234	\$	286.38
Clear to Close	2/19/2020	176240	\$	2,290.60
Advanced Vesting Real Estate	2/19/2020	176242	\$	2,697.00
New Horizons Abstract Inc.	2/19/2020	176243	\$	2,303.77
Apruzzese, McDermott, Mastro	2/19/2020	176310	\$	7,094.00
Div of Crimnal Justice Academy	2/19/2020	176445	\$	400.00
Odsen, Pierre Louis	2/19/2020	176449	\$	800.00
Pies on Stiles	5/6/2020	176925	\$	454.00
Jones, Edwina	6/17/2020	177551	\$	81.00

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Linden is hereby cancelling these checks from the City records.

RESOLUTION: 2021-105

**RESOLUTION
TEMPORARY CAPITAL BUDGET FOR 2021**

WHEREAS, the City of Linden desires to introduce the 2021 Temporary Capital budget of said municipality.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Linden introduces the 2021 Temporary Capital Budget follows:

Section 1. The 2021 Temporary Capital Budget of the City of Linden is hereby introduced to read as follows:

<u>Project</u>	<u>METHOD OF FINANCING</u>				
	<u>Est. Costs</u>	<u>Budget Approp.</u>	<u>Capital Impr. Fund</u>	<u>Grant in Aid</u>	<u>Debt Authorized</u>
Technology Upgrades Non-Public Safety	\$550,000.00	\$550,000.00	\$27,500.00		\$522,500.00
Curb & Sidewalk Reconstruction	\$275,000.00	\$275,000.00	\$13,750.00		\$261,250.00
City Hall Parking Garage Rehabilitation (Phase 3)	\$605,000.00	\$605,000.00	\$30,250.00		\$574,750.00
Dog Park	\$44,000.00	\$44,000.00	\$2,200.00		\$41,800.00

Section 2. The Clerk be and is authorized and directed to file a certified copy of this resolution with the Division of Local Government Services, Department of Community Affairs, State of New Jersey, within three days after the adoption of these projects for 2021 Capital Budget, to be included in the 2021 Capital Budget as adopted.

Resolution: 2021-106

**RESOLUTION URGING GOVERNOR MURPHY TO SIGN LEGISLATION
ELIMINATING THE IMPACT THAT THE WAR ON DRUGS HAS HAD
ON BLACK AND BROWN COMMUNITIES**

WHEREAS, in December, the legislature passed A21 and A1897 to implement the legalization of cannabis and remove the criminal penalties from its use for anyone 21 years or older; and

WHEREAS, since the, the Governor has refused to sign these bills despite expressing his support for them before they were passed and now is leveraging his signature with the demand to include civil and criminal penalties on minors who possess cannabis; and

WHEREAS, the rationale for such a demand is not based on facts, nor does it speak to the reality of the harm this approach will have on our children of color; and

WHEREAS, adopting the Governor position will have a negative impact on the black and brown children. In Colorado, keeping criminal penalties for minors caused significant increase in African Americans and Hispanics' youth arrest rates. These youth are arrested 300% more than their white peers; and

WHEREAS, in Philadelphia, we saw an across the board 90% drop in arrests with a nominal racial disparity when decriminalization was done for all ages; and

WHEREAS, the legislative decision not to adopt the Colorado approach was an intentional policy choice that passed and was agreed to by the Governor after years of discussions over cannabis legalization. Only adults 21 and over would be able to purchase cannabis. Nothing in wither A21 and A1897 would legalize the purchase of cannabis for children. In Legislative and community meetings, we heard warnings from law enforcement and community members that black and brown children would become collateral damage in any variation of a system modeled after Colorado. We have seen how the school to prison pipeline turns childhood mistakes into lifelong impairments; and

WHEREAS, the two bills on the Governor's desk will allow the legislature to fulfill the promise of legalization made to the voters and take a step forward on eliminating the impact that the war on drugs has had on black and brown communities; now

BE IT RESOLVED, that the City Council of the City of Linden strongly urges Governor Phil Murphy to sign A21 and A1897, in their current form which would stop criminalizing children; and be it

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to Governor Phil Murphy.

RESOLUTION: 2021-107

**RESOLUTION APPROVING A CONTRACT WITH ROUTE 1 & 9 AND AVIATION PLAZA NORTH-
LEGACY SQUARE NORTH (MP 40.37) IN THE CITY OF LINDEN**

WHEREAS, a traffic condition exists at the intersection of Route 1 & 9 and Aviation Plaza North-Legacy Square North (MP 40.37), in the City of Linden, in the County of Union, which requires the revision of a semi-actuated traffic control signal with pedestrian push buttons and areas of presence detection in order to minimize the possibility of accidents; and

WHEREAS, it is necessary to expedite the safe movement and conduct of pedestrian and vehicular traffic; and

WHEREAS, the State of New Jersey has proposed a form of Agreement pertaining to maintenance of said traffic signal;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Clerk of the said City of Linden be and are hereby authorized to enter into an Agreement with the State of New Jersey, acting through its Commissioner of Transportation, for the purpose aforesaid, a copy of said Agreement being attached hereto and made a part hereof; and

BE IT FURTHER RESOLVED that the Mayor and Clerk of the City of Linden be and hereby are authorized to execute said Agreement.

I hereby certify the foregoing to be a true copy of a resolution adopted by the City of Linden, at a regular meeting held on February 16, 2021.

RESOLUTION: 2021-108

**RESOLUTION APPROVING A CONTRACT WITH ROUTE 1 & 9 AND AVIATION PLAZA NORTH-
LEGACY SQUARE NORTH (MP 40.46) IN THE CITY OF LINDEN**

WHEREAS, a traffic condition exists at the intersection of Route 1 & 9 and Aviation Plaza North-Legacy Square North (MP 40.46), in the City of Linden, in the County of Union, which requires the revision of a semi-actuated traffic control signal with pedestrian push buttons and areas of presence detection in order to minimize the possibility of accidents; and

WHEREAS, it is necessary to expedite the safe movement and conduct of pedestrian and vehicular traffic; and

WHEREAS, the State of New Jersey has proposed a form of Agreement pertaining to maintenance of said traffic signal;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Clerk of the said City of Linden be and are hereby authorized to enter into an Agreement with the State of New Jersey, acting through its Commissioner of Transportation, for the purpose aforesaid, a copy of said Agreement being attached hereto and made a part hereof; and

BE IT FURTHER RESOLVED that the Mayor and Clerk of the City of Linden be and hereby are authorized to execute said Agreement.

I hereby certify the foregoing to be a true copy of a resolution adopted by the City of Linden, at a regular meeting held on February 16, 2021.

RESOLUTION: 2021-109

**RESOLUTION APPROVING A CONTRACT WITH PENNONI ASSOCIATES, INC. FOR
CONSTRUCTION INSPECTION SERVICES FOR NEW DEVELOPMENT PROJECTS IN THE CITY OF
LINDEN**

WHEREAS, there exists a need for on-call construction inspection services for new development projects 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 2021; 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 developer escrow accounts specifically designated for construction inspection.

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, Newark, NJ 07102, in accordance with their proposal dated November 5, 2020; 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: 2021-110

RESOLUTION APPOINTING PATRICIA MURGO

A MEMBER OF THE BOARD OF HEALTH

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

That Patricia Murgo, a resident of 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 (4) year term, commencing January 1, 2021 and expiring December 31, 2024, and until her successor is appointed and qualifies.

RESOLUTION: 2021-111

**RESOLUTION APPOINTING ROBERT HAUSCHILD
A MEMBER OF THE BOARD OF HEALTH**

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

That Robert Hauschild a resident of 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 fill the unexpired term of Robert Sadowski, which commenced January 18, 2018 and expires December 31, 2021, and until his successor is appointed and qualifies.

RESOLUTION: 2021-112

**RESOLUTION APPOINTING MANOUCHE JEANTY- MATELUS
A MEMBER OF THE BOARD OF HEALTH**

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

That Manouche Jeanty-Matelus a resident of 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 fill the unexpired term of Monty Brooks, which commenced January 1, 2019 and expires December 31, 2022, and until her successor is appointed and qualifies.

RESOLUTION: 2021-113

**RESOLUTION APPOINTING ANA MURRILLO
A MEMBER OF THE BOARD OF HEALTH**

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

That Anna Murrillo, a resident of 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 (4) year term, commencing January 1, 2021 and expiring December 31, 2024, and until her successor is appointed and qualifies.

RESOLUTION 2021-114 WAS REMOVED FROM CONSIDERATION

RESOLUTION: 2021-115

RESOLUTION AMENDING RESOLUTION 2020-357 AWARDING A CONTRACT TO BRINKERHOFF ENVIRONMENTAL SERVICES, INC. FOR A SITE INVESTIGATION AT THE FORMER APEX PLATING SITE, FUNDED THROUGH THE HAZARDOUS DISCHARGE SITE REMEDIATION FUND (HDSRF) MUNICIPAL GRANT PROGRAM THROUGH THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND THE NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY

WHEREAS, the City Council of the City of Linden has determined that it would be in the best interests of the City of Linden to retain the services of a consultant to conduct a site investigation of the former Apex Plating Site; 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, in accordance with the provisions of N.J.S.A. 19:44A-20.4, qualifications have been received through a fair and open process; and

WHEREAS, Brinkerhoff Environmental Services, Inc. submitted a qualification to the City and has qualified for the aforesaid services for 2020; 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. G-02-40-165-020-201;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN that an agreement for Professional Services be and hereby is awarded to Brinkerhoff Environmental Services, Inc., 1805 Atlantic Ave., Manasquan, NJ 08736 at a fee not to exceed \$47,026.00, subject to the receipt of grants from the New Jersey Department of Environmental Protection and the New Jersey Economic Development Authority; and

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

BE IT FURTHER RESOLVED that the Mayor be and hereby is empowered and directed to execute said agreement with Brinkerhoff Environmental Services, Inc. to effectuate the foregoing; and

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

RESOLUTION: 2021-116

RESOLUTION AMENDING RESOLUTION 2020-358 ACCEPTING A GRANT FROM THE HAZARDOUS DISCHARGE SITE REMEDIATION FUND PUBLIC ENTITY PROGRAM THROUGH THE NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY AND THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION

WHEREAS, The City of Linden has applied for an has been awarded a grant in the amount of up to \$47,026.00 from the Hazardous Discharge Site Remediation Fund (HDSRF) Municipal Grant Program through the New Jersey Department of Environmental Protection and the New Jersey Economic Development Authority for Site Investigation of the Apex Plating Site property, located at 725 Commerce Road, Block 439, Lot 26;

NOW, THEREFORE, BE IT RESOLVED, that the City of Linden that the above referenced grant is hereby accepted and the Mayor is hereby authorized to execute grant documents as an authorized representative thereunder, as the representative for the City of Linden; and

BE IT FURTHER RESOLVED that a comprehensive plan exists specifically for the development or redevelopment of contaminated or potentially contaminated real property in the host municipality or that a realistic opportunity exists that the Project Site will be developed or redeveloped within a three-year period from the completion of the remediation.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the New Jersey Economic Development Authority.

RESOLUTION: 2021-117

**Resolution recognizing Kyle Phipps for his efforts in
Arranging the 4th Ward Community Cleanup of
Dr. Martin Luther King Park**

WHEREAS, Nelson Mandela once said "Safety and security don't just happen, they are the result of collective consensus and public investment. We owe our children, the most vulnerable citizens in our society, a life free of violence and fear;" and

WHEREAS, many of our fellow citizens have adopted this philosophy, doing things, not for recognition but as a statement about the type of community they want to live in; and

WHEREAS, born Lindenites with grassroots are a pillar to the community as well as newcomer residents that are also compassionate to the growth of Linden. An influential person once said "If you want to lead, first learn how to follow". One such individual who is testimony to this is Mr. Kyle Phipps; and

WHEREAS, Kyle Phipps is a lifelong Linden resident who currently resides in the 3rd Ward. Kyle grew up in Linden's 4th Ward and has always taken pride in giving back to the community. We want to recognize and express our great appreciation to Kyle for his efforts on inspiring our 4th Ward neighbors to come together by planning a cleanup at Dr. Martin Luther King Park that was held on August 22, 2020. In the future, Kyle plans on hosting an annual community cleanup day to bring people together and hopes to make everyone more aware of the environment "because its imperative that we as a people, take ownership of our community; and

NOW THEREFORE BE IT RESOLVED that his unselfish actions have made the City of Linden a better place and Councilwoman Monique Caldwell along with the Mayor and Council wish to acknowledge Kyle Phipps and express their heartfelt appreciation to him for his unsolicited efforts that have made the area better, for no other reason than the desire to have and maintain a safe and clean community and expressing the City's gratitude for his efforts in making Linden a better place; and

BE IT FURTHER RESOLVED, that this Resolution be entered into the minutes of the Council of the City of Linden and that a copy be presented Kyle Phipps in permanent recognition of the foregoing.

Resolution: 2021-118

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDEN,
COUNTY OF UNION, AUTHORIZING THE EXECUTION OF A
CERTIFICATE OF COMPLETION FOR DC HOSPITALITY LINDEN
URBAN RENEWAL, LLC HOTEL PROJECT**

WHEREAS, DC Hospitality Linden Urban Renewal, LLC (the “**Redeveloper**”) pursuant to the Redevelopment Agreement with the City of Linden (the “**City**”), dated as of June 11, 2019 (the “**Agreement**”) undertook certain work at Block 469, Lot 10.06 and completed construction of a four (4) story, 122 unit wood-framed hotel (the “**Hotel Project**”); and

WHEREAS, the Agreement provides that upon completion of the required work for the Hotel Project, the Redeveloper may apply for a Certificate of Completion, which in part recognizes that the work has been completed and releases the Redeveloper from their responsibilities under the Agreement as to the Hotel Project; and

WHEREAS, the Redeveloper has requested that the City issue a Certificate of Completion for the Hotel Project and submits that they have complied with all requirements of the Agreement, the applicable Planning Board and related approvals, and has obtained a Final Certificate(s) of Occupancy from the City Construction Official in accordance with the Agreement; and

WHEREAS, the Redeveloper, as part of the Hotel Project development, undertook the necessary construction, and has complied with all requirements of the applicable Planning Board and related approvals, and has obtained a Final Certificate(s) of Occupancy from the City Construction Official, dated February 5, 2021; and

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

Section 1. The City Council hereby consents to execution of a Certificate of Completion, as set forth herein, in accordance with the terms of the Agreement.

Section 2. The City Council hereby authorizes and directs the Mayor to execute the Certificate of Completion on behalf of the City, as necessary to further evidence or acknowledge the City’s consent.

Section 3. This resolution shall take effect immediately.

RESOLUTION: 2021-119

**Resolution Supporting Redevelopment at
Former Apex Plating and Polishing Co., Inc.
725 Commerce Road (Block 439, Lots 26, 366, and 405-R-1)
Linden, Union County, New Jersey**

WHEREAS, City of Linden has determined that there has been, or it suspects that there has been, a discharge of hazardous substances or a hazardous waste on the Property.

WHEREAS, City of Linden authorizes application to the Hazardous Discharge Site Remediation Fund (HDSRF) for funding for the assessment and investigation of the former Apex Plating and Polishing Company site in order to determine the extent or the existence of any hazardous substance or hazardous waste.

WHEREAS, City of Linden intends to acquire the property by voluntary conveyance for the purposes of redevelopment.

NOW, THEREFORE, BE IT RESOLVED, that the City of Linden is committed to the redevelopment of the former Apex Plating and Polishing Company site as a commercial/light industrial property which complies with the current zoning ordinance, within a three year period after the completion of the remediation of this site either through the planned redevelopment project or through alternate redevelopment.

RESOLUTION: 2021-120

**RESOLUTION APPOINTING NICHOLAS ALFANO
A MEMBER OF THE
ZONING BOARD OF ADJUSTMENT**

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

That **Nicholas Alfano**, residing in the City of Linden, New Jersey, be and he hereby is appointed as Member of the Zoning Board of Adjustment of the City of Linden to fill the unexpired term of Donald Bladzinski which commenced on January 1, 2019 and terminates December 31, 2022, and until his successor is duly appointed and qualifies.

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:2021-121

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDEN, COUNTY OF UNION REFERRING TO THE PLANNING BOARD AN AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE ST. GEORGES AVENUE REDEVELOPMENT AREA - PHASE II

WHEREAS, in January 1998, the Redevelopment Plan for the St. Georges Avenue Redevelopment Area – Phase II was adopted by the City of Linden, New Jersey (the “**Redevelopment Plan**”); and,

WHEREAS on April 19, 2011, the City Council adopted Ordinance No. 55-16, which served to replace the Redevelopment Plan with the Amended Redevelopment Plan (“**Amended Redevelopment Plan**”); and,

WHEREAS on January 17, 2017, the City Council adopted Ordinance No. 61-1, which served to amend the Redevelopment Plan in order to effectuate redevelopment on certain parcels within the Redevelopment Area; and,

WHEREAS, the City Council has determined it to be in the City’s best interests to further amend the Amended Redevelopment Plan in order to effectuate redevelopment on additional parcels within the Redevelopment Area (“**Proposed Amendments**”), as follows (text to be added in **bold, underlined font**; text to be deleted in **~~bold, stricken through font~~**):

1. Section 1, “Description of the Redevelopment Area,” shall be revised as follows:

The St. Georges Avenue Redevelopment Area – Phase II is located in the City of Linden, County of Union, State of New Jersey, and is that area that is generally bounded as follows:

*Beginning at the southeast line of St. Georges Avenue and the southwest line of Charles Street, thence southeasterly along Charles Street to the northwest line of Union Street; thence southwesterly along Union Street to **the point that is parallel to the northern boundary of Block 85, Lot 14, and including said parcel and adjacent Block 85, lots 13 and 12, then to the point within Union Street that is parallel to the southern boundary of Block 85, Lot 14 and continuing in a southwesterly direction along Union Street to** the northerly line of East Baltimore Avenue; thence westerly along East Baltimore Avenue to the southeast line of St. Georges Avenue; thence northeasterly along St. Georges Avenue to the southwest line of Charles Street – said point being the place of beginning.*

The specific boundaries of the St. Georges Avenue Redevelopment Area – Phase II are shown on the Project Boundary Area Map and Land Acquisition Map, which is annexed hereto and made a part thereof.

The following tax blocks and lots comprise, and are located within, the boundaries of the St. Georges Avenue Redevelopment Area – Phase II:

*Block 84, Lots 1, 4, 5, 6, and 7; ~~and,~~
Block 85, Lots 12, 13 and 14; and,
Block 91, Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12.*

The St. Georges Avenue Redevelopment Area – Phase II also includes the portion of John Street, an unimproved street appearing on the City’s tax map, between St. Georges Avenue and Union Avenue, which will be vacated to facilitate redevelopment of the St. Georges Avenue Redevelopment Area – Phase II. The vacation of John Street may occur in concert with a multi-phase project wherein the redevelopment of John Street into a pedestrian plaza or parking area will occur in any phase.

2. Section II, “Designation of the Site as an Area in Need of Redevelopment,” shall be revised as follows:

*Pursuant to a resolution adopted by the Linden City Council on June 17, 2003, as amended by resolution adopted March 15, 2011, **and as further amended by a resolution adopted July 21, 2020,** the area described in Section I above has been designated as an area in need of redevelopment pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.*

3. Subsection 1 of Section V(C) of the Redevelopment Plan is hereby amended as follows:

*Parking garages, parking lots and loading areas, which serve only the principal use(s) conducted ~~on the lot~~ within the **St. Georges Avenue Redevelopment Area – Phase II**.*

4. Section IV of the Redevelopment Plan is hereby amended as follows:

All properties located within the St. Georges Avenue Redevelopment Area – Phase II will be controlled by the redeveloper, any buildings thereon demolished or adaptively reused, and the assembled site developed in accordance with the provisions of this Redevelopment Plan. All properties in the St. Georges Avenue Redevelopment Area – Phase II will be controlled by the redeveloper for development in accordance with this Redevelopment Plan.

The following properties, as shown on the Project Boundary Area Map and Land Acquisition Map, will be acquired:

Block 84 Lots 1, 4, 5, 6 and 7.

Block 85 Lots 12, 13 and 14.

Block 91 Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12.

The following properties, as shown on the Project Boundary Area Map and Land Acquisition Map, have been vacated:

John Street, between St. Georges Avenue and Union Street

5. The existing “Project Boundary Area Map and Land Acquisition Map” shall be repealed.

WHEREAS, the City Council desires to refer the Proposed Amendments to the Planning Board in accordance with N.J.S.A. 40A:12A-7(e) for its review and recommendation concerning the Proposed Amendments; and,

WHEREAS, the City Council shall review the Planning Board’s report and recommendation as to whether the Proposed Amendments shall be adopted by Ordinance in the form set forth herein; and,

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

Section 1. Pursuant to N.J.S.A. 40A:12A-7(e), the City Council hereby refers the Proposed Amendments to the Planning Board for review.

Section 2. The Planning Board shall prepare a report regarding its recommendations as to the Proposed Amendments and submit same to the City Council within forty-five (45) days as required.

Section 3. This resolution shall take effect immediately.

Resolution: 2021-122

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDEN,
COUNTY OF UNION, NEW JERSEY APPROVING AN AMENDMENT TO
THE CONCEPT PLAN FOR THE GRASSELLI ROAD
REDEVELOPMENT AREA, PURSUANT TO THE GRASSELLI ROAD
AREA REDEVELOPMENT PLAN**

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., as amended and supplemented (the “**Redevelopment Law**”), provides a process for municipal participation in the redevelopment of parcels of property located within designated “areas in need of redevelopment”; and

WHEREAS, in accordance with the criteria set forth in the Redevelopment Law, by Resolution dated April 18, 2000, the City Council (“**City Council**”) of the City of Linden (the “**City**”) designated as “an area in need of redevelopment” the properties owned by E.I. DuPont (“**DuPont**”) and identified as Tax Block 586, Lots 8 and 9 upon the official Tax Maps of the City (the “**DuPont Redevelopment Area**”); and

WHEREAS, in accordance with the Redevelopment Law, the City Council on May 16, 2000, by Ordinance 42-01, adopted a redevelopment plan for the DuPont Redevelopment Area (the “**DuPont Redevelopment Plan**”); and

WHEREAS, the City Council amended the DuPont Redevelopment Plan by Ordinance 45-2 on February 19, 2002, by Ordinance 47-57 on August 19, 2003 and by Ordinance 48-48 on June 15, 2004; and

WHEREAS, by Resolution dated January 15, 2002, the City Council designated as “an area in

need of redevelopment” the properties formerly owned by ISP (“**ISP**”) and identified as Tax Block 587, Lots 1 and 2.01 upon the official Tax Maps of the City (the “**ISP Redevelopment Area**”); and

WHEREAS, on February 20, 2002, the City Council by Ordinance 45-4, adopted a redevelopment plan for the ISP Redevelopment Area (the “**ISP Redevelopment Plan**”); and

WHEREAS, the City Council amended the ISP Redevelopment Plan by Ordinance 47-58 on August 19, 2003; and

WHEREAS, the City Council by Resolution approved on May 19, 2004, designated the Morris Companies (“**Morris**”) to serve as redeveloper to undertake said development of the DuPont Redevelopment Area and the ISP Redevelopment Area; and

WHEREAS, on October 19, 2004, following the recommendation of the City Planning Board, the City Council, by Ordinance 48-98, adopted a single, combined redevelopment plan for the redevelopment of the DuPont Redevelopment Area and the ISP Redevelopment Area (the “**Original Redevelopment Plan**”), superseding all previous adopted redevelopment plans for the DuPont Redevelopment Area and the ISP Redevelopment Area; and

WHEREAS, on January 4, 2005, the City and Morris executed a redevelopment agreement for the redevelopment of the DuPont Redevelopment Area and the ISP Redevelopment Area; and

WHEREAS, on July 19, 2005, the City Council, by Ordinance 49-67, designated the Union County Improvement Authority (the “**Authority**”) to act as the redevelopment entity for the redevelopment of the DuPont Redevelopment Area and the ISP Redevelopment Area; and

WHEREAS, as a result of litigation commenced by DuPont in the New Jersey Superior Court, Ordinances 48-98 and 49-67 were invalidated; and

WHEREAS, thereafter, representatives of the City, the Authority, Morris and DuPont began to collectively discuss the redevelopment of the DuPont Redevelopment Area in an effort to resolve the manner in which such area would be redeveloped and to identify the parties who would be responsible for such redevelopment; and

WHEREAS, the City, the Authority, Morris and DuPont drafted a Memorandum of Understanding (“**MOU**”) which set forth, generally, the rights and obligations of each party in connection with the redevelopment of the DuPont Redevelopment Area; and

WHEREAS, the City Council, in furtherance of the redevelopment of the DuPont Redevelopment Area, studied whether a portion of Block 586, Lot 11 owned by DuPont was also an area in need of redevelopment, and on April 21, 2010 adopted a resolution so designating that parcel and including it in the Original DuPont Redevelopment Area creating the “**Expanded DuPont Redevelopment Area**”; and

WHEREAS, the City Council reviewed the MOU and found that the terms therein acceptable, subject to the execution of appropriate documents memorializing the respective parties’ rights and obligations; and

WHEREAS, the MOU contemplated amendments would be made to the Original Redevelopment Plan (the “**Proposed Amendments**”); and

WHEREAS, on September 21, 2010, the City Council adopted Ordinance #54-59 to amend the Original Redevelopment Plan to incorporate the Proposed Amendments so as to create an amended redevelopment plan addressing only the Expanded DuPont Redevelopment Area (the “**DuPont Redevelopment Plan**”); and

WHEREAS, on March 20, 2018 the City Council adopted a resolution authorizing and directing the Planning Board to conduct an investigation of the ISP Redevelopment Area, and on April 10, 2018, the Planning Board, after providing due notice, conducted a public hearing in accordance with the Redevelopment Law and recommended that the City Council designate the ISP Redevelopment Area as an area in need of redevelopment; and

WHEREAS, on April 17, 2018, the City Council designated as “an area in need of redevelopment” the ISP Redevelopment Area; and

WHEREAS, the City referred a new redevelopment plan, entitled “Grasselli Road Area Redevelopment Plan”, covering both the ISP Redevelopment Area and the Expanded DuPont Redevelopment Area (“**Redevelopment Plan**”), to the Planning Board for its review and recommendation pursuant to *N.J.S.A. 40A:12A-7e*, and the Planning Board, at a duly noticed and constituted public meeting, reviewed the Redevelopment Plan and recommended the adoption of the Redevelopment Plan pursuant to *N.J.S.A. 40A:12A-7e*, subject to certain recommendations; and

WHEREAS, pursuant to *N.J.S.A. 40A:12A-7e*, the City Council, when considering the adoption of the Redevelopment Plan, shall review and consider the Planning Board’s recommendations; and

WHEREAS, the City Council received certain Planning Board recommendations by way of correspondence dated May 9, 2018, and has considered the recommendations of the Planning Board, and has determined to re-introduce and re-adopt this ordinance to address certain Planning Board

recommendations, to wit: 1) that marine access be addressed; 2) that the length of loading spaces be increased from the proposed fifty (50) feet to sixty (60) feet; and 3) that off-street loading be set back sixty (60) feet from a public street, instead of the proposed thirty (30) feet and in consideration of same, the City Council addresses same, in kind:

- a. The City Council notes the Redevelopment Plan already addresses marine access by stating, 'Subject to proper permitting, all permitted uses herein (whether principal or accessory) shall be permitted to utilize the waterfront adjacent to the Redevelopment Area in connection with their activities.' The Council finds adequate reference/explanation to marine use and access in the Redevelopment Plan and declines to amend;
- b. As it pertains to increasing the loading spaces from fifty (50) feet to sixty (60) feet, that recommendation is approved; and
- c. The Planning Board has recommended that the off-street loading shall be set-back a minimum of sixty (60) feet from a public street, as opposed to the thirty (30) feet as drafted by the City's Planner. Pursuant to *N.J.S.A. 40A:12A-7e*, the governing body, when considering the adoption of a redevelopment plan, shall review the report of the Planning Board and may approve or disapprove or change any recommendation by a vote of a majority of its full authorized membership and shall record in its minutes the reasons for not following recommendations. As to the off-street loading setback, after the City Council has taken into consideration the relative remoteness of the Expanded DuPont Redevelopment Area and ISP Redevelopment Area, the City Council disapproves of a blanket sixty (60) foot set back from a public street, and instead, the Redevelopment Plan shall read as follows: 'Off-street loading shall be set back a minimum of (a) 60 feet from a public street where ingress and egress from the loading spaces is directly from and to the street and (b) 30 feet where the loading spaces are located within an area of internal circulation separated from the public street.'; and

WHEREAS, on May 9, 2018, Redeveloper submitted to the City's Engineering Department a concept plan for redevelopment of the Expanded DuPont Redevelopment Area and ISP Redevelopment Area (the "**Concept Plan**"); and

WHEREAS, on June 19, 2018, the City Council adopted the Grasselli Road Area Redevelopment Plan, incorporating both the Expanded DuPont Redevelopment Area and the ISP Redevelopment Area, supplementing and superseding the DuPont Redevelopment Plan, with the City Council's consideration of the Planning Board recommendations, as noted herein and as recommended by the City's Planner; and

WHEREAS, on June 19, 2018, the City Council approved resolutions designating PR II/GAR Tremley Property Two LLC and PR II/GAR Tremley Property Three LLC (collectively, "**Redeveloper**"), as Redeveloper for the Expanded DuPont Redevelopment Area; and

WHEREAS, pursuant to the Grasselli Road Area Redevelopment Plan, Redeveloper shall submit to the Council for review and approval, for substantial consistency with the Concept Plan, Redeveloper's relevant submission to the Planning Board; and

WHEREAS, on May 29, 2018, by way of correspondence issued by the City's Engineering Department, the City's Engineering Department advised Redeveloper that it had reviewed the draft Preliminary and Final Major Site Plan for the Tremley Point Warehouses and that same was consistent with the Concept Plan; and

WHEREAS, in accordance with the Grasselli Road Area Redevelopment Plan, and in consideration of the City's Engineering Department review of Redeveloper's Concept Plan and draft Preliminary and Final Major Site Plan, the City Council reviewed and approved Redeveloper's Preliminary and Final Major Site Plan as being consistent with the Concept Plan; and

WHEREAS, on February 9, 2021, Redeveloper submitted a request to the City for approval of a revised Concept Plan (the "**Revised Concept Plan**"), copies of which are attached hereto as *Exhibit A*, allowing for an expansion of the size of the proposed Building H within the Expanded DuPont Redevelopment Area and ISP Redevelopment Area in order to meet tenant requirements; and

WHEREAS, the approved footprint of the Unit H warehouse is 735,000 square feet, and Redeveloper is proposing to increase the footprint of the Unit H warehouse to 870,046 square feet, with the associated adjustments to the parking areas, landscaping, stormwater, utilities and driveways; and

WHEREAS, the City Council desires to approve the Revised Concept Plan, as the proposed revisions would prove beneficial to the City; and

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

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

Section 2. The City Council hereby determines the Redeveloper's proposed Amendment to Preliminary and Final Major Site Plan to be substantially consistent with the Concept Plan, and desires to approve the Revised Concept Plan, as set forth herein, in accordance therewith.

Section 3. This Resolution shall take effect upon adoption.

RESOLUTION: 2021-123

A RESOLUTION REDEDICATING THE MONTH OF

FEBRUARY 2021 AS "BLACK HISTORY MONTH"

AND RECOGNIZING THE SELFLESS SERVICE OF

CASSANDRA A. CORBETT, CHIEF JUDGE OF LINDEN MUNICIPAL COURT

WHEREAS, the history of our Nation and State is inextricably linked to the heritage of our country's African-Americans; and

WHEREAS, the history of African-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 treated equally; and

WHEREAS, in 1926, Dr. Carter Woodson, an African-American who completed his PhD from Harvard University initiated the idea of focusing people's attention on the roles and contributions of African-Americans in American history by having a nationally celebrated "Negro History Week", which was later expanded in 1976 to a full month of celebrations known declared as "Black History Month;" and

WHEREAS, "Black History Month" is a celebration throughout every community in remembrance of all African-Americans who made a great change in the life and outlook of all of our citizens; and

WHEREAS, the State of New Jersey enjoys a rich heritage of being home to countless African American men and women who have enriched the state in every field of human endeavor by setting high marks for achievement for people of all races; and

WHEREAS, the Honorable Cassandra A. Corbett, Chief Judge of the Linden, New Jersey Municipal Court has been personified humble achievement in the field of law and justice. She was born to the late Dr. LaVerne A. Corbett and the late James B. Corbett in St. Albans, Queens, New York. She earned her Bachelor of Arts Degree from Northeastern University in Boston, Massachusetts and her Juris Doctor from Seton Hall University Law School in Newark, New Jersey. She has been married to Linden native, Willie D. McGhee for the past 27 years. They have one beautiful daughter Zoë Denise McGhee and they continue to reside on Linden; and

WHEREAS, Judge Corbett was the first appointed Public Defender in the City of Linden and went on to serve as a mentor to younger attorneys before being elevated to a municipal court judgeship initially to Hillside, shortly thereafter Union, Linden, Plainfield, Orange and subsequently promoted to Chief Judge of the City of Linden where she continues to preside; and

WHEREAS, Judge Cassandra A, Corbett, recognizes that the path on which she is travelling has been blazed by many African-American pioneers and therefore she maintains humility and a deep belief that it is her responsibility and obligation to lend her time and talent to the development of others. With her late parents as her guiding lights, she serves with dignity grace and respect for her African American history.

NOW THEREFORE BE IT RESOLVED that the City of Linden wishes to thank Linden Municipal Court Judge Cassandra A. Corbett for her many years of service and urge all of the citizens of the City of Linden to reflect upon the many contributions that she, and many other African-Americans have made to this City, State and Nation and to participate in the activities and programs that are held in observance of "Black History Month;" and

BE IT FURTHER RESOLVED that the Council of the City of Linden pay tribute and acknowledges the bravery, sacrifices, and accomplishments of Black Americans by proclaiming and rededicating the month of February, 2021 Black History Month; and

BE IT FURTHER RESOLVED that this Resolution be entered in the minutes of the Council of the City of Linden and that a copy hereof be appropriately presented to Judge Cassandra A. Corbett in recognition of the foregoing.

Mrs. Caldwell moved to approved resolutions 2021-95 through 2021-123. The motion was seconded by Mr. Blaine. Ms. Cosby spoke on resolution 2021-106, She stated that she whole heartily supports urging the Resolution. The resolution urges the Governor to sign legislation to help eliminate the impact that the war on drugs has had on black and brown communities. She further urged residents to reach out to their elected representatives, to also support the legislation. She compared this to the issue of underage drinking and that there is no penalty for underage consumption of alcohol. The resolutions were ordered approved upon a roll call vote, with all voting in favor, except Ms. Cosby who voted no to 2021-103 and abstained on 2021-95,102,209, and 121.

ORDINANCES FOR INTRODUCTION

Ordinance

65-6

An ordinance to amend and supplement Chapter II, Administration of an ordinance entitled, "An ordinance adopting and enacting the Revised General Ordinances of the City of Linden, 1999," passed November 23, 1999 and approved November 24, 1999, and as amended and supplemented'

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

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

DELETE SECTION 2-13.5Be2 and replace as follows:

The fee service is initially set as eight hundred dollars (\$800.00) dollars, base rate, plus fifteen (\$15.00) dollars per mile per trip. Rescue fee will be seven hundred \$700.00 dollars (i.e. Jaws of Life, etc.) and the fee if oxygen is used will be fifty (\$50.00) dollars. There will be a two hundred fifty (\$250.00) dollar fee when assessment and basic care are provided and the patient does not want to be transported the hospital.

Ordinance #65-6 was introduced by Mr. Javick and was read on first reading by the Deputy Clerk.

On motion of Mr. Javick seconded by Mrs. Caldwell the foregoing Ordinance was ordered approved by a roll call vote, with all voting yes, and Mr. Roman not present during the roll call.

Ordinance

65-7

An Ordinance extending Rent Control in the City of Linden

Ordinance #65-7 was introduced by Mrs. Caldwell and was read on first reading by the Deputy Clerk.

On motion of Mrs. Caldwell seconded by Mrs. Ormon the foregoing Ordinance was unanimously ordered approved by a roll call vote.

Ordinance

65-8

Bond Ordinance authorizing various capital improvements for the Division of Engineering, appropriating \$880,000 therefore and authorizing the issuance of \$836,000 bonds or notes to finance part of the cost thereof.

Ordinance #65-8 was introduced by Mr. Strano and was read on first reading by the Deputy Clerk.

On motion of Mr. Strano, seconded by Mrs. Caldwell, the foregoing Ordinance was unanimously ordered approved by a roll call vote.

Ordinance

65-9

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-PP-2

Ordinance #65-9 was introduced by Mr. Strano and was read on first reading by the Deputy Clerk.

On motion of Mr. Strano, seconded by Mr. Javick the foregoing Ordinance was ordered approved by a roll call vote, with all voting in favor except Ms. Cosby who voted no.

Ordinance

65-10

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 ORDAINED BY THE COUNCIL OF THE CITY OF LINDEN:

Section 1. That Chapter VII, Traffic, Section 7-14, Parking Prohibited During Certain Houses on Certain Streets, shall be and the same is hereby amended to add the following:

Name of Street	Side	Hours and Days	Location
East Blancke St.	South	No parking except Thursday 11 am-3 pm	Hussa Street to Washington Ave

Ordinance #65-10 was introduced by Mrs. Ormon and was read on first reading by the Deputy Clerk.

On motion of Mrs. Ormon, seconded by Mr. Blaine, the foregoing Ordinance was unanimously ordered approved by a roll call vote.

Ordinance

65-11 Bond Ordinance providing an appropriation of \$44,000 for construction of a dog park in Lexington Park and authorizing the issuance of \$41,800 bonds or notes of the City for financing part of the appropriation.

Ordinance #65-11 was introduced by Mrs. Caldwell and was read on first reading by the Deputy Clerk.

On motion of Mrs. Caldwell, seconded by Mr. Javick, the foregoing Ordinance was unanimously ordered approved by a roll call vote.

Ordinance

65-12 Bond Ordinance providing an appropriation of \$550,000 for various non-public safety technology and authorizing the issuance of \$552,500 bonds or notes of the City for financing part of the appropriation.

Ordinance #65-12 was introduced by Mrs. Caldwell and was read on first reading by the Deputy Clerk.

On motion of Mrs. Caldwell, seconded by Ms. Cosby, the foregoing Ordinance was unanimously ordered approved by a roll call vote.

PUBLIC COMMENTS

NO PERSONAL, POLITICAL OR DEROGATORY COMMENTS: (not to exceed 3 minutes). We ask, that due to the current health crisis that questions and/or statements be limited to items on the agenda, only. Thank you for your cooperation. Please raise the hand on the Ring Central site and wait to be recognized.

President Yamakaitis noted that two individuals had raised their hands. One had identified themselves as yessssman. She called upon that individual, three times, and asked them to identify themselves, as required under the Council rules. They did not respond.

Joseph Birch, 65 Beechwood Rd. Mr. Birch noted that he was president of the Linden Superior Officers Association, and thanked the Mayor and Council for recognizing the role of supervisors in the Police Department. He thanked retiring Sergeant William Bizub for his service to the Police Department.

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

COMMENTS FROM MEMBERS OF THE GOVERNING BODY

Mrs. Caldwell wished all a happy Black History Month.

Mrs. Ormon recognized that more snow would be coming and asked all to be neighborly. She explained how her neighbors had helped dig her out, and she thanked them for shoveling her out.

Mayor Armstead wished Sergeant Bizub all the best in retirement. He noted that Mr. Bizub was a real good guy and would be missed.

ANNOUNCEMENTS

Present Yamakaitis made the following announcements:

- Council Conference meeting, Monday, March 15, 2021, at 6:00 pm in the Council Conference Room, City Hall, 301 N. Wood Ave. (Meeting to be held virtually)

*Council Conference meeting prior to the Council meeting:
Tuesday, March 16, 2021 at 6:00 pm in the Council Conference Room, City Hall, 301 N. Wood Ave.
(Meeting to be held virtually)

*Council Meeting: Tuesday, March 16, 2021, at 7:00 p.m. in the Council Chambers, City Hall, 301 N. Wood Ave. (Meeting to be held virtually)

Please check the City website, Linden-nj.org for directions on how to participate electronically in these meetings and for copies of the agenda.

ADJOURN

There being no further business to come before the Governing Body Mr. Strano moved to adjourn the meeting. The motion was seconded by Mrs. Ormon, and was unanimously ordered approved by a roll call vote. The meeting was adjourned at 8:52 p.m.

Respectfully submitted,

Joseph C. Bodek
City Clerk