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**Minutes of the Regular
Meeting of the 2020 Council of the
City of Linden, held Tuesday,
August 18, 2020**

The regular meeting of the 2020 Council of the City of Linden, was held in the Council Chambers in the City Hall on Tuesday, August 18, 2020 at 6:10 pm., prevailing time.

The meeting was called to order by President of Council Michele Yamakaitis and she announced that the notice of this meeting stating the date, place and time, has been disseminated as required under the Open Public Meeting Act, Chapter 231, P.L. 1975. (The meeting was conducted in an electronic format using Ring Central Meetings, due to the Covid 19 pandemic)

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.

Council President Michele Yamakaitis asked all to place their phones on mute, to eliminate background noise and to not use phones, on speaker, as it causes feedback issues.

A roll call showed the following members were present:

ROLL CALL

Councilwoman	Lisa Ormon
Councilman	Barry Javick
Councilwoman	Monique Caldwell
Councilman	Alfred Mohammed
Councilwoman	Rhashonna Cosby
Councilman	John F. Roman
Councilman	Ralph Strano
Councilman	Garnett Blaine
Council President	Michele Yamakaitis
Mayor	Derek Armstead

President Yamakaitis announced the Councilman Medina was excused.

Approval of Minutes

Mrs. Hickey moved for approval of the minutes of the July 21, 2020 regular meeting. The motion was seconded by Ms. Cosby and was ordered approved by a roll call vote, with all voting in favor except Mrs. Hickey who abstained.

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:

64-33 An ordinance to amend and supplement Chapter III, Police Regulations, 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 11, Police Regulations, Section 3-6.1, Fireworks Prohibited 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 Deputy 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. Mohammed moved that the hearing be closed and the ordinance be adopted. The motion was seconded by Mrs. Hickey 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:

64-34 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 7-14.2, No Parking During School Hours shall be and the same is hereby amended to delete the following:

<u>Name of Street Side</u>	<u>Location</u>	
Curtis Street	North	Between Wood Avenue and Washington Avenue for a distance of 210 feet starting at a point 170 feet east of Wood Avenue

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 Deputy 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 Mr. Blaine 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:

64-35 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 7-20, One Way Streets shall be and the same is hereby amended to add the following:

<u>Name of Street</u>	<u>Direction</u>	<u>Parking Permitted</u>
E. Curtis Street	West	From Washington Ave. to N. Wood Ave.
E. Henry Street	East	From N. Wood Ave. to Washington Ave.

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 Deputy 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:

64-36 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 Hours on Certain Streets, shall be and the same is hereby amended to delete the following:

<u>Name of Street Side</u>	<u>Hours and Days</u>	<u>Location</u>
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Gesner Street

South

Mon.-Fri. 7:00 a.m.
to 10:00 a.m.

Between Wood Avenue to
Ainsworth Street

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 Deputy 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:

64-37 Bond Ordinance authorizing various capital improvements for the Division of Engineering in and appropriating \$3,575,000 therefore and authorizing the issuance of \$3,396,250 Bonds or Notes to finance part of the cost thereof.

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 Deputy 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:

64-38 Bond Ordinance providing an appropriation of \$44,000 for acquisition of a terrestrial drone for the Police Department and authorizing the issuance of \$41,800 bonds or notes of the City for financing part of the appropriation.

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

None were presented and the Deputy 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:

64-39 Ordinance authorizing a Grant of Easement for transmission, construction, and access over Block 581, Lots 11.03 and 17 as shown on the official tax map of the City of Linden, in favor of Linden Hawk Rise Solar, LLC pursuant to N.J.S.A 40A:12A-1 et seq.

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 Deputy 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:

64-40 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:
Chapter VII, Traffic

7-33 HANDICAPPED PARKING REGULATIONS

7-33.1A Handicapped Parking On-Street

<u>Name of Street</u>	<u>No. of Spaces</u>	<u>Location</u>
ADD:		
909 Baldwin Avenue	1	On the southwesterly sideline of Baldwin Avenue, 67 feet more or less northwesterly from the projection of the northwesterly curblineline of Center Street in front of 909 Baldwin Avenue for a length of 22 feet. The aforesaid space is specifically reserved and designated for a vehicle for Tyrone L. Ross to be identified by license plate number and placard to be issued by the City, and no other vehicle bearing or displaying handicapped license plates and/or placards, or not, shall be permitted to park in such space.

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 Deputy 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:

64-41 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 7-26.1, Pickup and Drop-Off Zones--Schools shall be and the same is hereby amended to add the following:

<u>Name of Street Side</u>	<u>Location</u>
Curtis Street North	Between Wood Avenue and Washington Avenue for a distance of 210 feet starting at a point 170 feet east of Wood Avenue

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 Deputy 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 Mr. Blaine 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:

64-42 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-OO-4

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

John Kazor, Sixth Ward. Mr. Kazor stated that this ordinance has to do with the James Devine firing, and asked if that statement was correct. He noted that NJ Global had reported that the Mayor would be hiring his campaign manager, Daniel Yamakaitis, for this position, who was also the son of the Council President. He asked clarification on those statements. President Yamakaitis responded that it was her son, and that he was never offered the job. She pointed out that the City does have a nepotism policy and wondered where Mr. Kazor was getting his miss-information. Mr. Roth spoke about rest of the ordinance, explaining why it was being done at this time. Mr. Kazor asked how someone would apply for the job, to which Mr. Roth responded that it would be posted on the Civil Service site. Mr. Kazor then spoke about the need to return to in-person meetings, and the reasons why.

Judy McCarthy, 217 Buchanan St. Ms. McCarthy stated that since this ordinances contained changes to the minimums and maximums, she wanted to know how much of an increase we are seeing given the pre-Covid. She stated that she felt that there should not be an increase, and salaries should be frozen. All are lucky to have a job right now. Mrs. Zack that the ordinance contained the salary for the new position of Public Information Officer, Assistant, and noted the range.

There being no other persons to be heard, Mr. Strano moved that the hearing be closed and the ordinance be adopted. The motion was seconded by Mr. Javick. Ms. Cosby, Mrs. Hickey, Mr. Roman and Mayor Armstead spoke on the ordinance. Mr. Roman stated that we have established that this ordanacne was for the salary for the new position, and was not part of the changes due to the negotiations. Mr. Roth responded that was correct. He addressed comments made by Ms. McCarthy. He noted the amount that was being spent, and spoke about other expenditures that were being made because they were too costly, but that he though more appropriate to make. Mr. Roman spoke about the campaign that the Mayor had run against him. Ms. Cosby stated that this position starts at around \$34,000. She added that we are hiring an assistant, when there is no public relations person. She spoke about the hiring process for this position, via Civil Service, calling it all a game. Mrs. Hickey spoke about the growth in the staff in the Mayor's office, and that instead we should be worrying about the taxpayers. She spoke about the amount of money that she received for paving streets in her ward. Mayor Armstead reminded that this person is not working in his office, but that he would be using this persons expertise. The person will be working in recreation. He spoke about the recent retirements, in Recreation, and the amount of money that was being saved, and the amount of money that was being saved with the elimination of outside contracts for this type of service. Upon a roll call vote the foregoing ordinance was ordered approved, with all voting in favor except Ms. Cosby, Mr. Roman and Mrs. Hickey, who voted no.

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

CONSENT AGENDA

(*) Tax Collector**

(1) The amount of money collected during the month of July 2020 and turned over to the treasurer's office is as follows:

2021 Taxes	\$10,927.31
2020 Taxes	\$31,621,595.70
2019 Taxes	\$85,338.48
Municipal Lien Redemption	\$2,013.82
Duplicate Tax Sale Certificate	\$0.00
Tax Search	\$0.00
Lien Redemption Request Fee	\$0.00
Year End Penalty	\$2,644.50
Returned Check Fee Paid	\$0.00
Returned Sewer Clean out	(\$0.00)
Returned Sewer Interest	(\$0.00)
Returned Check 2019	(\$0.00)
Returned Check 2020	(\$4,283.06)
Returned Check Interest	(\$0.07)
Returned Online 2020 Taxes	(\$11,463.81)
Returned Online 2019 Taxes	(\$0.00)
Returned Online Interest	(\$190.09)
Adv. Before Tax Sale	\$0.00
Premium	\$0.00
Sewer Clean out charge	\$0.00
DPW Reso payments	\$0.00
Interest	\$47,389.68
Total	\$31,753,972.46

Refund Refund of Property Taxes, Block 575 Lot 1
Tiffany Santana, 203 Buchanan Street

This property owner has been deemed a 100% Disabled Veteran by the V.A. as of 2/14/18. Ms. Santana is entitled to the 100% Disabled Veteran Status for 2019 per Michael Frangella. The following is the amount paid by the Mortgage Company paid and property owner is entitled to a refund in the amount of \$3,020.83.

2020	Over Paid
1 st	\$1,510.42
2 nd	\$1,510.41
Refund \$ 3,020.83	

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of \$3,020.83 payable to: Tiffany Santana, 203 Buchanan Street, Linden, NJ 07036, charging same to account #-0 -01-55-288-999-904.

Refund Refund of Property Taxes, Block 359 Lot 10
Carmen Ortega, 2723 Myrtle Avenue

This property owner has been deemed a 100% Disabled Veteran by the V.A. as of 4/5/19 and purchased this property on April 24, 2019. Ms. Ortega is entitled to the 100% Disabled Veteran Status for part of 2019 per Michael Frangella. The following is the amount paid by the mortgage company and title agency and the property owner is entitled to a refund in the amount of \$2,879.61.

2020	Over Paid
1 st	\$2,879.61
Refund \$ 2,879.61	

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of \$2,879.61 payable to: Carmen Ortega, 2723 Myrtle Avenue, Linden, NJ 07036, charging same to account #-0 -01-55-288-999-904.

Cancellation/ Refund of Property Taxes Block 351 Lot 1, Juan Rivera
803 W. Elm Street

This property owner has been deemed a 100% Disabled Veteran by the V.A. prior to purchasing the above mentioned property on 1/21/2020. Mr. Rivera is entitled to the 100% Disabled Veteran Status from February 1st 2020 for part the 2020 1st, all 2nd and 3rd quarters that his mortgage company paid in error and the property owner is entitled to a refund in the amount of \$6,696.09.

2020	Over Paid	Cancel 4 th 2020
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1 st	\$1,582.42	\$2,411.27
2 nd	\$2,400.82	
3 rd	\$2,422.42	
Refund \$ 6,405.66		

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of \$ 6,405.66 payable to: Juan A. Rivera, 803 W. Elm Street, Linden, NJ 07036, charging same to account #-0-01-55-288-999-904.

Exempt Property Block 238 Lot 33, Congregation Ateres Shalom
1226 Orchard Terrace, Exempt Property

The above referenced owner has paid the 2020 1st, 2nd quarter original billing. This property has become tax exempt and will no longer be billed property taxes. The owner is now entitled a refund in the amount of \$7,491.79.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of \$7,491.79, payable to Congregation Ateres Shalom, 1415 N. Wood Avenue, Linden, NJ 07036 charging same to account #-0-01-55-288-999-904.

Overpayment Block-220 Lot-20, 2016 Overpayment

The above referenced property has an overpayment in the amount of \$601.95 that was due to a Homestead Benefit Credit from the former owner of the seller and a mortgage company paid the original billing amount. By the time that we were able to identify these payments and their origin, the ownership had changed and no one has come forward to request a refund. I am requesting that this amount be transferred to M.R.N.A. by the City Treasurer.

Posting Correction Block 203 Lot 13.01, Konrad Wnek
810 Baldwin Avenue, Posting Error

On May 8, 2020, a third party had paid delinquent property taxes for the above mentioned property. This check should have been applied to the 2019 Sewer balances. Since the City must return these funds the following check must be issued:

2019 3 rd	188.51- principal acct#-0-01-55-276-999-019
Interest	28.77- interest acct#-0-01-55-276-999-961
Total	\$ 217.28

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of \$217.28, payable to Linden Roselle Sewerage Authority, 5005 S. Wood Avenue, Linden, NJ 07036.

Cancellation/ Refund of Property Taxes Block 197 Lot 17, Charlie Vasquez
301 Husa Street

This property owner has been deemed a 100% Disabled Veteran by the V.A. as of 5/12/2020. Mr. Vasquez is entitled to the 100% Disabled Veteran Status for part the 2020 2nd and 3rd quarters that his mortgage company paid in error and the property owner is entitled to a refund in the amount of \$3,083.69.

2020	Over Paid	Cancel 4 th 2020
2 nd	\$1,085.22	\$ 1,988.98
3 rd	\$1,998.47	
Refund \$ 3,083.69		

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of \$3,089.69 payable to: Charlie Vasquez, 301 Husa Street, Linden, NJ 07036, charging same to account #-0-01-55-288-999-904.

Overpayment Block 106 Lot 17, Tyrell D. Moore
916 Middlesex Street, 2020 3rd quarter

The above referenced owner's Mortgage Company and the Title Agency have paid the 2020 3rd quarter property taxes creating this overpayment and the Title Agency is entitled a refund in the amount of \$1,676.93.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of \$1,676.93; payable to: Simplicity Title, LLC, 70 Grove Street, Somerville, NJ 08876, charging same to # 0-01-55-288-999-904.

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

Block	Lot	Redemption Date	CTF#	Amount
440	22	7/15/2020	18-00191	\$1,600.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of \$1,600.00 payable to Greymorr, LLC, BMO 85, P.O. Box 1414, Minneapolis, MN 55480, charging same to account # 0-01-55-276-999-956.

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

<u>Block</u>	<u>Lot</u>	<u>Redemption Date</u>	<u>CTF#</u>	<u>Amount</u>
319	13	7/17/202	17-00232	\$19,100.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of \$42,800.00 payable to: Lillian Zhang, 11 Walnut Street, Livingston, NJ 07039, charging same to account #0-01-55-276-999-956.

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

<u>Block</u>	<u>Lot</u>	<u>Redemption Date</u>	<u>CTF#</u>	<u>Amount</u>
116	15	7/24/2020	18-00057	\$16,100.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of \$ 16,100.00 payable to FNA DZ, LLC FBO WSFS, 120 N. La Salle Street, Suite #-1220, Chicago, IL 60602 charging same to account #-0-01-55-276-999-956.

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

<u>Block</u>	<u>Lot</u>	<u>Redemption Date</u>	<u>Cert#</u>	<u>Premium</u>
106	17	8/5/2020	18-00054	\$1,300.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of \$ 1,300.00 payable to: Fig as Cust. for Fig NJ19, LLC, P.O. Box 54226, New Orleans, LA 70154, charging same to account #-0-01-55-276-999-956.

Refund Block 73 Lot 12, Sebastian & Petrus Elmera
1161 E. Henry Street, 3rd party online payment

On August 10, 2020, a third party had paid property taxes in error for the above mentioned property, she meant to pay for 1163 E. Henry Street. This taxpayer has requested a refund for this error. The amount to be refunded is \$2,905.98.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of \$2,905.98, payable to Diversified Residential Properties, LLC, C/O Deborah Rather-Grubbs, 1553 Essex Street, Rahway, NJ 07065, charging same to # 0-01-55-288-999-904.

Refund Block 198 Lot 48, Richard A. & Bettyann Helm
302 Hussa Street, 2020 3rd qtr FIS payment error

The above referenced owner had made a payment online August 10, 2020 and the 3rd party company FIS was having issues for most of the day and tax payers were charged multiple times for the their 3rd quarter payment, this has now created an overpayment in the amount of \$2,808.21 and the owner is entitled a refund.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of \$2,808.21 payable to: Richard A. & Bettyann Helm, 302 Hussa Street, Linden, NJ 07036-, charging same to # 0p-01-55-288-999-904.

Refund Block 273 Lot 8, Thomas A. & Stephanie Muir
132 Thelma Terrace, 2020 3rd qtr FIS payment error

The above referenced owner had made a payment online August 10, 2020 and the 3rd party company FIS was having issues for most of the day and tax payers were charged multiple times for the their 3rd quarter payment, this has now created an overpayment in the amount of \$2,493.67 and the owner is entitled a refund.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of \$2,493.67 payable to: Thomas A. & Stephanie Muir, 132 Thelma Terrace, Linden, NJ 07036-, charging same to # 0-01-55-288-999-904.

Refund Block 207 Lot 21.05 C02, John Strydesky
812 N. Wood Avenue, Suite -202, 2020 3rd qtr FIS payment error

The above referenced owner had made a payment online August 10, 2020 and the 3rd party company FIS was having issues for most of the day and tax payers were charged multiple times for the their 3rd quarter payment, this has now created an overpayment in the amount of \$4,078.65 and the owner is entitled a refund.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of \$4,078.65 payable to: John Strydesky, 812 N. Wood Avenue, Suite -202, Linden, NJ 07036-, charging same to # 0-01-55-288-999-904.

Refund Block 343 Lot 4, William B. Jacobs
723 De Witt Street, 2020 3rd qtr FIS payment error

The above referenced owner had made a payment online August 10, 2020 and the 3rd party company FIS was having issues for most of the day and tax payers were charged multiple times for the their 3rd quarter payment, this has now created an overpayment in the amount of \$ 2,610.10 and the owner is entitled a refund.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of \$2,610.10 payable to: William B. Jacobs, 30251 Golden Lantern, Suite E195, Laguna Niguel, CA 92677, charging same to # 0-01-55-288-999-904.

Refund Block 368 Lot 26, Joseph A. & Aida Garcia
641 Amherst Road, 2020 3rd qtr FIS payment error

The above referenced owner had made a payment online August 10, 2020 and the 3rd party company FIS was having issues for most of the day and tax payers were charged multiple times for the their 3rd quarter payment, this has now created an overpayment in the amount of \$ 2,877.72 and the owner is entitled a refund.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of \$2,877.72 payable to: Joseph A. & Aida Garcia, 641 Amherst Road, Linden, NJ 07036 charging same to # 0-01-55-288-999-904.

(*) LINDEN BOARD OF EDUCATION:**
(2) Requesting approval of the following tax payments to the Board of Education:

July 2020	\$7,851,326.33	January 2021	\$7,851,326.33
August 2020	\$7,851,326.33	February 2021	\$7,851,326.33
September 2020	\$7,851,326.33	March 2021	\$7,851,326.33
October 2020	\$7,851,326.33	April 2021	\$7,851,326.33
November 2020	\$7,851,326.33	May 2021	\$7,851,326.33
December 2020	\$7,851,326.33	June 2021	\$7,851,326.37
Total from July 2020 to June 2021		\$94,215,916.00	

(*) Personnel:**
(3) Advising that the following City Employees have filed for retirement:

<u>Department</u>	<u>Employee</u>	<u>Title</u>	<u>Date</u>
Police Dept.	Michael Babulski	Lieutenant	Sept. 1, 2020

(*) Municipal Treasurer:**
(4) Additional Cart Refund:

Pedro Sanchez entitled to a refund of \$60.00 for an additional can that was not needed. Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of \$60.00 payable to: Pedro Sanchez, 482 Hobart Ave., Haledon, NJ 07508 charging same to 0-01-09-699-133.

CSDCMAC Refund

Emmanuel Exume is entitled to a refund of \$50.00 for a Certificate of Smoke Detector and Carbon Monoxide Alarm Compliance that was not needed.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of \$50.00 payable to: Emmanuel Exume, 1015 Walnut St., Linden, NJ 07036 charging same to 0-01-09-699-069.

CSDCMAC Refund

Karynarathna B. Walawwateege is entitled to a refund of \$50.00 for a Certificate of Smoke Detector and Carbon Monoxide Alarm Compliance.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of \$50.00 payable to: Karynarathna B. Walawwateege, 14 Nanzie Ct., Staten Island, NY 10303 charging same to 0-01-09-699-069.

Service date of 9/5/2019

Aetna is entitled to a refund in the amount of \$346.81.00 for service that was provided on 9/5/2019. Therefore, it would be in order for the council to authorize the treasurer to issue a

check payable to: Aetna, PO Box 14079, Lexington, KY 40512-4079 charging same to 0-01-08-629-011.

Service date of 12/28/2018

Horizon BC/BS of NJ is entitled to a refund in the amount of \$85.55 for service that was provided on 12/28/2018. Therefore, it would be in order for the council to authorize the treasurer to issue a check payable to: Horizon BS/BS of NJ, PO Box 1609, Newark, NJ 07101 charging same to 0-01-08-629-011.

Service date of 4/13/2020

Anthony Szczerbinin is entitled to a refund in the amount of \$101.50 for service that was provided on 4/13/2020. Therefore, it would be in order for the council to authorize the treasurer to issue a check payable to: Anthony Szczerbinin, 519 Pierce Street Apt. 1, Linden, NJ 07036 charging same to 0-01-08-629-011.

(*) City Clerk's Office, Street Closure Application:**

(5) Requesting approval to close a portion of Rosewood Terrace between DeWitt Terrace and Myrtle Terrace to hold a Block Party on September 12, 2020 with a rain date of September 13, 2020 between the hours of 2pm to 9pm. The Police Chief has approved the application and the City Attorney has signed off of the Certificate of Liability Insurance.

Mrs. Cosby moved for approval of the Consent Agenda. The motion was seconded by Mrs. Hickey. Ms. Cosby spoke about Lt. Babulski and wished him a long and healthy retirement. Upon a roll call vote the Consent agenda was unanimously ordered approved.

REPORTS AND COMMENTS BY MEMBERS OF THE GOVERNING BODY

First Ward

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

Approval is requested for the following finance actions:

1. The payment of bills totaling \$1,478,224.43. Bills have been signed 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 July at the rate of 0.35%.

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

Mrs. Ormon spoke about the lack of professionalism at these meetings and apologized for the actions of others, yesterday and earlier tonight. Mrs. Ormon gave the report of the Transportation and Parking Committee. A total of \$24,448.48 had been collected from all sources for the month of July, 2020.

Mrs. Ormon informed all that she recently had the opportunity to meet the new superintendent of schools, and spoke about what a wonderful person she is. She also noted that information would be going out, soon, about the reopening of schools, and that individuals should defer questions, on the reopening, to the Superintendent. Mrs. Ormon announced that a Community Yard sale, for the First, Second and Third Wards, would take place, and provided the details.

Mrs. Ormon noted that First Ward was divided into different districts for trash/garbage pickup, and that a bulk trash pickup was scheduled for August 1st, for District 1. Next she discussed the First Ward streets that have been affected by infrastructure work by the gas and water companies, and that once the work was complete, those companies would be repaving the streets that now only had temporary repairs done. Mrs. Ormon asked First Ward residents, when holding outdoor gatherings, on their property, to be respectful of their neighbors particularly that should adhere to the Noise Ordinance. She then spoke about dogs, there need to be on leashes, and that the person walking the dog should be able to control the dog. She discussed the continuing issue of items being stolen from cars, and car theft, and repeated the request that residents please lock their car doors, and remove the keys, as the simplest way to prevent this crime.

Mrs. Ormon talked about the clean-up from the recent tropical storm and the great job done by DPW cleaning up trees and debris. She also thanked Walmart and the Mayor's Youth Commission for the awesome job they did on the movie night at the Walmart parking lot. She asked First Ward residents that had an issue or problem, to reach out to her direct. If they post it on social media, then she may not see it.

Second Ward

Mr. Javick gave the report of the Fire Committee. The Fire Prevention Bureau collected a total of \$10,043.82 in fees for the month of July 2020. He then spoke about the new fire truck that the City had ordered, and that it should be received in about two weeks. He also reported that the ambulance reimbursement system had collected a total of \$59,914.10 for the month of July 2020.

Mr. Javick spoke about the Second Ward streets that would be repaved. He also spoke about efforts to control speeding, in the ward, and the City's need to hire crossing guards. He provided an update on the construction of the Station Apartments, on W. Elizabeth Avenue, and that a projected opening would be in 2021. Mr. Javick informed all that he was working on the having a dog park placed in the Lexington Ave Park. He provided his contact information and wished all to be safe and healthy. Mr. Javick concluded by making an announcement, for the Shade Tree Commission, regarding request for trees for the fall planting.

Third Ward

Mrs. Caldwell gave the report of the Construction Code Committee. The Construction Code Department collected a total of \$69,960.00 for the month of July, 2020 and issued 383 permits. She next gave a report from the IT Committee, and spoke about the IT evaluation of the City's needs. She hoped to have the full report, and its recommendations, soon. She thanked DPW for the work they did in cleaning up and responding to the recent tropical storm.

Mrs. Caldwell provided her contact information and informed Third Ward residents that she would be holding a virtual community meeting on September 24th and provided details on how to participate.

Fourth Ward

Mr. Mohammed thanked citizens and residents for their cooperation during the recent tropical storm. He also thanked DPW for the job they did cleaning up from that storm, noting that it was exceptional. He informed all that the lights at the tennis courts, in the Fourth Ward, have been repaired. Mr. Mohammed spoke about his meeting with the new superintendent of schools.

Mr. Mohammed announced that a cleanup of the Fourth Ward Park has been planned, by a resident, and asked all to come and assist. He noted that he was always available to all, and asked Fourth Ward residents, with problems or concerns to contact him.

Fifth Ward

Good evening,

As you can probably guess, I have no reports from the Environmental Commission as they have not met since the pandemic shut everything down. There has not been a meeting to date for the Union County airport noise committee which means, no report.

From the 5th ward, as everyone is aware, I have canceled all the in-person community meetings; however, the annual fee-free yard sale scheduled for Saturday, August 29th, is still moving forward!

I plan to have I guess you can call it a 5th ward update broadcasted virtually visible on Facebook and Youtube and via telephone. The event will likely be held at the end of September. The date will be announced via email and social media and if I am lucky posted to the official city of Linden social media and Linden TV. At the last broadcast, we had informative guests from the Board of Elections to our very own Director of Recreation. We will be discussing COVID coping techniques, Possible community learning PODS, public safety, the federal election and more. To be added to my email like list, send an email to rcosby@linden-nj.org so that you can stay connected.

I have submitted some areas to the shade tree commission were we have been asking to have trees planted. I have been advised that city trees lost in the recent storm can be relaced but not in the upcoming planting for a variety of reasons. Most important is the remaining roots. If you want to have the shade tree commission consider your area, please send me an email no later than August 27th.

The fallen branches will be collected when they are collected as soon as possible and not according to the grass schedule, as I previously indicated to the email list. If there is a hazard. Is so, please contact DPW to be added to their list. 908-474-8666

Let me switch gears just a bit. At last night's meeting more times than I care to count, it was stated, " this is a business meeting and as adults blah blah. To be clear, this should be the rule for everyone. I have grown tired of the self-righteous, making remarks about people's behavior or attitudes and they are no better than anyone else. I am also feed up with the way certain members of the governing body are hushed up or hurried along, interrupted while others are not. Members of the public should know that this is the only time that we get to ask questions and expect answers. When we ask any other time we are told, send it to the committee, someone will look into it! NOT. That's why we spent 45 minutes last night about a skate park matter that was on the table in committee for nearly two years. we have some who are Power drunk and or incompetent, or both that's what we have here.. Then you have those who will flat out LIE when asked questions but, no one will ever know why? Because you get called out of order for attempting to expose the truth and facts to the public. That's all I have to say about that and I will continue to speak the truth.

Finally, Happy sweet 16 to my baby girl CC! Charisse Lady Tiger #4 Happy Birthday!
That concludes my report.

Sixth Ward

Mr. Roman commented about CC turning 16. He spoke about how bad the Sixth Ward got hit during the recent storm, including the two houses on Woodlawn that had a tree fall. He thanked John Venditto for getting it out quickly. He noted that his mother's house, in Sunnyside, got hit by a falling oak. He spoke about his efforts to help Sixth Ward residents by cutting up some of the material himself. He asked his residents to be patient, as some wards got hit worse, and DPW needed to respond to them first. He announced a community food bank being sponsored by the County of Union. He spoke about the Sixth Wards annual community yard sale and announced he was trying to schedule it, but the resolution approving it may have to give retroactive approval. He was also hoping to have his annual community meeting. Mr. Roman spoke about a problem property in the ward, and that it was finally being addressed. He noted other issues of concern, and that they were being addressed.

Mr. Roman announced that Media has reopened West Munsel Ave, and would be fixing it soon. He spoke about flooding issues on Hampton St. and sewer related issues.

Seventh Ward

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

Police:

- a. Approving the promotion of Sergeant Nicole Melchionna to the rank of Lieutenant effective September 1, 2020 at the annual salary of \$131,835.00.
- b. Approving the promotion of Officer Jimmy Solano to the rank of Sergeant effective September 1, 2020 at the annual salary of \$108,000.00.
- b. Approval for the posting of two Clerk I to fill existing vacancies.
- c. Approving the appointment of the following three police cadets, effective August 10, 2020 at the annual salary of \$40,000:
 - i. Yokanis Tavarez
 - ii. Pawel Kepa
 - iii. Jesse Colon
- d. Approving the appointment of Michal Klobus as a police cadet, effective August 11, 2020 at the annual salary of \$40,000.

2. Construction Code:

- a. Approving the change in title for Marissa Da Silva to Clerk 2, effective August 19, 2020 at the annual salary of \$42,283.00.
- b. Approving the increase in hours of Carlos Ruiz, building inspector, not to exceed 29 hours per week, effective August 19, 2020 at the hourly rate of \$39.37.
- c. Approving the change in status of Dennis Carbone to full time plumbing code official, effective August 19, 2020, at the annual salary of \$80,000.00.
- d. Approval to post for a part-time Code Enforcement Officer.

3. Department of Community Services:

Division of Municipal Garage

- a. Approving the appointment of Naim Myers as Laborer 1 (Tier 2) at the rate of \$15.00 pending completion of all pre-employment requirements effective September 1, 2020.

4. Department of Parks and Recreation:

- a. Approval to post the position of Assistant Public Relations Officer.

5. Municipal Court:

- a. Accept the voluntary resignation of Caylssa Santiago effective August 12, 2020.

6. Personnel:

- a. Granting of FMLA/NJFMLA to the following employees:

List on file in the Personnel Office

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 thanked all of the City Departments that assisted in the cleanup from the tropical storm. He gave the report of the Engineering Committee, noting various projects that are being planned and the Rail Freight Grant that the City had received, which would help take trucks off of Seventh Ward streets. He had Mr. Pantina provide an update on the activity of the Engineering Department. His update included street sweepers, Aviation Plaza traffic issues and related plans for changes in the traffic flow, and an update on road improvements being done for the Walmart shopping plaza. That concluded the report.

President Yamakaitis recognized Mr. Roman who informed all that E. Linden Avenue was going to get paved, soon and that the State Division of Motor Vehicles would be coming to Linden, for a day, with a mobile office.

Eighth Ward

Mr. Blaine gave the report of the Committee for Parks and Recreation. He spoke about the skate park, and that it was going to be scrapped, the great job that Mr. Dunham did with the virtual summer camps and that Mr. Dunham was looking at new programs for seniors. Mr. Blaine spoke about the damage from the recent storm and how neighbors came together to help each other out.

Mr. Blaine announced that the Eighth Ward would be having a Community Yard sale, and provide his contact information. He spoke about DPW, and that they are still working on cleanup from the storm. He also spoke on street sweeping in the Eighth Ward.

Tenth Ward

Mrs. Hickey stated that DPW did a great job cleaning up from the recent storm. She spoke about the trees crews, who worked in the Tenth Ward, how hard they worked, and how residents were helping each other clean up. She announced that she is working on plans for the annual community garage sale.

Mrs. Hickey spoke about the discussion, by Council, and the decision to scrap the skate park. She thanked the County of Union for the paving of North Stiles St, thanking in particular Freeholder Hudak for his efforts. She noted the resolutions, on the agenda, for street paving work, and that not all of the streets, she had requested, were being paved, or their full length. She noted the streets that would be done.

Mrs. Hickey thanked all those who had extended well wishes to her son Patrick upon his leaving for his enlistment in the U.S. Army. She wished all a happy and safe Labor Day.

President Yamakaitis reported on work, being done in the Council Chambers, to reopen in person public meetings. She noted the difficulties in doing it in person, especially the limits on the number of people that can be present at indoor meetings, adding that there can be greater participation by using the virtual process. She spoke about the City's dog park, the repairs that were made, and cleanup from the recent storm. President Yamakaitis discussed her meeting with Linden's new superintendent of schools, and the superintendent's responsiveness.

MAYOR'S REPORT

Mayor Armstead began his report by offering his congratulations to Sergeant Nicole Melchionna on her promotion to Lieutenant and Officer Jimmy Solano on his promotion to Sergeant. He spoke about retiring Lieutenant Michael Babulski and wished him well in his retirement and future endeavors.

Mayor Armstead next gave his report on Covid-19, the functioning of the food bank, and how residents could register to obtain food. He reported on the Linden Covid-19 cases, including the number who were ill and the number of Covid related deaths. He spoke about the latest guidelines, from Governor Murphy, and that indoor gatherings were limited to twenty-five people.

Mayor Armstead spoke on the reopening of schools, under Covid-19 rules, and that learning will all be done virtually. The rules, and how classes will be conducted will be reviewed each month. He then spoke on the Rail Freight Grant and a grant to providing for paths along the B&O railroad track, provided details on each. He spoke about the recent movie night that Walmart held in their parking lot, the outpouring of people and how it inspired the Mayor's Youth Commission to host a movie night, for Linden residents, at Linden airport.

Mayor Armstead spoke about the redevelopment of the Clark property, on Wood Avenue and Elizabeth Avenue. He also talked about the recent emergency sew work that had to be done on Wood Avenue and Munsel Avenue. He described the problem and how the repairs were effectuated. The Mayor then spoke about the renewable energy project that was being built in Tremely Point Road, describing the project and what it would process and produce. The Mayor announced the extension of the time for the submission of tree planting request, by a few weeks. He talked about the recent storm and when the debris would be cleaned up. Mayor Armstead then discussed, the issue of residents, without electrical service, due to the wind and trees falling, and the need for PSEE&G to address how they provide to the community, noting the need for service lines to be placed underground.

Mayor Armstead discussed the skate park, and the need for it to be replaced. He also spoke about the need for residents to be kept better informed.

RESOLUTIONS

Mrs. Hickey moved to amend resolution 2020-263 to remove approval of the MOU for Local 469, Blue Collar, from the resolution. The motion was seconded by Mr. Blaine and was ordered approved by a roll call vote, with all voting in favor, except Ms. Cosby and Mr. Blaine who did not respond to the roll call.

RESOLUTION: 2020-249

RESOLUTION APPROVING THE AWARD OF A CONTRACT TO ADG CONTRACTING CORP. FOR 2020 CAPITAL BUDGET – 1 RESURFACING IN THE CITY OF LINDEN

WHEREAS, sealed bids were received by the Purchasing Agent on August 6, 2020 for 2020 Capital Budget – 1 Resurfacing (Birchwood Road, Oldgrove Road, Stockton Circle, Stockton Road, Wickersham Avenue and Willick Road) in the City of Linden: and

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

WHEREAS, the Chief Financial Officer or her designee has certified as to the availability of funds for this purpose, as attached hereto, which will be charged to Account No. C-04-55-901-XXX-919 (\$ 251,103.00); and

WHEREAS, ADG Contracting Corp. was the lowest responsible bidder at their bid of \$251,103.00; and

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

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN that a contract for 2020 Capital Budget – 1 Resurfacing, be and hereby, is awarded to ADG Contracting Corp., 386 South Street, Suite 169, Newark, NJ 07105 at a fee not to exceed \$251,103.00 in accordance with their bid dated August 6, 2020; and

BE IT FURTHER RESOLVED that this Resolution is expressly contingent upon the negotiation and execution of the necessary contract agreements between ADG Contracting Corp. and the City of Linden; and

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

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

RESOLUTION: 2020-250

RESOLUTION APPROVING THE AWARD OF A CONTRACT TO ADG CONTRACTING CORP. FOR 2020 UNION COUNTY INFRASTRUCTURE RESURFACING IN THE CITY OF LINDEN

WHEREAS, sealed bids were received by the Purchasing Agent on August 6, 2020 for 2020 Union County Infrastructure Resurfacing (E. Linden Avenue) in the City of Linden: and

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

WHEREAS, the Chief Financial Officer or her designee has certified as to the availability of funds for this purpose, as attached hereto, which will be charged to Account No. C-04-55-901-XXX-919 (\$ 226,738.00); and

WHEREAS, ADG Contracting Corp. was the lowest responsible bidder at their bid of \$226,738.00; and

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

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN that a contract for 2020 Union County Infrastructure Resurfacing, be and hereby, is awarded to ADG Contracting Corp., 386 South Street, Suite 169, Newark, NJ 07105 at a fee not to exceed \$226,738.00 in accordance with their bid dated August 6, 2020; and

BE IT FURTHER RESOLVED that this Resolution is expressly contingent upon the negotiation and execution of the necessary contract agreements between ADG Contracting Corp. and the City of Linden; and

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

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

RESOLUTION: 2020-251

RESOLUTION OF AWARD FOR ROUTE 23 AUTOMALL FOR PURCHASE OF THREE FORD ESCAPES THROUGH THE MORRIS COUNTY CO-OP FOR THE LINDEN POLICE DEPARTMENT

WHEREAS, the City of Linden wishes to obtain services from an authorized vendor under the Morris County Co-op (MCCPC) Contract No. 15-C. Awarded to Route 23 Automall LLC, 1301 Route 23, Butler, NJ 07405 and,

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

WHEREAS, Route 23 Automall LLC, has been awarded Contract No.15-C, for the provision of utilities vehicles; and,

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

WHEREAS, the amount of the service is not to exceed \$71,064.00 and,

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

C-04-55-902-684-919	\$45,334.06
0-01-26-301-159-277	\$25,729.94

NOW THEREFORE BE IT RESOLVED by the City of Linden that Route 23 Automall LLC 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: 2020-252

RESOLUTION AUTHORIZING AN AWARD OF CONTRACT FOR SOFTWARE REQUIRED FOR THE RENEWAL AND MAINTENANCE OF TIME CLOCKS AND ATTENDANCE EQUIPMENT WITH VISUAL COMPUTER SOLUTIONS, INC.

WHEREAS, the City of Linden has a need to renew required software necessary to renew and maintain the time clocks and attendance equipment with Visual Computer Solutions, Inc.; and

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

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

WHEREAS, the anticipated term of this contract is one (1) year, commencing on July 1, 2020 through June 30, 2021 for software at the rate not to exceed \$53,125.00; and

WHEREAS, Visual Computer Solutions, Inc. has submitted a proposal dated May 1, 2020 indicating they will provide the software required for the aforesaid price; and

WHEREAS, funds have been previously certified and will be charged to account/line item 0-01-25-250-314-271; and

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

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

RESOLUTION: 2020-253

RESOLUTION WAIVING FEES FOR A COMMUNITY WIDE GARAGE SALE TO BE HELD IN THE FIRST, SECOND AND THIRD WARDS

WHEREAS, the City Council has determined to allow a community wide garage sale in the First, Second and Third Wards on September 19, 2020 with a rain date of September 26, 2020; and

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

WHEREAS, the First, Second and Third Wards garage sale shall not impact a resident's right to conduct up to two garage sales in a year; and

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

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

1. The City of Linden hereby waives fees for permits for a community wide garage sale in the First, Second, and Third Wards on September 19, 2020 with a rain date of September 26, 2020.
2. The First, Second and Third Ward garage sale shall not impact a resident's right to conduct up to two garage sales in a year.

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

RESOLUTION: 2020-254

A RESOLUTION AUTHORIZING THE CANCELATION OF TAX SALE CERTIFICATE PREMIUM MONIES NO REDEMPTION WITHIN 5 YEARS

WHEREAS, a tax sale certificate #07-00045 on block 91 lot 4 was sold on June 13, 2008;
WHEREAS, a premium of \$ 500.00 was paid on this certificate; and

WHEREAS, Stacey L. Carron, Tax Collector has verified that no redemption has taken place within the 5 years per N.J.S.A. 54-5-33. The Tax Collector recommends said premium, totaling \$500.00, be turned over the City Treasurer.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the City of Linden that it does hereby authorize the cancellation.

BE IT FURTHER RESOLVED that the Clerk forward a certified true copy of this resolution to the Tax Collector and the City Treasurer.

RESOLUTION: 2020-255

A RESOLUTION AUTHORIZING THE CANCELATION OF TAX SALE CERTIFICATE PREMIUM MONIES

WHEREAS, a tax sale certificate #18-00146 on block 291 lot 7 was sold on June 7, 2019;
WHEREAS, a premium of \$ 55,600.00 was paid on this certificate; and

WHEREAS, Stacey L. Carron, Tax Collector has verified that no redemption has taken place, and the lien holder of tax sale certificate #18-00146, PRO CAP 7/ US BANK CUST FOR PC7 FIRSTRUST BANK has assigned to PC7 REO, LLC. And PC7 REO, LLC has foreclosed on June 30, 2020 and recommends said premium, totaling \$55,600.00, be canceled and turned over the City Treasurer.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the City of Linden that it does hereby authorize the cancellation.

BE IT FURTHER RESOLVED that the Clerk forward a certified true copy of this resolution to the Tax Collector and the City Treasurer.

RESOLUTION: 2020-256

A RESOLUTION AUTHORIZING THE CANCELATION OF TAX SALE CERTIFICATE PREMIUM MONIES

WHEREAS, a tax sale certificate #16-00279 on block 433 lot 14 was sold on June 9, 2017;
WHEREAS, a premium of \$ 1,400.00 was paid on this certificate; and

WHEREAS, Stacey L. Carron, Tax Collector has verified that no redemption has taken place, and the lien holder of tax sale certificate #16-00279, FWDSL & ASSOCIATES, LP has assigned to Trystone Capital Assets, LLC, this was assigned to 341 Connecticut, LLC and 341 Connecticut, LLC, has foreclosed on July 2, 2020 and recommends said premium, totaling \$1,400. 00, be canceled and turned over the City Treasurer.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the City of Linden that it does hereby authorize the cancellation.

BE IT FURTHER RESOLVED that the Clerk forward a certified true copy of this resolution to the Tax Collector and the City Treasurer.

RESOLUTION: 2020-257

**RESOLUTION TO AMEND
THE 2020 CAPITAL BUDGET**

WHEREAS, the City of Linden, New Jersey desires to amend the 2020 Capital Budget of said municipality by inserting thereon or correcting and deleting the items therein as shown in such budget.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Linden of the County of Union as follows:

Section 1. The 2020 Capital Budget of the City of Linden is hereby amended by adding thereto a Schedule to read as follows:

**AMEND THE
CAPITAL BUDGET OF THE
CITY OF LINDEN, NEW JERSEY
Projects Schedules for 2020
Method of Financing**

<u>Project</u>	<u>Est. Cost</u>	<u>Budget Approp.</u>	<u>Capital Imp. Fund</u>	<u>Grants In Aid</u>
Rail Freight Grant	\$2,558,270.00	\$2,558,270.00	\$255,827.00	\$2,302,443.00

RESOLUTION: 2020-258

CITY OF LINDEN RAT RESOLUTION

WHEREAS, there were certain payments made by the Municipal Treasurer during the month of July 2020 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>PAYABLE TO:</u>	<u>PURPOSE</u>	
177585	07/02/2020	D'Music Entertainment LLC	Summer Concert Series 7/14/20	\$3,000.00
177586	07/02/2020	Newport, Richard	Summer Concert Series 7/7/20	\$1,200.00
177587	07/02/2020	O'Neil, Joseph	Medicare Reimbursement	\$1,308.00
177588	07/02/2020	Olesinski, Wayne	Summer Concert Series 7/21/20	\$1,200.00
177589	07/02/2020	Van De Water, Matthew	Medicare Reimbursement	\$1,804.10
177590	07/02/2020	Alstar Seating	Public Property	\$395.76
177591	07/02/2020	O'Neil, Joseph	Medicare Reimbursement	\$1,199.00
177592	07/02/2020	Van De Water, Matthew	Medicare Reimbursement	\$855.60
	07/08/2020	Unity Bank	Workers Comp Claims 6/29 – 7/5	\$43,069.94
	07/10/2020	Linden Board of Education	July Board of Education Payment	\$7,851,326.33
	07/10/2020	Elavon Inc.	July Merchant Fees	\$63.77
	07/10/2020	Linden Free Public Library	July Library Payments	\$170,731.64
	07/13/2020	Treasurer State of NJ	Theatre 2009 Debt Payments	\$20,209.54
	07/13/2020	U.S. Bank	Admin Fee – Morningstar 2007	\$3,000.00
	07/14/2020	Payroll 7/16	Payroll – Current	
		\$1,743,056.69	07/14/2020 Payroll 7/16 Payroll	–
Trust		\$135,200.50		
	07/14/2020	Payroll 7/16	Payroll – Unemployment \$439.85	
	07/15/2020	Unity Bank	Worker Comp Claims 7/16 – 7/12	\$39,347.50
	07/15/2020	NJ State Health Benefits	Health Claims – Active	\$675,276.12
	07/15/2020	NJ State Health Benefits	Health Claims – Reitreeds \$396,388.61	
177593	07/17/2020	L.R.S.A.	Tax Payment Error	\$976.00
177594	07/17/2020	Linden Housing Authority	Return Housing Pilot Program	\$62,564.03
177595	07/21/2020	Medical Necessities Corp.	COVID-19 Masks	\$2,600.00
	07/22/2020	NJDEP, Budget& Finance	Multipark 2004 Debt Payments	\$5,882.79
	07/22/2020	Unity Bank	Workers Comp Claims 7/20 – 7/26	\$31,653.14
	07/23/2020	Delta Dental of NJ	August Dental Claims – City	\$24,392.40
	07/23/2020	Delta Dental of NJ	August Dental Claims – Sewerage	\$2,081.18
	07/23/2020	Delta Dental of NJ	August Dental Claims – Housing	\$850.58
	07/23/2020	Delta Dental of NJ	August Dental Claims – Library	\$597.17

07/23/2020	Delta Dental of NJ	August Dental Claims – Cobra	\$23.57
07/27/2020	Payroll 7/30	Payroll – Current	\$1,704,536.09
07/27/2020	Payroll 7/30	Payroll – Trust	\$131,557.50
07/27/2020	Payroll 7/30	Payroll – Grant	\$836.00
07/27/2020	Payroll 7/30	Payroll – Unemployment \$354.98	
07/28/2020	Vision Service Plan	August Vision Claims	\$4,512.46
07/28/2020	Vision Service Plan	June Vision Claims	\$4,557.30
07/28/2020	Unity Bank	Workers Comp Claims 7/23 – 7/26	\$12,662.30
07/30/2020	U.S Bank	NJEIT 2006 A Debt Payment	\$54,663.70
07/30/2020	U.S Bank	NJEIT 2004 Debt Payment	\$602,363.74
07/30/2020	U.S Bank	NJEIT 2009 Debt Payment	\$77,230.00
07/30/2020	U.S Bank	NJEIT 2005 Debt Payment	\$247,932.06
07/30/2020	Wells Fargo Bank	Multipark 2009 Debt Payment	\$5,563.84
07/30/2020	M&T Bank	UCIA PAL 2003 A Debt Payment	\$126,270.63
07/30/2020	M&T Bank	UCIA Airport 1998A Debt Payment	\$105,000.00
07/30/2020	T.D. Bank	UCIA Airport 2010B Debt Payment	\$156,688.68

RESOLUTION: 2020-259

**RESOLUTION CHAPTER 159
CARES ACT CORONAVIRUS RELIEF FUNDS 2020**

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

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

WHEREAS, the City of Linden will receive a grant not to exceed \$516,037.80 from the County of Union CARES Act-Coronavirus Relief Funds Grant and wishes to amend its 2020 Budget to include this amount as a revenue, and

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Linden hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2020 in the sum of \$516,037.80 which item is now available as a revenue from:

Miscellaneous Revenues
Special items of General Revenue Anticipated with
Prior Written Consent of the Director of Local
Government Services:
Public and Private Revenues off-set with Appropriations:
UC CARES ACT CORONAVIRUS GRANT

BE IT FURTHER RESOLVED that a like sum of \$516,037.80 be and the same is hereby appropriated under the caption of:

General Appropriations
(A) Operations excluded from "CAPS"
Public and Private Programs off-set by revenues:
UC CARES ACT CORONAVIRUS GRANT

RESOLUTION: 2020-260

**RESOLUTION ACCEPTING THE RESIGNATION OF SUSANNE P. MISKIEWICZ AS A MEMBER
OF THE ZONING BOARD OF ADJUSTMENT**

WHEREAS, Susanne P. Miskiewicz, has submitted her resignation as a member of the Linden Zoning Board of Adjustment, effective July 16, 2020.

NOW THEREFORE BE IT RESOLVED, that the Governing Body of the City of Linden does hereby accept her resignation; and

BE IT FURTHER RESOLVED that the Mayor and Council of the City of Linden thank her for her service to the citizens of Linden and wish her well in her future endeavors.

RESOLUTION: 2020-261

**RESOLUTION AUTHORIZING AN AGREEMENT WITH THE COUNTY OF UNION FOR LEAF
COMPOSTING FOR THE PERIOD APRIL 1, 2020 THROUGH MARCH 31, 2021**

WHEREAS, the City Council of the City of Linden wishes to enter into an agreement with the County of Union for the composting of leaves; and

WHEREAS, N.J.S.A. 40A:65-1 et seq. specifically authorizes a local governmental unit to enter into a contract with another local unit for a joint service project which either party is empowered to render within its own jurisdiction; and

WHEREAS, the City of Linden desires to enter into an Agreement with the County of Union for the composting of leaves whereby the City of Linden will pay to the County of Union \$2.00 per cubic yard for loose leaves and \$4.00 per cubic yard for compacted leaves for the period April 1, 2020 through March 31, 2021;

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for this purpose, as attached hereto, which will be charged to account/line item No. 0-01-26-305-169-270;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF LINDEN that the Mayor and City Clerk be and hereby are directed and authorized to enter into an Interlocal Services Agreement with the County of Union for the composting of leaves as aforesaid, as approved by the Law Department, said form of Agreement to be on file in the Office of the City Clerk; and

BE IT FURTHER RESOLVED that a duly executed copy of this Resolution be forwarded to the Clerk of the County of Union; and

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

RESOLUTION: 2020-262

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDEN
AUTHORIZING THE IMPLEMENTATION OF A FLEXIBLE
SPENDING ACCOUNT EFFECTIVE JANUARY 1, 2020**

WHEREAS, PL 2011, c. 78, was adopted on June 28, 2011 and provides for major reform for pension and health benefits for public workers in the State of NJ; and

WHEREAS, this law requires the City of Linden to provide our employees with a Section 125 flexible spending account; and

WHEREAS, the flexible spending account allows an employee to voluntarily set aside a portion of their earnings to pay for qualified medical expenses thereby reducing their tax liability as well as reducing the Social Security/Medicare liability of the City; and

WHEREAS, the City's Brokers Fairview Insurance Agency Associates, Inc has obtained quotes for this service and has determined that Insurance Administrator of America, Inc, 1934 Olney Ave. Suite 200, Cherry Hill, NJ will provide the best service to the City, in an amount not to exceed \$15,000.00; and

WHEREAS, the Chief Financial Officer has certified to the availability of funds for this purpose to be charged to Account No. 0-01-23-220-141-274.

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

1. That the Mayor, City Clerk and/or any other City Official if necessary, are hereby authorized to implement the flexible spending accounts with Benefit Resource, Inc. effective January 1, 2020 through December 31, 2020, and to prepare and sign all necessary Section 125 Plan documents.
2. This Resolution shall take effect pursuant to law.

RESOLUTION: 2020-263

RESOLUTION APPROVING MEMORANDA OF UNDERSTANDING WITH VARIOUS UNIONS

Whereas, the Council of the City of Linden has a collective negotiations agreement with the Linden FMBA local 34; and

Whereas, the Council of the City of Linden has a collective negotiations agreement with the Linden Local 469, White Collar; and

Whereas, the Council of the City of Linden has a collective negotiations agreement with the Linden Local 469, Blue Collar; and

Whereas, each of the aforementioned collective negotiations agreements expired on December 31, 2018; and

Whereas, the Council and each of the aforementioned Unions have negotiated a successor agreement for their respective members and have memorialized the said terms in Memoranda of Understanding.

Now therefore be it resolved that this Council approves the following Memoranda of Understanding with each of the following Unions for the period January 1, 2019 through December 31, 2019:

- Linden FMBA Local 34
- Linden Local 469 White Collar
- Linden Local 469 Blue Collar

Be it further resolved that this Council authorizes the Mayor of the City of Linden to execute the attached Memoranda of Understanding on behalf of the City.

Be it further resolved that this resolution is effective subject to the aforementioned provisions.

RESOLUTION: 2020-264

RESOLUTION REMOVING JOANNA COLUCCI AS MEMBER OF THE SPECIAL IMPROVEMENT DISTRICT (SID) (DISTRICT MANAGEMENT CORPORATION)

WHEREAS, Joanna Colucci has been a diligent member of the Special Improvement District (SID) (District Management Corporation) since her appointment in 2011; and

WHEREAS, recently, due to certain health issues and incapacities, she has been unable to continue to perform her duties, and has missed four consecutive regular meetings; and

WHEREAS, the appointing authority has been notified of this by the Executive Director of the Special Improvement District and its impact on the functioning of the District; and

WHEREAS, NJSA 40A:9-12.1 provides for removal based on incapacity, death, residence, absence, or removal.

NOW THEREFORE BE IT RESOLVED, that effective immediately Joanna Colucci is hereby removed as a member of the Board of the Special Improvement District (SID).

RESOLUTION: 2020-265

RESOLUTION APPOINTING WILLIAM HASKO AS A COMMISSIONER OF THE INSURANCE FUND COMMISSION

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

That **WILLIAM HASKO**, an officer of the City of Linden, County of Union and State of New Jersey, be and he hereby is appointed a Commissioner of the Insurance Fund Commission of the City of Linden according to a Resolution entitled "A RESOLUTION APPOINTING INSURANCE FUND COMMISSIONERS IN THE CITY OF LINDEN, PASSED FEBRUARY 7, 1984 AND APPROVED FEBRUARY 8, 1984", effective immediately for a term of two years that commenced February 7, 2020 and terminates February 6, 2022, and until his successor is appointed and qualifies.

RESOLUTION: 2020-266

RESOLUTION APPOINTING ALEX LOSPINOSO AS A RESIDENT MEMBER OF THE LINDEN DISTRICT MANAGEMENT CORPORATION (SID)

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

That **ALEX LOSPINOSO**, a resident in the City of Linden, County of Union and State of New Jersey, be and he hereby is appointed a Resident member of the Board of Trustees of the City of Linden District Management Corporation according to an ordinance entitled, "AN ORDINANCE TO CREATE A SPECIAL IMPROVEMENT DISTRICT WITHIN THE CITY OF LINDEN AND TO ESTABLISH THE CITY OF LINDEN DISTRICT MANAGEMENT CORPORATION PURSUANT TO N.J.S.A. 40:56-65, ET SEQ.", Ordinance No. 31-63, adopted on October 19, 1994, to serve a two (2) year term, previously held by Joanna Colucci, which commenced January 1, 2018 and expiring December 31, 2020, and until his successor is appointed and qualifies.

RESOLUTION: 2020-267

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDEN, COUNTY OF UNION, NEW JERSEY AUTHORIZING THE PLANNING BOARD TO INVESTIGATE WHETHER THE PROPERTY COMMONLY KNOWN ON THE CITY'S TAX MAPS AS BLOCK 51, LOTS 1, 2, 3, 4, 5, 6, 32, 33 AND 34, (A/K/A 1204-1222 EAST SAINT GEORGE AVENUE AND 1201-1213 UNION STREET) SHOULD BE DESIGNATED AS AN AREA IN NEED OF REDEVELOPMENT PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1, et seq.

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

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

WHEREAS, the City Council believes it is in the best interest of the City that an investigation occur with respect to certain parcels within the City and therefore authorizes and directs the Planning Board to conduct an investigation of the property commonly known on the City tax maps as Block 51, Lots 1, 2, 3, 4, 5, 6, 32, 33 and 34 (a/k/a 1204-1222 East Saint George Avenue and 1201-1213 Union Street) (hereinafter the "**Study Area**"), to determine whether the Study Area meets the criteria set forth in the Redevelopment Law, specifically *N.J.S.A. 40A:12A-5*, and should be designated as an area in need of redevelopment; and

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

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

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

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

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

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

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

support of those objections shall be received and considered by the Planning Board and made part of the public record.

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

Section 7. This Resolution shall take effect immediately.

RESOLUTION: 2020-268

RESOLUTION FOR REMOVAL OF UNDERGROUND STORAGE TANK (UST) AND VAULT AT LINDEN CITY HALL IN THE CITY OF LINDEN

WHEREAS, the City of Linden wishes to remove the 1,000 gallon underground storage tank (UST) and vault at City Hall, 301 N. Wood Avenue in the City of Linden; and

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

WHEREAS, Environmental Industrial Services Corporation (EISCO), 43 New Brunswick Avenue, Unit #3, Hopelawn, NJ 08861 was solicited for quotations; and

WHEREAS, Environmental Industrial Services Corporation (EISCO) provided the most advantageous quote, price and other factors considered in the amount of \$21,415.00; and

WHEREAS, the Chief Financial Officer has certified the availability of funds for this award, which will be charged to account No. C-04-55-901-666-919; and

NOW, THEREFORE, BE IT RESOLVED Environmental Industrial Services Corporation (EISCO) be awarded a contract to remove the underground storage tank (UST) and vault at their quote of \$21,415.00.

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

RESOLUTION: 2020-269

RESOLUTION AUTHORIZING THE USE OF STATE CONTRACT 88839/T-0052 FOR VIDEO/AUDIO EQUIPMENT

WHEREAS, the City of Linden wishes to obtain services for video/audio equipment from an authorized vendor under the State of New Jersey Contract 88839/T-0052, B&H Photo Video, PO Box 28072, New York, NY 10087-8072 an authorized vendor and,

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

WHEREAS, B&H Photo Video has been awarded Contract 88839/T0052 for Video/Audio Equipment 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.

NOW THEREFORE BE IT RESOLVED by the City of Linden that B&H Photo Video 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: 2020-270

RESOLUTION COMBINING BONDS AGGREGATING THE PRINCIPAL SUM OF \$5,224,000 AUTHORIZED BY TWENTY-SIX BOND ORDINANCES HERETOFORE ADOPTED TO FINANCE PART OF THE COST OF VARIOUS GENERAL IMPROVEMENTS IN THE CITY OF LINDEN, COUNTY OF UNION, NEW JERSEY INTO ONE CONSOLIDATED ISSUE OF BONDS AND PROVIDING FOR THE FORM, MATURITIES AND OTHER DETAILS OF SAID CONSOLIDATED ISSUE.

August 18, 2020

WHEREAS, the City Council of the City of Linden, in the County of Union, New Jersey (the "City"), has heretofore adopted twenty-six bond ordinances authorizing bonds to finance part of the cost of various general improvements in said City; and

WHEREAS, it is necessary to issue bonds pursuant to said bond ordinances in an aggregate principal amount of \$5,224,000 and it is deemed advisable and in the best interests of the City, for the purpose of the orderly marketing of said bonds and for other financial reasons, to combine the bonds authorized under said twenty-six bond ordinances into one consolidated issue in the aggregate principal amount of \$5,224,000 pursuant to the Local Bond Law, constituting Chapter 2 of Title 40A of the Revised Statutes of New Jersey; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN IN THE COUNTY OF UNION, NEW JERSEY that:

Section 1. There shall be issued bonds of the City in the following principal amounts pursuant to the following bond ordinances:

A. \$32,000 bonds, being a portion of the bonds authorized by an ordinance entitled: (Ord. No. 52-52)

"BOND ORDINANCE AUTHORIZING VARIOUS CAPITAL IMPROVEMENTS IN AND FOR THE CITY OF LINDEN, IN THE COUNTY OF UNION, NEW JERSEY, APPROPRIATING \$2,181,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$2,071,950 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COST THEREOF."

heretofore finally adopted. The average period of usefulness stated in said ordinance is 14.88 years.

B. \$50,000 bonds, being a portion of the bonds authorized by an ordinance entitled: (Ord. No. 57-28)

"BOND ORDINANCE AUTHORIZING THE ACQUISITION OF VARIOUS ITEMS OF CAPITAL EQUIPMENT FOR THE POLICE DEPARTMENT IN AND FOR THE CITY OF LINDEN, IN THE COUNTY OF UNION, NEW JERSEY, APPROPRIATING \$841,500 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$799,425 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF"

As amended by an ordinance entitled: (Ord. #58-08) finally adopted on March 18, 2014:

"BOND ORDINANCE AMENDING BOND ORDINANCE NUMBER 57-28 FINALLY ADOPTED BY THE CITY COUNCIL OF THE CITY OF LINDEN, NEW JERSEY ON JUNE 18, 2013"

heretofore finally adopted. The period of usefulness stated in said ordinance is 5 years.

C. \$280,000 bonds, being a portion of the bonds authorized by an ordinance entitled: (Ord. No. 57-44)

"BOND ORDINANCE AUTHORIZING DEMOLITION OF UNSAFE BUILDINGS FOR THE ENGINEERING DEPARTMENT IN AND FOR THE CITY OF LINDEN, IN THE COUNTY OF UNION, NEW JERSEY, APPROPRIATING \$275,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$261,250 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF"

As amended by an ordinance finally adopted on October 18, 2016 entitled:

"BOND ORDINANCE AMENDING BOND ORDINANCE NUMBER 57-44 FINALLY ADOPTED BY THE CITY COUNCIL OF THE CITY OF LINDEN, NEW JERSEY ON AUGUST 20, 2013"

heretofore finally adopted. The period of usefulness stated in said ordinance is 15 years.

D. \$85,000 bonds, being a portion of the bonds authorized by an ordinance entitled: (Ord. No. 58-65)

"BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$133,100 FOR THE INSTALLATION OF TRAFFIC SIGNALS AND RELATED TRAFFIC IMPROVEMENTS FOR THE POLICE DEPARTMENT FOR AND BY THE CITY OF LINDEN, IN THE COUNTY OF UNION, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$126,445 BONDS OR NOTES OF THE CITY FOR FINANCING PART OF THE APPROPRIATION"

heretofore finally adopted. The period of usefulness stated in said ordinance is 10 years.

E. \$130,000 bonds, being a portion of the bonds authorized by an ordinance entitled: (Ord. No. 58-75)

“BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$1,035,000 FOR THE UPGRADE OF LIGHTING IN MEMORIAL PARK FOR AND BY THE CITY OF LINDEN, IN THE COUNTY OF UNION, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$983,250 BONDS OR NOTES OF THE CITY FOR FINANCING PART OF THE APPROPRIATION”

heretofore finally adopted. The period of usefulness stated in said ordinance is 15 years.

F. \$55,000 bonds, being a portion of the bonds authorized by an ordinance entitled: (Ord. No. 59-05)

“BOND ORDINANCE AUTHORIZING REMOVAL OF UNDERGROUND STORAGE TANKS AND REMEDIATION AT SAID SITES AT VARIOUS LOCATIONS FOR THE ENGINEERING DEPARTMENT IN AND FOR THE CITY OF LINDEN, IN THE COUNTY OF UNION, NEW JERSEY, APPROPRIATING \$110,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$104,500 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF”

heretofore finally adopted. The period of usefulness stated in said ordinance is 15 years.

G. \$100,000 bonds, being a portion of the bonds authorized by an ordinance entitled: (Ord. No. 59-23)

“BOND ORDINANCE AUTHORIZING VARIOUS CAPITAL IMPROVEMENTS FOR THE ENGINEERING DEPARTMENT IN AND FOR THE CITY OF LINDEN, IN THE COUNTY OF UNION, NEW JERSEY, APPROPRIATING \$478,500 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$454,575 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF”

heretofore finally adopted. The period of usefulness stated in said ordinance is 33.85 years.

H. \$30,000 bonds, being a portion of the bonds authorized by an ordinance entitled: (Ord. No. 59-26)

“BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$55,000 FOR ACQUISITION OF COMPUTER EQUIPMENT FOR THE FINANCE DEPARTMENT FOR AND BY THE CITY OF LINDEN, IN THE COUNTY OF UNION, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$52,250 BONDS OR NOTES OF THE CITY FOR FINANCING PART OF THE APPROPRIATION”

heretofore finally adopted. The period of usefulness stated in said ordinance is 5 years.

I. \$49,000 bonds, being a portion of the bonds authorized by an ordinance entitled: (Ord. No. 59-31)

“BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$497,200 FOR ACQUISITION OF AN AUTOMATED SANITATION TRUCK AND SANITATION CONTAINERS FOR THE PUBLIC WORKS DEPARTMENT FOR AND BY THE CITY OF LINDEN, IN THE COUNTY OF UNION, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$472,340 BONDS OR NOTES OF THE CITY FOR FINANCING PART OF THE APPROPRIATION”

heretofore finally adopted. The period of usefulness stated in said ordinance is 12.74 years.

J. \$940,000 bonds, being a portion of the bonds authorized by an ordinance entitled: (Ord. No. 60-17)

“BOND ORDINANCE AUTHORIZING THE IMPLEMENTATION OF A STREETScape PROJECT ALONG THE WOOD AVENUE CORRIDOR IN AND FOR THE CITY OF LINDEN, IN THE COUNTY OF UNION, NEW JERSEY, APPROPRIATING \$990,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$940,500 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF”

heretofore finally adopted. The period of usefulness stated in said ordinance is 10 years.

K. \$270,000 bonds, being a portion of the bonds authorized by an ordinance entitled: (Ord. No. 60-18)

“BOND ORDINANCE AUTHORIZING THE ACQUISITION OF VARIOUS ITEMS OF CAPITAL EQUIPMENT FOR THE PUBLIC WORKS DEPARTMENT IN AND FOR THE CITY OF LINDEN, IN THE COUNTY OF UNION, NEW JERSEY, APPROPRIATING \$1,172,600 THEREFORE AND AUTHORIZING THE ISSUANCE

OF \$1,113,970 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF”

heretofore finally adopted. The period of usefulness stated in said ordinance is 5 years.

L. \$40,000 bonds, being a portion of the bonds authorized by an ordinance entitled: (Ord. No. 60-25)

“BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$77,000 FOR THE ACQUISITION OF VARIOUS CAPITAL EQUIPMENT FOR THE POLICE DEPARTMENT FOR AND BY THE CITY OF LINDEN, IN THE COUNTY OF UNION, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$73,150 BONDS OR NOTES OF THE CITY FOR FINANCING PART OF THE APPROPRIATION”

heretofore finally adopted. The period of usefulness stated in said ordinance is 11.75 years.

M. \$90,000 bonds, being all of the bonds authorized by an ordinance entitled: (Ord. No. 60-39)

“BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$170,000 FOR THE ACQUISITION OF PARK EQUIPMENT IN DR. MARTIN L. KING, JR. MEMORIAL PARK FOR AND BY THE CITY OF LINDEN, IN THE COUNTY OF UNION, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$90,250 BONDS OR NOTES OF THE CITY FOR FINANCING PART OF THE APPROPRIATION”

heretofore finally adopted. The period of usefulness stated in said ordinance is 15 years.

N. \$120,000 bonds, being a portion of the bonds authorized by an ordinance entitled: (Ord. No. 60-41)

“BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$121,000 FOR THE ACQUISITION OF FIREARMS AND ASSOCIATED EQUIPMENT FOR THE POLICE DEPARTMENT FOR AND BY THE CITY OF LINDEN, IN THE COUNTY OF UNION, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$114,950 BONDS OR NOTES OF THE CITY FOR FINANCING PART OF THE APPROPRIATION”

As amended by an ordinance finally adopted on November 22, 2016 entitled:

“BOND ORDINANCE AMENDING BOND ORDINANCE NUMBER 60-41 FINALLY ADOPTED BY THE CITY COUNCIL OF THE CITY OF LINDEN, NEW JERSEY ON JUNE 21, 2016”

heretofore finally adopted. The period of usefulness stated in said ordinance is 5 years.

O. \$350,000 bonds, being a portion of the bonds authorized by an ordinance entitled: (Ord. No. 60-42)

“BOND ORDINANCE AUTHORIZING VARIOUS CAPITAL IMPROVEMENTS FOR THE ENGINEERING DEPARTMENT IN AND FOR THE CITY OF LINDEN, IN THE COUNTY OF UNION, NEW JERSEY, APPROPRIATING \$1,177,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$1,118,150 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF”

heretofore finally adopted. The period of usefulness stated in said ordinance is 26.35 years.

P. \$1,000,000 bonds, being a portion of the bonds authorized by an ordinance entitled: (Ord. No. 61-5)

“BOND ORDINANCE AUTHORIZING THE RESURFACING OF VARIOUS STREETS IN AND FOR THE CITY OF LINDEN, IN THE COUNTY OF UNION, NEW JERSEY, APPROPRIATING \$2,530,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$2,403,500 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF”

heretofore finally adopted. The period of usefulness stated in said ordinance is 10 years.

Q. \$123,000 bonds, being a portion of the bonds authorized by an ordinance entitled: (Ord. No. 61-11)

“BOND ORDINANCE AUTHORIZING BROOK, STORM AND SANITARY IMPROVEMENTS AND REMOVAL OF UNDERGROUND STORAGE TANKS AT VARIOUS LOCATIONS CITYWIDE IN AND FOR THE CITY OF LINDEN, IN THE COUNTY OF UNION, NEW JERSEY, APPROPRIATING \$1,045,000 THEREFORE

AND AUTHORIZING THE ISSUANCE OF \$992,750 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF”

heretofore finally adopted. The period of usefulness stated in said ordinance is 15 years.

R. \$230,000 bonds, being a portion of the bonds authorized by an ordinance entitled: (Ord. No. 61-23)

“BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$335,500 FOR THE ACQUISITION OF VARIOUS ITEMS OF CAPITAL EQUIPMENT FOR THE POLICE DEPARTMENT FOR AND BY THE CITY OF LINDEN, IN THE COUNTY OF UNION, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$318,725 BONDS OR NOTES OF THE CITY FOR FINANCING PART OF THE APPROPRIATION”

heretofore finally adopted. The period of usefulness stated in said ordinance is 5 years.

S. \$777,000 bonds, being a portion of the bonds authorized by an ordinance entitled: (Ord. No. 61-33)

“BOND ORDINANCE AUTHORIZING THE ACQUISITION OF SCBA CYLINDERS, AIR PACKS AND ASSOCIATED EQUIPMENT FOR THE FIRE DEPARTMENT IN AND FOR THE CITY OF LINDEN, IN THE COUNTY OF UNION, NEW JERSEY, APPROPRIATING \$902,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$856,900 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF”

heretofore finally adopted. The period of usefulness stated in said ordinance is 5 years.

T. \$75,000 bonds, being a portion of the bonds authorized by an ordinance entitled: (Ord. No. 61-43)

“BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$100,000 FOR CITYWIDE CURB AND SIDEWALK RECONSTRUCTION FOR AND BY THE CITY OF LINDEN, IN THE COUNTY OF UNION, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$95,000 BONDS OR NOTES OF THE CITY FOR FINANCING PART OF THE APPROPRIATION”

heretofore finally adopted. The period of usefulness stated in said ordinance is 10 years.

U. \$60,000 bonds, being a portion of the bonds authorized by an ordinance entitled: (Ord. No. 61-44)

“BOND ORDINANCE AUTHORIZING THE RESURFACING OF CITY OWNED PARKING LOT AT TRAIN STATION IN AND FOR THE CITY OF LINDEN, IN THE COUNTY OF UNION, NEW JERSEY, APPROPRIATING \$100,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$95,000 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF”

heretofore finally adopted. The period of usefulness stated in said ordinance is 10 years.

V. \$50,000 bonds, being all of the bonds authorized by an ordinance entitled: (Ord. No. 61-51)

“BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$223,300 FOR THE ACQUISITION OF VARIOUS ITEMS OF CAPITAL EQUIPMENT FOR THE FIRE DEPARTMENT FOR AND BY THE CITY OF LINDEN, IN THE COUNTY OF UNION, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$212,135 BONDS OR NOTES OF THE CITY FOR FINANCING PART OF THE APPROPRIATION”

heretofore finally adopted. The period of usefulness stated in said ordinance is 5 years.

W. \$288,000 bonds, being a portion of the bonds authorized by an ordinance entitled: (Ord. No. 61-60)

“BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$357,500 FOR THE ACQUISITION OF VARIOUS ITEMS OF CAPITAL EQUIPMENT FOR THE DEPARTMENT OF PUBLIC WORKS FOR AND BY THE CITY OF LINDEN, IN THE COUNTY OF UNION, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$339,625 BONDS OR NOTES OF THE CITY FOR FINANCING PART OF THE APPROPRIATION”

heretofore finally adopted. The period of usefulness stated in said ordinance is 15 years.

Section 2. The bonds referred to in Section 1 hereof are hereby combined into one consolidated issue of bonds in the aggregate principal amount of \$5,224,000 and are sometimes hereinafter collectively referred to as the “Bonds.” The bonds referred to in subsections A through M of Section 1 shall each be

designated “General Obligation Bonds, Series 2020” and shall be numbered with the prefix G from one consecutively upward. The bonds of said consolidated issue shall be dated the date of delivery and will be issued in fully registered form. When issued, the Bonds will be registered in the name of and held by Cede & Co., as the owner thereof and nominee for The Depository Trust Company, New York, New York (“DTC”), an automated depository for securities and clearinghouse for securities transactions.

Upon issuance, the Bonds will be delivered to DTC in single denominations for each maturity of the General Obligation Bonds, Series 2020. Individual purchases of beneficial interests in the Bonds will be made in book-entry form (without certificates) in the denomination of \$1,000 each or any integral multiple thereof.

Principal of the Bonds will be paid annually, subject to prior optional redemption, on the 15th day of September in the following years and in the following aggregate amounts:

<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
2021	\$275,000	2027	\$550,000
2022	275,000	2028	550,000
2023	374,000	2029	550,000
2024	450,000	2030	550,000
2025	550,000	2031	550,000
2026	550,000		

The Bonds maturing on or prior to September 15, 2027 shall not be subject to redemption prior to their respective maturity dates. The Bonds maturing on or after September 15, 2028 shall be subject to redemption prior to their respective maturity dates, on or after September 15, 2027 at the option of the City, either in whole or in part at any time in any order of maturity at one hundred percent (100%) of the principal amount of the Bonds being redeemed (the "Redemption Price"), plus in each case accrued interest thereon to the date fixed for redemption.

Notice of Redemption shall be given by mailing by first class mail in a sealed envelope with postage prepaid to the registered owners of such Bonds at their respective addresses as they last appear on the registration books kept for that purpose by the City, at least thirty (30) but not more than sixty (60) days before the date fixed for redemption. However, so long as DTC (or any successor thereto) acts as Securities Depository for the Bonds, Notices of Redemption shall be sent to such depository and shall not be sent to the beneficial owners of the Bonds, and will be done in accordance with DTC procedures. Any failure of such depository to advise any of its participants or any failure of any participant to notify any beneficial owner of any Notice of Redemption shall not affect the validity of the redemption proceedings. If the City determines to redeem a portion of the Bonds of a maturity, such Bonds shall be selected by lot. If Notice of Redemption has been given as described herein, the Bonds, or the portion thereof called for redemption, shall be due and payable on the date fixed for redemption at the Redemption Price, together with accrued interest to the date fixed for redemption. Payment shall be made upon surrender of the Bonds redeemed.

Section 3. It is hereby found, determined and declared that the average period of usefulness of the improvements or purposes for which the said General Obligation Bonds, Series 2020 are to be issued, taking into consideration the amount of such General Obligation Bonds, Series 2020 to be issued for said improvements or purposes, is 11.06 years.

Section 4. The Bonds shall bear interest from their date based on their outstanding principal amount at a rate to be determined as hereinafter set forth in Section 6 of this resolution, shall be payable as to principal in lawful money of the United States of America at the administration office of the City in Linden, New Jersey, payable semi-annually on the fifteenth day of March and September in each year until maturity or prior optional redemption, commencing on March 15, 2021, by check or draft mailed on such interest payment date to the owners thereof registered as such as of each next preceding March 1 and September 1. Interest on the Bonds shall be calculated on the basis of a 360-day year of twelve 30-day calendar months.

Notwithstanding any other provision herein to the contrary, so long as DTC or its nominee, Cede & Co., is the registered owner of the Bonds, payments of the principal of and interest on the Bonds will be made directly to Cede & Co., as nominee of DTC in accordance with the provisions of the DTC Letter of Representations to be executed by the City and DTC. Disbursal of such payments to the DTC participants is the responsibility of DTC, and disbursal of such payments to the beneficial owners of the bonds is the responsibility of the DTC participants.

Section 5. The Bonds shall be signed by the Mayor and the City Chief Financial Officer, by their manual or facsimile signatures, and the corporate seal of the City shall be affixed thereto, or imprinted or reproduced thereon and shall be attested by the manual or facsimile signature of the Clerk or Deputy Clerk of the City.

Section 6. The City Chief Financial Officer is hereby authorized and directed to take all actions necessary to offer the Bonds for public sale upon the submission of electronic proposals in accordance with all applicable statutes and to determine in his discretion the date for receipt for such proposals, all in accordance with the terms set forth in the Notice of Sale. The City Chief Financial Officer is further hereby authorized and delegated the authority to sell and award the Bonds in accordance with the terms of the Notice of Sale and directed to report in writing to the City Council at the next meeting succeeding the date when any sale or delivery of the Bonds pursuant to this resolution is made, such report to include the principal amount, description, interest rate and maturities of the Bonds sold, the price obtained and the name of the purchaser. The "Notice of Sale" shall comply in all respects with the applicable statutes relating thereto and shall be substantially in the form attached hereto as Exhibit A, with such additions, modifications or deletions as determined by the City Chief Financial Officer. The Notice of Sale shall be published in a newspaper published and circulated in the City as the City Chief Financial Officer may select and a summary of the Notice of Sale shall be published in The Bond Buyer at least once at least seven (7) days prior to the date of public sale. The City Chief Financial Officer is authorized and delegated the authority to postpone a public sale without readvertisement in accordance with all applicable statutes relating thereto.

Section 7. The Bonds and the registration provisions endorsed thereon shall be in substantially the following form:
No. 2020 G-__

UNITED STATES OF AMERICA
STATE OF NEW JERSEY

CITY OF LINDEN,
IN THE COUNTY OF UNION

GENERAL OBLIGATION BOND, SERIES 2020

Date of Bond: September 28, 2020

Principal Amount: \$

Date of Maturity: September 15, 20__

CUSIP:

The CITY OF LINDEN, a municipal corporation of the State of New Jersey, (the "City") hereby acknowledges itself indebted and for value received promises to pay to Cede & Co. or registered assigns, the sum specified above as the Principal Amount on the date specified above as the Date of Maturity, upon presentation and surrender of this Bond, and to pay to the registered owner hereof interest on such sum, from the Date of Bond specified above until the Date of Maturity specified above, at the rate of ____ and ____ Hundredths per centum (____%) per annum payable on March 15, 2021 and thereafter semi-annually on the fifteenth day of September and March in each year. Principal of this Bond will be paid in lawful money of the United States of America, at the administration office of the City in Linden, New Jersey. Interest on this Bond will be payable in lawful money of the United States of America by check or draft mailed on such interest payment date to the registered owner hereof as shown on the books of the City kept for such purpose by the Chief Financial Officer of the City (the "Bond Registrar") as of the first day of the month in which the payment of interest is to be made.

All of the bonds, of which this Bond is one, shall be initially issued as one fully registered bond for each maturity in the name of Cede & Co., as registered owner and nominee for The Depository Trust Company ("DTC"). Notwithstanding any other provision herein to the contrary, so long as DTC or its nominee, Cede & Co., is the registered owner of the Bonds, payments of the principal of and interest on the Bonds will be made directly to Cede & Co., as nominee of DTC in accordance with the provisions of the DTC Letter of Representations executed by the City and DTC relating to the Bonds. Disbursal of such payments to the DTC participants is the responsibility of DTC, and disbursal of such payments to the beneficial owners of the Bonds is the responsibility of the DTC participants.

The Bonds maturing on or prior to September 15, 2027 shall not be subject to redemption prior to their respective maturity dates. The Bonds maturing on or after September 15, 2028 shall be subject to redemption prior to their respective maturity dates, on or after September 15, 2027 at the option of the City, either in whole or in part at any time in any order of maturity at one hundred percent (100%) of the principal amount of the Bonds being redeemed (the "Redemption Price"), plus in each case accrued interest thereon to the date fixed for redemption.

Notice of Redemption shall be given by mailing by first class mail in a sealed envelope with postage prepaid to the registered owners of such Bonds at their respective addresses as they last appear on the registration books kept for that purpose by the City, at least thirty (30) but not more than sixty (60) days before the date fixed for redemption. However, so long as DTC (or any successor thereto) acts as Securities Depository for the Bonds, Notices of Redemption shall be sent to such depository and shall not be sent to the beneficial owners of the Bonds, and will be done in accordance with DTC procedures. Any failure of such depository to advise any of its participants or any failure of any participant to notify any beneficial owner of any Notice of Redemption shall not affect the validity of the redemption proceedings. If the City determines to redeem a portion of the Bonds of a maturity, such Bonds shall be selected by lot. If Notice of Redemption has been given as described herein, the Bonds, or the portion thereof called for redemption, shall be due and payable on the date fixed for redemption at the Redemption Price, together with accrued interest to the date fixed for redemption. Payment shall be made upon surrender of the Bonds redeemed.

This Bond is transferable only upon the books of the Bond Registrar, by the registered owner hereof in person or by his attorney duly authorized in writing, upon surrender hereof together with a written instrument of transfer satisfactory to the City duly executed by the registered owner or such duly authorized attorney, and thereupon the City shall issue in the name of the transferee a new bond or bonds of the same aggregate principal amount, series, designation, maturity and interest rate as the surrendered bond. The City and any paying agent of the City may treat and consider the person in whose name this Bond is registered as the holder and absolute owner hereof for the purpose of receiving payment of, or on account of, the principal and interest due hereon and for all other purposes whatsoever.

This Bond is one of an authorized issue of bonds of the City and is issued pursuant to the Local Bond Law, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey, a resolution of the governing body of the City entitled: "Resolution Combining Bonds Aggregating the Principal Sum of \$5,224,000 Authorized by Twenty-Six Bond Ordinances Heretofore Adopted to Finance Part of the Cost of Various General Improvements in the City of Linden, County of Union, New Jersey Into One Consolidated Issue of Bonds and Providing for the Form, Maturities and Other Details of Said Consolidated Issue," adopted August 18, 2020 and by virtue of certain bond ordinances referred to therein.

The full faith and credit of the City are hereby irrevocably pledged for the punctual payment of the principal of and interest on this Bond according to its terms. This Bond shall not be or be deemed to be a debt or liability of the State of New Jersey or a pledge of the faith and credit of the State of New Jersey.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or statutes of the State of New Jersey to exist, to have happened or to have been performed precedent to or in the issuance of this Bond exist, have happened and have been performed, and that the issue of bonds of which this is one does not exceed any limitation imposed thereon by said Constitution or statutes.

In the event the City determines that the beneficial owners of the Bonds (the actual purchasers of the Bonds) shall be able to obtain certificated bonds, the City shall notify DTC of the availability of bond certificates. In such event, the City will appoint a paying agent and the City will issue, transfer and exchange bond certificates in appropriate amounts as required by DTC and others. DTC may determine to discontinue providing its services with respect to the bonds at any time by giving a reasonable amount of notice in writing to the City. In the event of such determination, if the City fails to identify another qualified securities depository as successor to DTC, the City will appoint a paying agent and the City will issue and deliver replacement bonds in the form of fully registered certificates. Whenever DTC requests the City to do so, the City will cooperate with DTC in taking appropriate action (a) to make available one or more separate certificates evidencing the bonds to any DTC participant (participants of DTC) having bonds credited to its DTC account or (b) to arrange for another securities depository to maintain custody of certificates evidencing the bonds.

IN WITNESS WHEREOF, THE CITY OF LINDEN has caused this Bond to be executed in its name by the manual or facsimile signatures of its Mayor and its City Chief Financial Officer, and its corporate seal (or facsimile thereof) to be affixed, imprinted or reproduced hereon, and this Bond and said seal to be attested by the manual signature of the Clerk or Deputy Clerk, and this Bond to be dated the 28th day of September, 2020.

Attest:

By: _____
Derek Armstead
Mayor

Joseph Bodek,
Clerk

By: _____
Alexis Zack,
Chief Financial Officer

[SEAL]

The following abbreviations, when used in the inscription on this bond, shall be construed as though they were written out in full according to applicable laws or regulations (additional abbreviations may also be used though not in the following list):

TEN COM	as tenants in common	UNIF GIFT MIN ACT
TEN ENT	as tenants by the entireties	__Custodian__ (Cust) (Minor)
JT TEN	as joint tenants with right of survivorship and not as tenants in common	under Uniform Gifts to Minors Act (State)

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto

PLEASE INSERT SOCIAL SECURITY OR OTHER IDENTIFYING NUMBER OF ASSIGNEE (FOR
COMPUTER RECORD ONLY)

(Please Print or Typewrite Name and Address of Transferee)

the within bond, and all rights thereunder, and hereby irrevocably constitutes and appoints

Attorney, to transfer the within bond on the books kept for the registration thereof, with full power of
substitution in the premises.

Dated:

NOTICE: The signature to this assignment must correspond with the name as it appears upon the first
page of the within bond in every particular, without alteration or enlargement or any change whatever.

CERTIFICATE AS TO LEGAL OPINION

The undersigned Clerk of the City of Linden, New Jersey hereby certifies that a true and correct copy of the original legal opinion of the law firm of Gibbons P.C., Newark, New Jersey as to the validity of the issue of Bonds of which the within bond is one is available for inspection at the Office of the Clerk of the City of Linden, New Jersey and a copy thereof may be obtained by the registered or beneficial owner hereof upon request.

Clerk

Section 8. The City Chief Financial Officer is hereby authorized and directed (a) to cause a copy of the written opinion with respect to the Bonds which is to be rendered by the firm of Gibbons P.C. (complete except for omission of its date) to be printed or referred to on the Bonds, and at the time of the original delivery of payment for the Bonds and when such written opinion is rendered, to cause the City Clerk to certify to the truth and correctness of such copy of opinion by executing on each of said Bonds, by manual or facsimile signature, a certificate subjoined to each such copy, and to file a signed duplicate of such written opinion in such Clerk's office and at each place at which the Bonds are payable, (b) to cause the applicable CUSIP number (if any) assigned for each of said Bonds by the CUSIP Global Services, which is managed on behalf of the American Bankers Association by S&P Global Market Intelligence, to be printed on each of the Bonds, and (c) to cause, in the event that the Bonds shall qualify for issuance of any policy of municipal bond insurance at the option of the purchaser thereof, such legend or reference (if any) of such insurance to be printed (at the expense of such purchaser) on the Bonds.

Section 9. Upon the date of issue of the Bonds, being the date of delivery of the Bonds to DTC on behalf of the successful bidder and the payment of the purchase price thereof in accordance with the Notice of Sale, the City Chief Financial Officer is hereby authorized and directed as of said date of issue, to execute and deliver to said successful bidder (a) an arbitrage certification with respect to the Bonds under and for the purpose of Section 148 of the Internal Revenue Code of 1986, as amended (the "Code"), and (b) an accompanying opinion of Gibbons P.C. as of said date of issue with respect to said arbitrage certification for the purposes of said Section 148.

Section 10. The proceeds of the Bonds shall be applied in the amounts and for the purpose provided in Section 1 hereof, and to pay and fund any bond anticipation notes theretofore issued for such purpose and then outstanding.

Section 11. The Mayor and City Chief Financial Officer are hereby authorized and directed to approve the Preliminary Official Statement of the City issued in connection with the Bonds, the Official Statement of the City issued in connection with the Bonds, the Notice of Sale and the DTC Letter of Representation and their use in connection with the sale of the Bonds and are further authorized, as is the City Clerk, to execute all documents, including, but not limited to, the Continuing Disclosure Certificate, the Preliminary Official Statement, the Official Statement, the Notice of Sale and the DTC Letter of Representation, necessary for the sale and delivery of said Bonds.

Section 12. An amount of the Bonds equal to \$5,224,000 are hereby designated as "Qualified Tax-Exempt Obligations" for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the "Code") (relating to an exception to the disallowance of the deduction of interest expense of certain financial institutions allocable to tax-exempt interest). The City Chief Financial Officer is hereby authorized and directed to satisfy any reporting requirements made necessary by any Federal rules and regulations with respect to such designation of the Bonds. In calendar year 2020, other than the Linden Roselle Sewerage Authority, there are no entities that will be subject to substantial control by the City. Accordingly, other than the Linden Roselle Sewerage Authority, there are no entities "subordinate" to the City (within the meaning of Section 265(b) of the Code) in calendar year 2020. Other than the Linden Roselle Sewerage Authority, there are no entities which issue obligations "on behalf of" the City. No entities have been or will be "formed or availed of" (within the meaning of Section 265(b)(3)(E)(iii) of the Code) in calendar year 2020 for the purpose of issuing tax-exempt obligations to avoid the aggregation rules of Section 265(b)(3) of the Code.

The aggregate amount of tax-exempt obligations issued by the City during calendar year 2020 prior to the date of issuance of the Bonds, together with the aggregate amount of the Bonds, will not exceed \$10,000,000. The City reasonably anticipates that the aggregate amount of new money tax-exempt obligations issued and to be issued in calendar year 2020 by the City, all entities subordinate to the City, and all entities which issue Bonds on behalf of the City will not exceed \$10,000,000.

For purposes of calculating the amount of tax-exempt obligations issued or to be issued by the City during the 2020 calendar year, the City shall take into account all tax-exempt obligations issued by the City, all tax-exempt obligations issued by any issuers which issue obligations "on behalf of" the City and all tax-exempt obligations issued by any entities "subordinate" to the City except the following: (i) private activity bonds, other than qualified 501(c)(3) bonds (within the meaning of Sections 141 and 145 of the Code); (ii) obligations issued to refund (other than to advance refund within the meaning of Section 149(d) of the Code) obligations, to the extent that the amount of the refunding obligations do not exceed the outstanding amount of the refunded obligations, provided that (A) the average maturity of the issue of which the original qualified tax-exempt obligation was a part (and the issue of which the obligation to be refunded is a part) is three years or less, and (B) the refunding obligations have a final maturity date no more than thirty (30) years after the date the original tax-exempt obligation was issued; and (iii) in the case of an issue of tax-exempt obligations with respect to which more than one governmental unit receives benefits, if all of the governmental entities receiving benefits from such issue irrevocably agree (before the date of issuance of such issue) on an allocation of the amount of such issue which bears a reasonable relationship to the benefits received by such entities, only the amount of such issue allocated to the City need be taken into account. For purposes of this Section, the term "tax-exempt obligations" includes financing leases and any other debt arrangements, however labeled, constituting tax-exempt obligations under Section 265(b)(3) of the Code.

An amount of the Bonds equal to \$0.00, representing the difference between the aggregate principal amount of the Bonds of \$5,224,000 and the amount of Bonds equal to \$5,224,000 that is hereby

designated as "Qualified Tax-Exempt Obligations," is deemed designated as "Qualified Tax-Exempt Obligations" under Section 265(b)(3) of the Code.]

Section 13. This resolution shall take effect immediately.

PASSED: August 18, 2020

President of Council

APPROVED: August 19, 2020

Mayor

ATTEST:

City Clerk

AYES:

NAYS:

ABSTAIN:

ABSENT:

EXHIBIT A

CITY OF LINDEN,
IN THE COUNTY OF UNION,
NEW JERSEY

NOTICE OF SALE OF
\$5,224,000
GENERAL OBLIGATION BONDS, SERIES 2020
(BOOK-ENTRY BONDS) (CALLABLE) [(BANK-QUALIFIED)]

ELECTRONIC PROPOSALS (the "Proposals"), via BiDCOMP/PARITY Competitive Bidding System ("PARITY") only, will be received by the Chief Financial Officer of the City of Linden in the County of Union, New Jersey (the "City"), on September 15, 2020 until 11:00 a.m., New York City time, at which time they will be announced, for the purchase of all, but not less than all, of the City's General Obligation Bonds, Series 2020 (the "Bonds"). Bidders are required to submit their Proposal for the purchase of the Bonds in accordance with the terms of the Notice of Sale.

Principal Amortization

Principal of the Bonds will be paid annually, subject to prior optional redemption, on the 15th day of September in the following years and in the following aggregate amounts:

<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
2021	\$275,000	2027	\$550,000
2022	275,000	2028	550,000
2023	374,000	2029	550,000
2024	450,000	2030	550,000
2025	550,000	2031	550,000
2026	550,000		

Interest Payment Dates

The Bonds will be dated the date of delivery (which is expected to be September 29, 2020) and will bear interest at the rate per annum specified by the Successful Bidder (as hereinafter defined) therefor in accordance herewith, payable on March 15, 2020 and semi-annually thereafter on the fifteenth day of September and March in each year until maturity or prior optional redemption.

Optional Redemption Provisions

The Bonds maturing on or prior to September 15, 2027 shall not be subject to redemption prior to their respective maturity dates. The Bonds maturing on or after September 15, 2028 shall be subject to redemption prior to their respective maturity dates, on or after September 15, 2027 at the option of the City, either in whole or in part at any time in any order of maturity at one hundred percent (100%) of the principal amount of the Bonds being redeemed (the "Redemption Price"), plus in each case accrued interest thereon to the date fixed for redemption.

Notice of Redemption shall be given by mailing by first class mail in a sealed envelope with postage prepaid to the registered owners of such Bonds at their respective addresses as they last appear on the registration books kept for that purpose by the City, at least thirty (30) but not more than sixty (60) days before the date fixed for redemption. However, so long as DTC (or any successor thereto) acts as Securities Depository for the Bonds, Notices of Redemption shall be sent to such depository and shall not be sent to the beneficial owners of the Bonds, and will be done in accordance with DTC procedures. Any failure of such depository to advise any of its participants or any failure of any participant to notify any beneficial owner of any Notice of Redemption shall not affect the validity of the redemption proceedings. If the City determines to redeem a portion of the Bonds of a maturity, such Bonds shall be selected by lot. If Notice of Redemption has been given as described herein, the Bonds, or the portion thereof called for redemption, shall be due and payable on the date fixed for redemption at the Redemption Price, together with accrued interest to the date fixed for redemption. Payment shall be made upon surrender of the Bonds redeemed.

Book-Entry-Only System

As long as DTC or its nominee, Cede & Co., is the registered owner of the Bonds, payments of the principal of and interest on the Bonds will be made directly to Cede & Co., as nominee of DTC, which will credit payments of principal of and interest on the Bonds to the DTC participants as listed in the records of DTC as of each next preceding March 1 and September 1, respectively (the "Record Dates" for payment of interest on the Bonds), which participants will in turn credit such payments to the beneficial owners of the Bonds.

All bidders of the Bonds must be participants of The Depository Trust Company, New York, New York ("DTC") or affiliated with its participants. The Bonds will be issued in fully registered form, and when

issued will be registered in the name of and held by Cede & Co., as the registered owner thereof and nominee for DTC, an automated depository for securities and clearinghouse for securities transactions.

Individual purchases of beneficial ownership interests in the Bonds will be made in book-entry form (without certificates) in the denomination of \$1,000 each or any integral multiple thereof. It shall be the obligation of the successful bidder to furnish to DTC an underwriter's questionnaire and the denomination of the Bonds not less than seventy-two (72) hours prior to the delivery of the Bonds.

In the event that either DTC determines not to continue to act as securities depository for the Bonds or the City determines that the beneficial owners of the Bonds be able to obtain bond certificates, the City will appoint a paying agent and will issue and deliver replacement Bonds in the form of fully registered certificates.

Electronic Bidding Procedures

Bids may be submitted electronically via PARITY in accordance with this Notice of Sale, until 11:00 a.m., New York City time, on September 15, 2020, but no bid will be received after the time for receiving bids specified above. To the extent any instructions or directions set forth in PARITY conflict with this Notice of Sale, the terms of this Notice of Sale shall control. For further information about PARITY, potential bidders may contact PARITY at (212) 849-5021. In the event that a bid for the Bonds is submitted via PARITY, the bidder further agrees that:

1. The City may regard the electronic transmission of the bid through PARITY (including information about the purchase price of the Bonds, the interest rate or rates to be borne by the various maturities of the Bonds, the initial public offering price of each maturity and any other information included in such transmission) as though the same information were submitted directly to the City and executed by a duly authorized signatory of the bidder. If a bid submitted electronically by PARITY is accepted by the City, the terms of the Proposal for Bonds and this Notice of Sale and the information that is electronically transmitted through PARITY shall form a contract, and the Successful Bidder shall be bound by the terms of such contract.

2. PARITY is not an agent of the City, and the City shall have no liability whatsoever based on any bidder's use of PARITY, including but not limited to any failure by PARITY to correctly or timely transmit information provided by the City or information provided by the bidder.

3. The City may choose to discontinue use of electronic bidding via PARITY by issuing a notification to such effect via TM3 News Services, or by other available means, no later than 3:00 p.m. (New York City Time) on the last business date prior to the bid date set forth above.

4. Once the bids are communicated electronically via PARITY to the City as described above, each bid will constitute a Proposal for Bonds and shall be deemed to be an irrevocable offer to purchase the Bonds on the terms provided in this Notice of Sale. For purposes of submitting all Proposal for Bonds, electronically via Parity, the time as maintained on PARITY shall constitute the official time.

5. Each bidder choosing to bid electronically shall be solely responsible to make necessary arrangements to access PARITY for purposes of submitting its bid in a timely manner and in compliance with the requirements of this Notice of Sale. Neither the City nor Parity shall have any duty or obligation to undertake such registration to bid for any prospective bidder or to provide or assure access to any qualified prospective bidder, and neither the City nor Parity shall be responsible for the proper operation of, or have any liability for any delays or interruptions of, or any damages caused by PARITY. The City is using PARITY as a communication mechanism, and not as the City's agent, to conduct the electronic bidding for the Bonds. By using PARITY, each bidder agrees to hold the City harmless for any harm or damages caused to such bidder in connection with its use of PARITY for bidding on the Bonds.

Bid Specifications

Each Proposal submitted must name the rate or rates of interest per annum to be borne by the Bonds bid for and the rate or rates named must be multiples of one-eighth or one-twentieth of one per centum. Not more than one rate may be named for Bonds of the same maturity. There is no limitation on the rates that may be named. The difference between the highest and lowest rates of interest named in the Proposal shall not exceed three percent (3%). Each Proposal submitted must be for all of the Bonds and the purchase price specified in the proposal must be not less than 100% of the aggregate par value of the Bonds or for more than 102% of the aggregate par value of the Bonds.

Award, Delivery And Payment

The Bonds will be awarded to the bidder on whose bid the total loan may be made at the lowest true interest cost. Such true interest cost shall be computed, as to each bid, by doubling the semiannual interest rate (compounded semiannually) necessary to discount the debt service payments from the payment dates to the date of the Bonds and the price bid, excluding accrued interest to the delivery date. No Proposal shall be considered that offers to pay an amount less than the principal amount of Bonds offered for sale or under which the total loan is made at an interest cost higher than the lowest true interest cost to the City under any legally acceptable proposal. If two or more such bidders offer to pay the lowest true interest cost, then the Bonds will be sold to one of such bidders selected by lot from among all such

bidders. The bidder to which the Bonds are awarded (in the manner specified above) is herein referred to as the "Successful bidder."

It is expected that delivery of the Bonds to DTC and payment for the Bonds will take place on or about, September 29, 2020 at the offices of Gibbons P.C., bond counsel to the City ("Bond Counsel"), in Newark, New Jersey or at such other place as may be agreed upon with the Successful Bidder. The Bonds will be delivered to DTC in single denominations for each maturity of each type of bond. PAYMENT FOR THE BONDS AT THE TIME OF ORIGINAL ISSUANCE AND DELIVERY SHALL BE IN IMMEDIATELY AVAILABLE FUNDS.

Change of Bid Date and Closing Date

The City reserves the right to postpone, from time to time, the date established for the receipt of bids and will undertake to notify registered prospective bidders via notification published on Thomson Municipal Market Monitor ("TM3") (www.tm3.com). Prospective bidders may request notification by facsimile transmission of any such changes in the date or time for the receipt of bids by so advising, and furnishing their telecopier numbers to the Chief Financial Officer of the City at (908) (908) 474-8479 by 12:00 Noon, New York City time, on the day prior to the announced date for receipt of bids. In addition, the City reserves the right to make changes to this Notice of Sale. Such changes will be announced on the TM3.

A postponement of the bid date will be announced via TM3 not later than 11:00 a.m., New York City time, on the last business day prior to any announced date for receipt of bids, and an alternative sale date and time will be announced via TM3 by Noon, New York City time, not less than forty-eight (48) hours prior to such alternative date for receipt of bids.

On any such alternative date and time for receipt of bids, the City will accept electronic bids for the purchase of the Bonds, such bids to conform in all respects to the provisions of this Notice of Sale, except for the changes in the date and time for receipt of bids and any other changes announced via TM3 at the time the date and time for receipt of bids are announced.

Right To Reject Bids; Waive Irregularities

The right is reserved to reject all bids, and any bid not complying with the terms of this Notice of Sale will be rejected. The City reserves the right to reject any or all Proposals and so far as permitted by law, to waive any irregularity or informality in any or all Proposals.

Good Faith Deposit

A good faith deposit (the "Deposit"), in the form of an electronic transfer of immediately available federal funds in accordance with the wiring instructions contained in the immediately succeeding paragraph, in the amount of \$104,480 is required for each bid for the Bonds to be considered.

Bidders shall contact Heather Litzebauer, NW Financial Group, LLC, at telephone (201) 656-0115, for wire instructions with respect to transmittal of such funds to the City.

Such funds must be received in the account identified immediately above no later than 11:00 a.m. New York City time on the date for receipt of bids, and must be accompanied by detailed wiring instructions for the return thereof in the event that such bidder is not the Successful Bidder. Please note that the contact information provided immediately above should be used by bidders for the purposes of confirming receipt of electronic transfer of funds and the transmittal of instructions for the return of such electronic transfers of funds in the event such bidder is not the Successful Bidder. Electronic transfers of funds of unsuccessful bidders for the Bonds will be returned upon award of the Bonds. It is the intent of the City that electronic transfers of funds will be returned via wire transfer to the unsuccessful bidders not later than 5:00 p.m. on the date for receipt of bids, provided that wiring instructions have been provided by such unsuccessful bidder at the time of transmission of the Deposit to the City. The City shall not bear any liability for any delay that may occur in the return of an electronic transfer of the Deposit to an unsuccessful bidder. Interest earned on the Deposit will be credited to the City and will not be available to the Successful Bidder for the Bonds.

The Deposit of the Successful Bidder will be collected and the proceeds thereof retained by the City to be applied in partial payment for the Bonds and no interest will be allowed or paid upon the amount thereof, but in the event the Successful Bidder shall fail to comply with the terms of its respective bid, the proceeds thereof will be retained as and for full liquidated damages. Award of the Bonds to the Successful Bidder or rejection of all bids is expected to be made within five hours after opening of the bids, but such Successful Bidder may not withdraw its Proposal for Bonds until after 5:00 p.m. of the day of such bid-opening and then only if such award has not been made prior to the withdrawal.

Bond Insurance

If the Bonds qualify for issuance of any policy of municipal bond insurance, any purchase of such policy shall be at the sole option and expense of the Successful Bidder. If the Bonds are to be insured, the Successful Bidder shall pay the premium therefor prior to the delivery of the Bonds. Any failure of the Bonds to be so insured or of any such policy of insurance to be issued shall not in any way relieve the

Successful Bidder of its contractual obligations arising from the acceptance of its Proposal for Bonds for the purchase of the Bonds.

CUSIP Numbers

It is anticipated that CUSIP identification numbers will be printed on the Bonds, but neither the failure to print such number on any Bond nor any error with respect thereto shall constitute cause for the failure or refusal of the Successful Bidder to accept delivery of and pay for the Bonds. The City's municipal advisor shall be responsible for making the application for the assignment of CUSIP identification numbers. The CUSIP Global Services charges for the assignment of CUSIP numbers on the Bonds shall be the responsibility of and shall be paid for by the Successful Bidder. **ONE SERIES OF CUSIP NUMBERS WILL BE ASSIGNED TO THE BONDS.**

Establishment of Issue Price (10% Test to Apply if Competitive Sale Requirements are Not Satisfied)

The Successful Bidder shall assist the City in establishing the issue price of the Bonds and shall execute and deliver to the City at Closing an "issue price" or similar certificate, setting forth the reasonably expected initial offering price to the Public or the sales price or prices of the Bonds, together with supporting pricing wires or equivalent communications, substantially in the form prepared by and available from Bond Counsel, with such modifications as may be appropriate or necessary, in the reasonable judgment of the Successful Bidder, the City and Bond Counsel. All actions to be taken by the City under this Notice of Sale to establish the issue price of the Bonds may be taken on behalf of the City by the City's municipal advisor identified herein, if any, and any notice or report to be provided to the City may be provided to the City's municipal advisor.

The City intends that the provisions of Treasury Regulation Section 1.148-1(f)(3)(i) (defining "competitive sale" for purposes of establishing the issue price of the Bonds) will apply to the initial sale of the Bonds (the "Competitive Sale Requirements") because: (1) the City shall disseminate this Notice of Sale to potential underwriters in a manner that is reasonably designed to reach potential underwriters; (2) all Bidders shall have an equal opportunity to bid; (3) the City may receive bids from at least three underwriters of municipal bonds who have established industry reputations for underwriting new issuances of municipal bonds; and (4) the City anticipates awarding the sale of the Bonds to the Bidder who submits a firm offer to purchase the Bonds at the highest price (or lowest interest cost), as set forth in this Notice of Sale.

Any bid submitted pursuant to this Notice of Sale shall be considered a firm offer for the purchase of the Bonds, as specified in the bid. By submitting a bid, bidders are deemed to have certified that they have an established industry reputation as a regular purchaser or underwriter of tax-exempt obligations such as the Bonds.

In the event that the Competitive Sale Requirements are not satisfied, the City shall so advise the Successful Bidder. The City shall treat the first price at which 10% of a Maturity of the Bonds (the "10% Test") is sold to the Public as the issue price of that Maturity, applied on a Maturity-by-Maturity basis (and if different interest rates apply within a Maturity, to each separate CUSIP number within that Maturity). The Successful Bidder shall advise the City if any maturity of the Bonds satisfies the 10% Test as of the date and time of the award of the Bonds. The City will not require Bidders to comply with the "hold-the-offering-price rule" and therefore does not intend to use the initial offering price to the Public as of the sale date of any Maturity of the Bonds as the issue price of that Maturity. Bids will not be subject to cancellation in the event that the Competitive Sale Requirements are not satisfied. Bidders should prepare their bids on the assumption that all of the maturities of the Bonds will be subject to the 10% Test in order to establish the issue price of the Bonds.

If Competitive Sale Requirements are not satisfied, then until the 10% Test has been satisfied as to each Maturity of the Bonds, the Successful Bidder agrees to promptly report to the City the prices at which the unsold Bonds of that Maturity have been sold to the Public. That reporting obligation shall continue, whether or not the Closing Date has occurred, until either (i) all Bonds of that Maturity have been sold or (ii) the 10% Test has been satisfied as to the Bonds of that Maturity, provided that, the Successful Bidder's reporting obligation after the Closing Date may be at reasonable periodic intervals or otherwise upon request of the City or Bond Counsel, and evidenced by a Supplemental Issue Price Certificate.

By submitting a bid, each Bidder confirms that: (i) any agreement among underwriters, any selling group agreement and each third-party distribution agreement (to which the Bidder is a party) relating to the initial sale of the Bonds to the Public, together with the related pricing wires, contains or will contain language obligating each underwriter, each dealer who is a member of the selling group, and each broker-dealer that is a party to such third-party distribution agreement, as applicable,

(A) to report the prices at which it sells to the Public the unsold Bonds of each maturity allocated to it, whether or not the Closing Date has occurred, until either all Bonds of that Maturity allocated to it have been sold or it is notified by the Successful Bidder that the 10% Test has been satisfied as to the Bonds of that Maturity, provided that, the reporting obligation after the Closing Date may be at reasonable periodic intervals or otherwise upon request of the Successful Bidder,

(B) to promptly notify the Successful Bidder of any sales of Bonds that, to its knowledge, are

made to a purchaser who is a related party to an underwriter participating in the initial sale of the Bonds to the Public, and

(C) to acknowledge that, unless otherwise advised by the underwriter, dealer or broker-dealer, the Successful Bidder shall assume that each order submitted by the underwriter, dealer or broker-dealer is a sale to the Public.

(ii) any agreement among underwriters or selling group agreement, relating to the initial sale of the Bonds to the Public, together with the related pricing wires, contains or will contain language obligating each underwriter or dealer that is a party to a third-party distribution agreement to be employed in connection with the initial sale of the Bonds to the Public to require each broker-dealer that is a party to such third-party distribution agreement to report the prices at which it sells to the public the unsold Bonds of each Maturity allocated to it, whether or not the Closing Date has occurred, until either all Bonds of that maturity allocated to it have been sold or it is notified by the Successful Bidder or such underwriter that the 10% Test has been satisfied as to the Bonds of that Maturity, provided that of that the reporting obligation after the Closing Date may be at reasonable periodic intervals or otherwise upon request of the Successful Bidder or such underwriter.

Sales of any Bonds to any person that is a related party to an Underwriter participating in the initial sale of the Bonds to the Public shall not constitute sales to the Public for purposes of this Notice of Sale. Further, for purposes of this Notice of Sale: (a) *Maturity* means Bonds with the same credit and payment terms. Bonds with different Maturity dates, or Bonds with the same Maturity date but different stated interest rates, are treated as separate Maturities; (b) *Public* means any person (including an individual, trust, estate, partnership, association, company, or corporation) other than an Underwriter or a related party to an Underwriter. The term "related party" for purposes of this certificate generally means any two or more persons who have greater than 50 percent common ownership, directly or indirectly; (c) *Sale Date* means the first day on which the Bonds are awarded by the City to the Successful Bidder; (d) *Underwriter* means (i) any person that agrees pursuant to a written contract with the City (or with the lead Underwriter to form an underwriting syndicate) to participate in the initial sale of the Bonds to the Public, and (ii) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause (i) of this paragraph to participate in the initial sale of the Bonds to the Public (including a member of a selling group or a party to a third party distribution agreement participating in the initial sale of the Bonds to the Public).

Legal Opinions

The obligations hereunder to pay for and to accept delivery of the Bonds shall be conditioned on the availability and the delivery at the time of delivery of the Bonds of the approving opinion of the law firm of Gibbons P.C., Newark, New Jersey, bond counsel to the City, which will be furnished without cost to the Successful Bidder, substantially in the form set forth in the Official Statement distributed in preliminary form in connection with the sale of the Bonds. Such opinion shall state to the effect that the Bonds are valid and legally binding obligations of the City, and that all the taxable property therein will be subject to the levy of ad valorem taxes, without limitation as to rate or amount, to pay the principal of the Bonds and the interest thereon; and will also state that under existing law, interest on the Bonds is excluded from gross income for purposes of Federal income taxation. The obligations hereunder to pay for and to accept delivery of the Bonds shall be further conditioned on the availability and delivery to the Successful Bidder, at the time of delivery of the Bonds, of (i) certificates from the City Chief Financial Officer in form satisfactory to Bond Counsel evidencing the proper execution and delivery of the Bonds, the receipt of payment therefor and the fact the Bonds will not be arbitrage obligations within the meaning of the Code; (ii) a certificate from the City Attorney, in form and tenor satisfactory to Bond Counsel and dated as of the date of such delivery, to the effect that there is no litigation pending or (to the knowledge of the signer or signers thereof) threatened affecting the validity of the Bonds; and (iii) a certificate from the City Chief Financial Officer, in form and tenor satisfactory to Bond Counsel and dated as of the date of such delivery, to the effect that to the best of his knowledge of such and belief, and after reasonable investigation: (1) neither the Official Statement relating to the Bonds nor any amendment, or supplement thereto contains any untrue statement of a material fact or omits to state any material fact necessary to make the statements therein, in the light of the circumstances in which they were made, not misleading; (2) since the date of the Official Statement (or the date of the most recent amendment or supplement thereto) no event has occurred which would make the statements therein untrue or, in the light of the circumstances in which they were made, misleading, and (3) there has not been any material adverse change in the operation or financial affairs of the City since the date of such Official Statement.

Concerning The Preliminary Official Statement

The City has issued an Official Statement with respect to the sale of the Bonds in preliminary form (the "Preliminary Official Statement") which the City has deemed final as of its date for purposes of paragraph (b)(1) of Rule 15c2-12 under the Securities Exchange Act of 1934 ("Rule 15c2-12"), except for certain omissions permitted thereunder and except for changes permitted by other applicable law.

The Preliminary Official Statement may be accessed via the Internet at www.i-dealprospectus.com. A printed version is also available upon request made to the Chief Financial Officer of the City at City Hall, 301 North Wood Avenue, Linden, New Jersey 07036 (telephone (908) 474-8479) or to the City's municipal advisor, NW Financial Group, LLC, 2 Hudson Place, Hoboken, New Jersey 07030 (telephone (201) 656-0115).

Bank-Qualified

The Bonds will be designated as “qualified tax-exempt obligations” for purposes of Section 265(b)(3) of the Code.

Official Statement

The City agrees to provide the Successful Bidder with up to fifty (50) copies of the final Official Statement adopted by the City in relation to the sale by the City of the Bonds within the period of time allowed under Rule 15c2-12, at the sole cost and expense of the City, with any additional copies which the Successful Bidder shall reasonably request to be provided at the sole cost and expense of the Successful Bidder.

Continuing Disclosure

In order to assist the Successful Bidder in complying with Rule 15c2-12, the City agrees to deliver on the Closing Date a Continuing Disclosure Certificate to be dated as of the Closing Date pursuant to which the City shall agree to provide at the times and to the information repositories and other persons described in Rule 15c2-12 the financial or operating data required to be disclosed on a continuing basis pursuant to Rule 15c2-12.

Alexis Zack
Chief Financial Officer

Dated: September __, 2020

SUMMARY NOTICE OF BOND SALE

CITY OF LINDEN
IN THE COUNTY OF UNION
NEW JERSEY

\$5,224,000
GENERAL OBLIGATION BONDS, SERIES 2020
(BOOK-ENTRY BONDS) (CALLABLE) [(BANK-QUALIFIED)]

ELECTRONIC PROPOSALS (the "Proposals"), via BiDCOMP/PARITY Competitive Bidding System ("PARITY") only, will be received by the Chief Financial Officer of the City of Linden, New Jersey (the "City"), on

September 15, 2020

until 11:00 a.m., New York City time, at which time they will be announced, for the purchase of all, but not less than all, of the City's \$5,224,000 General Obligation Bonds, Series 2020, dated the date of delivery (the "Bonds").

Principal of the Bonds will be paid annually, subject to prior optional redemption, on the 15th day of September in the following years and in the following aggregate amounts:

<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
2021	\$275,000	2027	\$550,000
2022	275,000	2028	550,000
2023	374,000	2029	550,000
2024	450,000	2030	550,000
2025	550,000	2031	550,000
2026	550,000		

Individual purchases of beneficial ownership interests in the Bonds will be made in book-entry form (without certificates) in the denomination of \$1,000 each or any integral multiple thereof. The Bonds will bear interest at a rate or rates of interest in a multiple of 1/8th or 1/20th of 1% per annum specified by the successful bidder payable on March 15, 2021 and semi-annually thereafter on the fifteenth day of September and March in each year until maturity or prior optional redemption. The Bonds are subject to redemption at the option of the City in accordance with the Notice of Sale dated September __, 2020 (the "Notice of Sale"). The Bonds will be awarded to the bidder on whose bid the total loan may be made at the lowest true interest cost in accordance with the terms of the Notice of Sale.

For further information relating to the Bonds, reference is made to the Preliminary Official Statement, including the Notice of Sale as an appendix and the form of legal opinion of Gibbons P.C., Newark, New Jersey, bond counsel to the City, which can be accessed via the Internet at www.i-dealprospectus.com. Copies of the Preliminary Official Statement, the Notice of Sale and the form of the legal opinion may be obtained from the Chief Financial Officer of the City at City Hall, 301 North Wood Avenue, Linden, New Jersey 07036 (telephone (908) 474-8479) or from the City's municipal advisor, NW Financial Group, LLC, 2 Hudson Place, Hoboken, New Jersey 07030 (telephone (201) 656-0115).

Dated: September __, 2020

Alexis Zack
Chief Financial Officer

RESOLUTION: 2020-271

RESOLUTION FOR THE RECYCLING OF COMMINGLED MATERIALS AWARDED TO ATLANTIC COAST FIBERS, INC. FOR THE DIVISION OF PUBLIC WORKS

WHEREAS, the City of Linden wishes to recycle commingled materials from Atlantic Coast Fibers, Inc., 101 7th Street, Passaic, NJ 07055 under the provision of N.J.L.P.C.L. 40:11-5 (s) The Marketing of recyclable materials recovered through a recycling program, or the marketing of any product intentionally produced or derived from solid waste received at a resource recovery facility or recovered through a resource recovery program, including, but not limited to, refuse-derived fuel, compost materials, methane gas, and other similar products;

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 \$145,000.00 and,

WHEREAS, the Chief Finance Officer has certified the availability of funds for this contract, which will be charged to account number 0-01-26-305-169-270.

NOW THEREFORE BE IT RESOLVED by the City of Linden that Atlantic Coast Fibers, 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: 2020-272

RESOLUTION APPROVING A CONTRACT WITH REMINGTON & VERNICK ENGINEERS FOR MAINTAINING TAX MAPS FOR THE YEAR 2020

WHEREAS, the City Council of the City of Linden has determined that it would be in the best interest of the City of Linden to retain the services of a licensed land surveyor to maintain and update the Tax Maps for 2020 in accordance with N.J.A.C. 18:23A-1.27; 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, Remington & Vernick Engineers submitted a qualification to the City and has qualified for the aforesaid services for 2020; 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, Chief Financial Officer has certified to the availability of funds for this purpose, to be charged to Account No. 0-01-20-165-124-255.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN that a contract for Professional Services be and hereby is awarded to Remington & Vernick Engineers, One Harmon Plaza, Suite 210, Secaucus, New Jersey 07094, in the amount not to exceed \$3,000.00, in accordance with their proposal dated June 26, 2020; and

BE IT FURTHER RESOLVED that this Resolution is expressly contingent upon the negotiation and execution of the necessary contract document between Remington & Vernick Engineers 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 agreement with Remington & Vernick Engineers to effectuate the foregoing; and

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

RESOLUTION: 2020-273

**CITY OF LINDEN RESOLUTION
GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT**

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

WHEREAS, the Annual Report of Audit for the year 2019 has been filed by a Registered Municipal Accountant with the City of Linden's Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the Governing Body; and

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

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

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

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

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

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

R.S. 52-27BB52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not

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

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

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE RESOLUTION PASSED AT THE MEETING HELD ON August 18, 2020.

RESOLUTION: 2020-274

RESOLUTION SETTING THE RATE OF PAY FOR CROSSING GUARDS IN THE CITY OF LINDEN

WHEREAS, the City of Linden employs crossing guards during time the Linden Public Schools are in session, and at other times as determined by the City; and

WHEREAS, the City establishes a pay scale for crossing guards.

NOW THEREFORE BE IT RESOLVED, that the City hereby establishes the following annual salary rates to be paid bi-weekly for crossing guards for the period July 1, 2020 through June 30, 2021

First Year of Employment	\$13.00 per hour
Second Year of Employment	\$14.00 per hour
Third Year of Employment	\$15.00 per hour
Fourth Year of Employment	\$16.00 per hour
Fifth Year of Employment	\$17.00 per hour
Sixth Year of Employment	\$18.00 per hour
Seventh Year of Employment ongoing	\$19.00 per hour

BE IT FURTHER RESOLVED that this resolution takes place retroactive to July 1, 2020.

RESOLUTION: 2020-275

RESOLUTION APPOINTING JAY DESAI AS A MERCHANT MEMBER OF THE LINDEN DISTRICT MANAGEMENT CORPORATION (SID)

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

That **JAY DESAI**, a merchant in the Special Improvement District, in the City of Linden, County of Union and State of New Jersey, be and he hereby is appointed a Merchant member of the Board of Trustees of the City of Linden District Management Corporation according to an ordinance entitled, "AN ORDINANCE TO CREATE A SPECIAL IMPROVEMENT DISTRICT WITHIN THE CITY OF LINDEN AND TO ESTABLISH THE CITY OF LINDEN DISTRICT MANAGEMENT CORPORATION PURSUANT TO N.J.S.A. 40:56-65, ET SEQ.", Ordinance No. 31-63, adopted on October 19, 1994, to serve a three (3) year term, effective immediately which commenced January 1, 2020 and expires December 31, 2022, and until his successor is appointed and qualifies.

RESOLUTION: 2020-276

RESOLUTION AMENDING THE CONTRACT WITH CME ASSOCIATES FOR SAMPLING AND ANALYSIS OF WELLS AND PIEZOMETERS, AIR PERMITTING AND REPORTING, LEACHATE MONITORING AND ACO COMPLIANCE SERVICES AT THE LINDEN LANDFILL FOR THE YEAR 2020 IN THE CITY OF LINDEN

WHEREAS, the City Council of the City of Linden passed Resolution No. 2020-085 on February 19, 2020 retaining consulting services for various services at the City of Linden Landfill; and

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

WHEREAS, CME Associates, 3141 Bordentown Avenue, Parlin, NJ 08859 submitted a qualification to the City and has qualified for the aforesaid services for 2020; and

WHEREAS, due to the ongoing nature of the work, it is necessary to provide an amendment for additional funds not to exceed \$84,920.00; and

WHEREAS, inclusive of these additional funds the total expenditures paid to CME Associates for services rendered under the original or substantially related contract is \$270,483.00; 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-04-55-907-665-919;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN that the agreement for Professional Services awarded to CME Associates, 3141 Bordentown Avenue, Parlin, New Jersey, is hereby amended to increase the contract by the additional sum of \$84,820.00, for a total contract of \$270,483.00; and

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

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

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

Mrs. Hickey moved for approval of Resolutions 2020-249 through 2020-276. The motion was seconded by Mrs. Ormon. Mr. Roman spoke on resolutions 2020-260 and the resolution dealing with the Union County Infra-structure grant. Mr. Roman congratulated Mrs. Miskiewicz and thanked her for her service. He spoke about the projects, in the Sixth Ward that would benefit from the County grant, he asked if this is the only paving that would be done in the Sixth Ward, this year. Mr. Pantina noted the status of contracts, and he would check and get a response for Mr. Roman. Upon a roll call vote resolution 2020-249 through 2020-276 were ordered approved by a roll call vote, with all voting in favor, except Ms. Cosby who voted no to resolutions 2020-258, 266 and 267, and abstained on 254, 255, 256 and 263; Mr. Roman who voted no to 2020-266; Mr. Blaine and President Yamakaitis abstained on 2020-263.

Ordinance on Introduction

Ordinance

64-43 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 4-00-5

Ordinance #64-43 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 on roll call was ordered approved, with all voting in favor except Ms. Cosby who voted no.

Ordinance

64-44 An ordinance providing funding for the Rail Freight Project for the City of Linden and appropriating \$2,558,270 for such purpose.

Ordinance #64-44 was introduced by Mrs. Ormon and was read on first reading by the Deputy Clerk.

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

Ordinance

64-45 An ordinance authorizing the sale of a portion of Lot 13 Block 580, known as 1601 West Edgar Road, on the current tax atlas of the City of Linden, and not needed for public use to the New Jersey Department of Transportation in the amount of \$15,000.00 for intersection improvements at Route 1&9 at Avenue C.

Ordinance #64-45 was introduced by Mrs. Ormon and was read on first reading by the Deputy Clerk.

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

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.

Judy McCarthy, 217 Buchanan St. Ms. McCarthy asked for clarification on some of the points made regarding the truck traffic and routes to the new recycling facility being built in Tremely Point. She asked how about how families could find out more information about the family movie nights being planned, by the City, at Linden Airport. Ms. McCarthy spoke about how wonderful DPW was, and it being undermanned she endorsed the Mayor's concept of requiring PSE&G to place their power lines underground to prevent power outages due to storms. She noted the loss of trees, in Linden, during the recent storm, and the need for Linden to hire a full time person to deal with the City's trees. Mayor Armstead provided responses to the request for information on family movie night and the truck traffic to the recycling facility.

Ed Kaminski, Maple Ave. Mr. Kaminski spoke about his discussions with Mr. Javick and the need for Wood Ave to be cleaned, better. He also noted the need for broken and dead trees to be replaced on Wood Ave. He spoke highly of the new development on Price St. and Wood Ave, and of the contractor doing the project on the old JTG scaffolding site. He offered praise to DPW for their work cleaning up from the recent storm. He called upon Council to end the Scutari and Roman investigations. Mr. Kaminski spoke about crime issues that he was

concerned about. Next he discussed issues related to the fabric of Linden and the loss of long time Linden families

John Kazor, 23 W. Munsel Ave. Mr. Kazor spoke about the Public Comment being a question and answer period, and people not getting answers. He complained about issues related to the conduct of last night's council meeting, his not being able to speak, and criticized the holding of virtual meetings. He offered his criticism of Facebook post made by the Mayor's wife. Mr. Kazor talked about the Mayor's use of a g-mail email account, for official business and urged him to stop using it. He offered criticism of the Fourth Ward Council and what he term his lack of effort to do things for the Fourth Ward.

Joseph Birch, 65 Birchwood Rd. Mr. Birch noted his role as President of the Police Superior Officers, and offered his congratulations to Lt. Michael Babulski on his retirement. He thanked council for the extra manpower in the police department and for the recent promotions. He offered a shout out, from the Birch family, to DPW, OEM and the Fire Department for their work during and after the recent storm.

Hans Herzberg, 51 Westover Road. Mr. Herzberg thanked all for their work during and after the recent storm. He thanked Mrs. Hickey for checking on Tenth Ward residents with the recent storm. He spoke about the need to improve the lighting under the overpass on Stiles Street. Mr. Herzberg talked about First Responders and them keeping residents safe. Mr. Pantina responded to the lighting issue regarding the Stiles St. underpass.

Peter Brown 101 E. Blancke St. Mr. Brown began his statement by reading from a book written by Robert Buffet, regarding how society makes itself. He spoke about how we are currently in a recession, and noted his concerns over losing control of what is important. He criticized Mr. Roman for what he termed Mr. Roman's lack of understanding of municipal finance.

Wally Dixon, 226 Bergen Ave. Mr. Dixon talked about his discussion with Chief Hart and an incident involving "Barbra." He noted that all departments did a great job in handling issues from the recent storm. Mr. Dixon spoke about a recent shooting in the Fourth Ward, and the police were not at fault. He thanked Ms. Cosby for her help with the Tree Committee. He noted the efforts of the Mayor, after the storm and thanked him for them. He also thanked DPW for their work, adding that all departments are doing what they can.

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

COMMENTS FROM MEMBERS OF THE GOVERNING BODY

Ms. Cosby stated that to be clear, all have a need for information, and requested that the Mayor send an official email to all of the Council people. That's not happening and it shouldn't be. Share information.

Mr. Roman addressed the comments made by Mr. Brown, and explained his reasoning for asking the questions he did on the municipal financing resolution.

Mrs. Hickey congratulated the members of the police department who were promoted this evening. She noted her agreement, with the comments made by Ms. Cosby and Mr. Roman regarding the lack of communications from the Mayor.

Mrs. Caldwell spoke about the cleanup of the Fourth Ward Park and praised the Mayor for the upcoming movie nights at Linden Airport.

Mr. Blaine noted that he would be assisting in the Fourth Ward Park Cleanup and spoke about Kyle Philips for his sponsorship of the event, stating how proud he was of Mr. Philips. He also addressed the issue of phaeton emails.

President Yamakaitis noted that Council members have to be kept informed. She offered her apologizes to Mr. Kazor for his not being able to speak during last night's Council Conference meeting. She thanked all for behaving themselves during tonight's meeting. President Yamakaitis spoke about the changes that were made to the Council rules and who supported those changes.

Mayor Armstead thanked Kyle Philips for organizing the Fourth Ward Park cleanup and spoke about what an outstanding young man, and athlete he was. He spoke about the issue of truck traffic going into the Tremely Point industrial area, and the need for the long proposed Turnpike extension to be built.

Mrs. Ormon wished her husband a happy 25th wedding anniversary and expressed her love of him.

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 9: 55 p.m.

Respectfully submitted,

Joseph C. Bodek
City Clerk