

**Minutes of the Regular  
Meeting of the 2020 Council of the  
City of Linden, held Tuesday,  
January 19, 2021**

**The meeting was called to order by President of Council Michele Yamakaitis and she announced:** Notice of this meeting stating the date, place and time, has been disseminated as required under the Open Public Meetings Act, Chapter 231, P.L. 1975" In addition to the publishing of the annual meeting schedule, electronic notice was provided on January 15, 2021 to The Local Source and Star Ledger, noting that the meeting would be conducted through the Ring Central Program and containing information on how to access the meeting. The same information was posted on the City's website, Linden TV, the bulletin board, and the front door of City Hall. Copies of the Agenda, and Personnel Reports are also posted on the City's website and Linden TV for the public. The meeting was called to order at 7:02 p.m.

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

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

A roll call showed the following members were present:

**ROLL CALL**

Councilwoman	Lisa Ormon
Councilman	Barry Javick
Councilwoman	Monique Caldwell
Councilman	Alfred Mohammed
Councilwoman	Rhashonna Cosby
Councilman	John F. Roman
Councilman	Ralph Strano
Councilman	Garnett Blaine
Councilman	Armando Medina
Councilwoman	Gretchen Hickey
Council President	Michele Yamakaitis
Mayor	Derek Armstead (7:51 pm)

**Approval of Minutes**

Mrs. Hickey moved for approval of the minutes of the Regular meeting of December 15, 2020 and December 29, 2020. The motion was seconded by Mr. Medina and was ordered approved by a roll call vote, with all voting in favor except Ms. Cosby and Mrs. Hickey who abstained.

**ORDINANCE ON HEARING**

President Yamakaitis noted that the hearing on Ordinance #65-1 will be held at the February 16, 2021 Regular Council meeting.

**CONSENT AGENDA**

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

**(1)** Advising the following monies were collected and turned over to the Municipal Treasurer during the month of December 2020.

2021 Taxes	\$583,672.63
2020 Taxes	\$1,243,215.80
2019 Taxes	\$0.00
Garbage Fee	\$4.63
Municipal Lien Redemption	\$0.00
Duplicate Tax Sale Certificate	\$0.00
Tax Search	\$0.00
Lien Redemption Request Fee	\$0.00
Year End Penalty	\$0.00
Returned Check Fee Paid	\$20.00
Returned Sewer Clean out	(\$0.00)
Returned Sewer Interest	(\$0.00)

Returned Check 2020	(\$0.00)
Returned Check 2021	(\$0.00)
Returned Check Interest	(\$0.00)
Returned Online 2020 Taxes	(\$5,142.45)
Returned Online 2021 Taxes	(\$0.00)
Returned Online Interest	(\$33.19)
Adv. Before Tax Sale	\$0.00
Premium	\$0.00
Sewer Clean out charge	\$400.00
DPW Reso payments	\$0.00
Interest	\$48,513.18
Total	\$1,870,650.60

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

<u>Block</u>	<u>Lot</u>	<u>Redemption Date</u>	<u>CTF#</u>	<u>Amount</u>
77	5	12/23/2020	19-00029	\$1,200.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of \$1,200.00 payable to: Jing Yang, 628 N. Butrick Street, Waukegan, IL 60085, charging same to account #-0-01-55-276-999-956.

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

<u>Block</u>	<u>Lot</u>	<u>Redemption Date</u>	<u>CTF#</u>	<u>Amount</u>
165	7	12/21/2020	19-00076	\$18,200.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of \$18,200.00 payable to: USBANK CF TOWERDB X TRST 2020-1,50 South 16th Street, Suite 2050, Philadelphia, PA 19102, charging same to account #-1-01-55-276-999-956.

**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>
174	24	1/5/2021	18-00103	\$500.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of \$ 500.00 payable to: Fig as Cust. for Fig NJ19, LLC, P.O. Box 54226, New Orleans, LA 70154, charging same to account #-1-01-55-276-999-956.

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

<u>Block</u>	<u>Lot</u>	<u>Redemption Date</u>	<u>CTF#</u>	<u>Amount</u>
160	11	1/5/2021	19-00073	\$1,500.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of \$1,500.00 payable to Trystone Capital Assets, LLC., 575 Route #-70, 2nd Floor, P.O. Box 1030, Brick, NJ 08723, charging same to account #-1-01-55-276-999-956.

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

<u>Block</u>	<u>Lot</u>	<u>Redemption Date</u>	<u>CTF#</u>	<u>Amount</u>
207	5	1/5/2021	19-00095	\$700.00
208	22	12/14/2021	19-00097	\$700.00
268	4	1/5/2021	19-00111	\$400.00
356	10	1/8/2021	19-00127	\$1,000.00
413	7	12/14/2021	19-00138	\$800.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of \$3,600.00 payable to: US Bank Cust ProCap8 PROCAP MTGII, 50 South 16th Street, Suite #2050, Philadelphia, PA 19102, charging same to account #-1-01-55-276-999-956.

**Refund** Block 243 Lot 4.01 & 4.03, 601 Realty Management, LLC  
609-614 N. Wood Avenue, 10 W. Henry Street  
Tax Court Docket #-009527-20019

The above referenced property owners are entitled to a refund due to a Tax Court Judgment reducing the assessment by 100,000 in 2019 for lot 4.01 & 45,400 in 2019 for 4.03 creating a total overpayment of \$ 10,016.61.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of \$10,016.61 payable to: Bruce J. Stavitsky, Esq for the benefit of 601 Realty Management, LLC c/o Bank of America, 350 Passaic Avenue, Fairfield, NJ 07004, charging same to account #1-01-55-275-999-000.

**Veteran's Deduction** Block-77 Lot-16, Ronald Julien  
1109 E. Blancke Street, Allowed Veteran Deduction

There now exists a credit balance on the above referenced block & lot due to an allowed veteran's deduction for the year 2019, the Mortgage Company paid the incorrect amount. The overpayment amount is \$125.00.

<u>Block</u>	<u>Lot</u>	<u>Name</u>	<u>Address</u>	<u>Amount</u>
77	16	Ronald Julien	1109 E. Blancke Street	\$125.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of \$125.00 payable to: Ronald Julien 1109 E. Blancke Street, Linden, NJ 07036, refunds charging same to account # 1-01-55-288-999-904.

**Overpayment** Block 168 Lot 5.01, Vanessa Velez  
553 E. Henry Street, 2020 overpayment

The above referenced owner's mortgage company paid the 2020 4th quarter added assessment property taxes and owner paid as well, the owner is entitled a refund in the amount of \$456.95. Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of \$456.95, payable to: Vanessa Velez, 553 E. Henry Street, Linden, NJ 07036, charging same to # 1-01-55-288-999-904.

**Overpayment** Block 178 Lot 20, Hany Hanalla & Lorraine Said  
1116-1118 Walnut Street, 2020 overpayment

The above referenced owner's mortgage company paid the 2020 4th quarter property taxes and title agency paid as well, the owner is entitled a refund in the amount of \$3,289.56. Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of \$3,289.56, payable to: Hany Hanalla & Lorraine Said, 30 Scheurman Terrace, Warren, NJ 07059, charging same to # 1-01-55-288-999-904.

**Veteran's Deduction** Block-367 Lot-30, Angela M. Aristizbal-Houck  
716 Amhearst Road, Allowed Widow of a Veteran Deduction

There now exists a credit balance on the above referenced block & lot due to an allowed veteran's deduction for the year 2019, the Mortgage Company paid the incorrect amount. The overpayment amount is \$250.00. Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of \$250.00 payable to: Angela M. Aristizbal-Houck, 716 Amhearst Road, Linden, NJ 07036, refunds charging same to account # 1-01-55-288-999-904.

**Credit Balance** Block 410 Lot 10, 1837 N. Stiles Street  
Owner Payment error

There now exists a credit balance on the above referenced block & lot due to a payment error paid towards the Property Taxes instead of the Sewer billing made by the daughter on behalf of her father. The overpayment amount is \$250.00. Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of \$250.00 payable to Jessica Lopez, 1837 N. Stiles Street Linden, NJ 07036 charging same to account # 1-01-55-288-999-904.

**Credit Balance** Block 524 Lot 64, Old Owner: Jimenez  
New Owner: Luxury Affordable' s LLC  
1201 Woodlawn Avenue

There now exists a credit balance on the above referenced block & lot due to an overpayment by the title agency on the 2018 4th quarter. The overpayment amount is \$ 2,529.00. Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of \$2,529.00 payable to: Hometown Title Insurance Agency, LLC, 514 Westfield Avenue, Elizabeth, NJ 07208 charging same to account #-1-01-55-288-999-904.

**(\*\*\*) Council President – LEDC**

**(2)** Advising that Council President Yamakaitis has appointed Gerald Bishop to a two-year term beginning January 1, 2021 and expiring on 12/31/2022.

**(\*\*\*) Mayor Armstead – Linden Library**

**(3)** Advising that Robert Sadowski has resigned from the Linden Library Board effective December 8, 2020.

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

**(4)** Requesting approval of the following reimbursements:

**a. Service date of 7/10/2020**

Marian Gadamski is entitled to a refund in the amount of \$20.00 for service that was provided on 7/10/2020. Therefore, it would be in order for the council to authorize the treasurer to issue a check payable to: Marian Gadamski 16 University Circle, Linden, NJ 07036 charging same to 1-01-55-401-999-918.

**b. Service date of 9/28/2020**

Horizon Blue Cross Blue Shield of NJ is entitled to a refund in the amount of \$39.40 for service that was provided on 9/28/2020. Therefore, it would be in order for the council to authorize the treasurer to issue a check payable to: Horizon Blue Cross Blue Shield of NJ PO Box 11595, Newark, NJ 07193-1595 charging same to 1-01-55-401-999-918.

**c. Service date of 6/8/2019**

Horizon Blue Cross Blue Shield is entitled to a refund in the amount of \$198.00 for service that was provided on 6/8/2019. Therefore, it would be in order for the council to authorize the treasurer to issue a check payable to: Horizon Blue Cross Blue Shield, Federal Employee Program, Three Penn Plaza East, Newark, NJ 07105-2200 charging same to 1-01-55-401-999-918.

**d. Permit Refund**

All City Electrical is entitled to a refund of \$76.00 for a construction permit that was no longer needed as All City Electrical did not perform work. Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of \$76.00 payable to: All City Electrical 410 Chestnut Street, Union, NJ 07083, charging same to 1-01-55-401-999-918.

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

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

<u>Department</u>	<u>Employee</u>	<u>Title</u>	<u>Date</u>
Board of Health	Nancy Koblis	Health Officer	Feb. 1, 2021
Police Dept.	Andrew Perrella	Police Sergeant	Feb. 1, 2021
Police Dept.	Jeffrey Searles	Police Officer	Feb. 1, 2021
Public Works	Robert Zack	Supt. Heavy Equip. Operator	Feb. 1, 2021

Mrs. Ormon moved for approval of the Consent Agenda, items #1 through #5. The motion was seconded by Mr. Javick and was unanimously ordered approved by a roll call vote. Ms. Cosby wished all of the retirees well, particularly Ms. Koblis.

**REPORTS AND COMMENTS BY MEMBERS OF THE GOVERNING BODY**

**First Ward**

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

Approval is requested for the following finance actions:

1. The payment of bills totaling \$1,119,005.40. 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 December at the rate of 0.10%.

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

Mrs. Ormon then gave the report of the Division of Transportation and Parking. A total of \$25,923.13 was collected, from all sources, was collected for the month of December 2020. She noted that she had no report from the Cultural and Heritage Committee and spoke about the effects, that COVID was having on the activities of the Committee, as they were only able to conduct the house decorating contest. She informed all that the Committee is looking for things to do until COVID is over.

Mrs. Ormon reported on the Police Departments "Street of the Week," enforcement program and how successful it has been. Next, she thanked DPW, Parks & Recreation, Engineering, Construction Code and Zoning for their diligence and hard work. She apologized for not doing a lot of activities, that are normal, not being done due to COVID. She noted a number of activities that were able to go, and those that were canceled. Mrs. Ormon wished all a happy New Year, and provided her contact information.

## **Second Ward**

Mr. Javick gave the report of the Fire Committee. The Fire Prevention Bureau collected a total of \$5,010.52 in fees for the month of December 2020. The ambulance reimbursement program collected \$76,220.06 for the month of December 2020, bringing the year to date total to \$721,042.47.

Mr. Javick stated that 2021 is finally here. He noted that, for the holiday seasons, Wood Ave had the best decorations that the City has ever seen. He noted the Second ward winner of the House Decorating Contest. He reviewed his goals for 2021, which included the building of a dog park on Lexington Ave, and working to strive to bring Linden into the future. He informed all that a new fire academy would be going into the old Union County Juvenile detention facility. He continued, noting that there would be another zero municipal tax increase this year, and concluded by providing his contact information.

## **Third Ward**

Mrs. Caldwell gave the report of the Construction Code Committee. The Construction Code Department issued 102 permits, 26 certificates and collected \$139,000.00 in fees for the month of December 2020. Next, she gave the report of the IT Committee. The Committee is moving the City forward on the initiative of moving Linden's government computing to Google for Government, which would utilize the cloud, and save the City money in the future.

## **Fourth Ward**

Mr. Mohammed thanked the creator for maintaining the Republic after the January 6<sup>th</sup> insurrection in Washington D.C. Next, he spoke about the passing of a Fourth Ward resident, Marshall Parker. He informed all that he would be hosting a Fourth Ward meeting on January 30<sup>th</sup> and provided the details. The goal of the meeting was to address having peace in the neighborhood, by resolving conflict through peaceful means. He reported on the work, being done, by utility companies, in the Fourth Ward, and provided his contact information.

## **Fifth Ward**

Good Evening,

First, Happy new year to everyone. I hope that you and your families will be well and prosperous in this year and years to come.

Happy birthday to my Kid Ashley G. Wishing you all the best.

This year I will continue to do my best to bring transparency to the governing body. It will be hard with so much secrecy among some who like me took an oath but are not living up to their vow based on their actions.

I am again ANNOYED to report that I was not assigned to any committees where my talents can be best used by the might council president. The one committee I am assigned to is the city clerk and since I have been elected 11 years, this committee has had no meetings if they had one! This just further proves my point that these people are stacking committees to get their personal and political agendas taken care of and hide from the public what they are doing by limited the majority of the committees to the super six. Who by the way do report to the public what they are doing and I would error to say that committee meetings SHOULD BE PUBLIC except for personnel! Just like the state public bodies.

I will start with announcements from the ward and then as time allows, I will read the minutes of the November rent leveling board meeting as the liaison.

I have set my calendar of community meetings for 2021 if you would like to have it sent to you via email, please email me and I am happy to add you to my email distribution list. The information will also be available on the city's website in the calendar section and my council Facebook page.

This year we will celebrate Black History virtually. Our essay contest is again open to all Linden youngsters who are in grades six through twelve and the theme is. When the going gets tough, the tough get going. We hope to read inspiring original works of how Blacks have overcome adversity, hardship and second-class citizenship to go on to contribute greatly to society. Details will be posted on the city's website and Linden TV.

I am collecting addresses for spring tree planting please email me if you are interested in having a tree and if you have a sidewalk that was damaged by a city tree that needs repair let me know that as well.

There was no meeting of the environmental commission and they still do not have a full board. The shade tree commission was unable to meet on January 7th due to technical difficulty. The meetings will be as follows

### **Sixth Ward**

Mr. Roman wished all a happy New Year. He then spoke about the gas main replacement happening on Clinton Street, and noted other streets that the utility companies were providing upgrades on. Next, he spoke about the piles of rubbish, in the parking lots at the old GM site bordering Smith and Hampton Streets. He noted that he is working to have them removed. He then provided his contact information, an update on COVID and the Union County walk up testing centers. Mr. Roman spoke about the rollout of the COVID vaccine, which has been slow, and the efforts to sign people up.

Mr. Roman announced that the old Union County juvenile Detention Center, located in Linden, was being converted to become the new fire training academy. He noted the passing of Sixth Ward resident Matt Valvano, and offered condolences to Mr. Valvano's family.

Mr. Roman spoke about Resolution 2021-66 which was for the paving of W. Linden Avenue. W. Munsell Ave is also to be done. He concluded by wishing Dr. Martin Luther King a happy birthday.

### **Seventh Ward**

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

#### **PERSONNEL REPORT**

1. Police:
  - a) Rescinding the hiring of per-diem dispatcher June Spann.
  - b) Promotion of Leon Paster to Police Sgt effective February 1, 2021 at the annual salary of \$110,268.
2. Fire:
  - a) Permission to hire eight (8) Fire Fighter Recruits from the attached list effective January 27, 2021 at the annual salary of \$40,000 pending the successful completion of all preemployment requirements.
  - b) Promotion of Firefighter Ryan Gergich to Fire Lieutenant, effective February 1, 2021 at the annual salary of \$108,000.
3. Recreation Department:
  - a) The appointment of Malaysia Thomas as Public Information Assistant effective January 28, 2021 at the annual salary of \$75,000 effective pending the successful completion of all pre-employment requirements.
    - a. Permission to post for a Full Time Recreation Leader.
4. Department of Community Services
  - Division of Public Works
    - a) Rescinding the hiring of Eddie Salas, Laborer 1 (tier 2), effective December 31, 2020.
    - b) Change in rate for Pedro Calzado, Heavy Equipment Operator, to \$26.50/hour effective February 1, 2021
  - Division of Building and Grounds
    - a) Base salary increase for Gerald Bishop, Deputy Director of \$10,467 effective January 20, 2021.
    - b) Amending the hiring date of Theron Dicks, Mason/Senior Carpenter to January 4, 2021.
    - c) Accepting the voluntary resignation in good standing of Andrew Zimmerman, Laborer, effective December 1, 2020,
5. Construction Code:
  - a) Amending the hire date of Shayla Bellinger as a Code Enforcement Trainee to January 4, 2021.
6. Carry of the 2020 Vacation time
  - a) List on file in the Personnel Division
7. Personnel
  - a) Approval of the January 2021 requested FMLA/NJFMLA leaves for employees, which are on file with the Personnel Division.

Mr. Strano moved the Personnel Report. The motion was seconded by Mr. Javick and was ordered approved by a roll call vote, with all voting yes with the exception Ms. Cosby who voted no; Mrs. Hickey who voted no to item 3a, and Mr. Mohammed, who was having a technical difficulty and did not vote.

Mr. Strano noted the list of retirees on the Consent Agenda. He spoke about Nancy Koblis, Linden's Health Officer. He congratulated her for her 40 years of service with the City. Since 1995 she has served as Health Officer. He talked about how she is acknowledged, throughout Union County, by her peers. Next, he spoke about Police Officer Jeff Searles, how he and Mr. Searles were neighbors, at one time and wished him well in his retirement.

### **Eighth Ward**

Mr. Blaine wished all a good evening and a happy New Year. Next, he spoke about the COVID pandemic, and how it is now in a second wave. He urged all to sign up for the vaccine. He next spoke about working diligently on the budget, and is doing as much as possible to run the City as efficiently as possible.

Mr. Blaine spoke about Baltimore Ave. He then stated how excited he was about all of the construction work going on around the City. He spoke about the new initiatives coming from the Department of Parks & Recreation

Mr. Blaine spoke about the insurrection, that happened in Washington D.C. on January 6<sup>th</sup>, reminding all to be careful of the words that they use so as to not incite violence. He noted that he was looking forward to working with the IT Committee and Mrs. Caldwell. He concluded by announcing that the former Park Plastics site, has found to be not contaminated.

### **Ninth Ward**

Mr. Medina wished all a happy New Year, and thanked all of the department heads, and employees, for taking calls and providing a great level of service to the citizens. He wished Nancy Koblis a happy retirement.

Mr. Medina announced that he releasing a newsletter. Its focus would be on what we all went through in 2020, (Mayor Armstead arrived).urging all to take pride in their community, and what he was looking forward to in 2021. He would be emailing the newsletter to those who request it, and would place it on Linden's Sunnyside page.

Mr. Medina noted that plans for the paving of N. Wood Ave are moving forward, and thanked Mayor Armstead. He next spoke about 2021, and asked all to help make Linden a better place. He provided an example of family he observed. The mother rewards the children, with a gift card, when they take the time to pick up litter from the streets. Next, he spoke about a private jitney service that has been operating on the streets of the Ninth Ward. There has been a constant onslaught of buses. These streets are not a bus route, and he is working to figure out how to curb this issue. He stated that it was scary how they operate, He was hoping that the City attorney will come back with a solution to curb the problem. He provided his contact information.

### **Tenth Ward**

Mrs. Hickey offered congratulations to all of the retirees. She also thanked the individuals who gave of their time to serve on the Planning and Zoning Boards. She spoke about being the Chair of the Buildings and Grounds Committee, and will meet with the department director and see what he has planned. She noted that she is hoping to plan for an upgrade to the park at McManus middle school.

Mrs. Hickey reported on the street paving projects in the Tenth Ward. Next, she spoke about home construction and the problems that are occurring. She provided an example of dumpsters that are being dropped off at 4 or 5 in the morning. She asked residents, if this happens in their neighborhood, to take pictures and send them to the police. Those doing the work need to be considerate of their neighbors. Be respectful of them and their property. She wished all a happy Valentines Day.

### **Council President**

President Yamakaitis noted that Mayor Armstead is committed to saving money and that there no tax increase in 2021. She informed all of the consolidation of the Recreation Department into the JGT recreation building. She spoke about the virtual trivia night that Recreation will be held on February 26<sup>th</sup>, the new public relations person will work to get information out to City residents.

President Yamakaitis spoke about the Linden library has its own official logos. She described the contest to pick the logo, and how it will be used. She detailed a number of virtual events that the library will be holding. She asked residents to check the Library's Facebook page to get more information.

### **MAYOR'S REPORT**

Mayor Armstead read the following proclamation:

**WHEREAS**, Philip Schwartz was born in Linden, New Jersey on February 11<sup>th</sup>, 1921. His parents, Friedel and David Schwartz, were Russian immigrants, who emigrated to the United States and settled in Linden, New Jersey; and,

**WHEREAS**, Philip was the youngest of four sons. Philip and his three brother, Samuel, Irving and Nathan all lived on Chandler Avenue in Linden, before moving to Chandler Avenue in Roselle. Philip went to the Linden School System until Third grade when he then attended the Roselle School District and graduated in 1938 from Abraham Clark High School; and,

**WHEREAS**, Philip met his beloved wife Miriam (Perzley), at a dance in 1938, when they were both 17 years old, and it was love at first sight. Miriam was also a Lindenite, who was the fifth of ten children born to Yetta and Isaac Perzley. Phil and Mim, as they referred to each other, had a love story that lasted 74 wonderful years, until the passing of Miriam in 2013; and,

**WHEREAS**, Philip and Miriam eloped and got married in the town of Elkton, Maryland, because at the time they could not legally marry in the State of New Jersey. Once they were of legal age to marry their parents insisted they be married by the Rabbi, to make their marriage legal according to Jewish law; and,

**WHEREAS**, Philip enlisted in the United States Army in 1942 and was assigned to the Artillery Unit. He fought bravely for our country for four long and arduous years. He stationed mostly in Italy where he was in the Battle of Anzio and the Battle of Monte Cassino, both battles which played a major role in driving back fascist forces and taking back of Rome. After the Allied forces declared victory over Germany and Japan, he was honorably discharged in 1945 and returned home to Linden to resume his life; and,

**WHEREAS**, Philip, along with his wife Miriam bought their first home Linden at 212 First Avenue, where they started their family, raising their two sons Joel, born May 4<sup>th</sup>, 1947 and David, born August 20, 1951, they lived there until they moved to their new home at 528 Fernwood Terrace. Philip and Miriam resided at their Fernwood address until 2005, when at the age of 83 they made a bold move to Newton, Massachusetts to be closer to their son David; and,

**WHEREAS**, Philip still considers himself a Linden boy through and through and his love for his hometown of Linden and the State of New Jersey has never wavered. His stories span 100 years of history and he considers them more precious than jewels. Today, to add to that history, he is able to boast that as a Grandfather and Great Grandfather how proud and Blessed he is of his eight grandchildren and two great grandchildren; and,

**NOW THEREFORE BE IT PROCLAIMED** that I, **Derek Armstead, Mayor of the City of Linden, in the State of New Jersey** on this the 19<sup>th</sup> day of January, 2021 announce that February 11<sup>th</sup> be declared **“Philip Schwartz Day”** here in the City of Linden and that I am honored to congratulate Philip Schwartz on his 100 years of life. Philip Schwartz is and has been a man of integrity who has and still does live a rich life full of service to his country, loyalty to his hometown, love for his family, and that he has filled the lives of his children, grandchildren and great grandchildren with memories that will last their lifetime and be passed down for generations to come.

The Mayor congratulated Mr. Schwartz.

Mayor Armstead informed all that he received sad news from Judge Robert Mega that former Linden Municipal Court Judge Richard Kochanski has passed away. The Mayor told a personal story about Judge Kochanski's relation with his family. He also told a story about an individual, he observed, who appeared before “No Chance Kochanski.”

Mayor Armstead announced that he had good news regarding the property on South Park Avenue. All had assumed that it was contaminated, but the texting has determined that it is not. As a result, the property can be divided into individual lots and sold that way. The potential is that it could bring in \$1.1 million to the City. He asked Engineering and Finance to move this forward. He announced that on January 22<sup>nd</sup> there will be a meeting with SID & LEDC to schedule a marketing seminar for small business.

## **RESOLUTIONS**

**RESOLUTION: 2021-18**

**A RESOLUTION APPOINTING COUNCILMAN BARRY JAVICK, A  
MEMBER OF THE GOVERNING BODY, AS CLASS III  
MEMBER OF THE PLANNING BOARD FOR THE TERM OF  
ONE YEAR BEGINNING JANUARY 1, 2021 EXPIRING DECEMBER 31, 2021.**

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

Section 1. Barry Javick, Councilperson of the Second Ward of the City of Linden, be and he hereby is

appointed to serve as Class III member of the Planning Board of the City of Linden for a term commencing January 1, 2021 and terminating December 31, 2021, and until their successor is appointed and qualifies.

**RESOLUTION: 2021-19**

**RESOLUTION APPOINTING COUNCILMAN BARRY JAVICK, A MEMBER OF THE GOVERNING BODY, AS A MEMBER OF THE LINDEN DISTRICT MANAGEMENT CORPORATION (SID)**

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

That Councilperson Barry Javick, Linden, County of Union and State of New Jersey, be and he hereby is appointed a 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 one (1) year term, commencing January 1, 2021 and expiring December 31, 2021, and until their successor is appointed and qualifies.

**RESOLUTION: 2021-20**

**RESOLUTION APPOINTING CYNTHIA JOHNSON AS CHAIRPERSON OF THE LINDEN DISTRICT MANAGEMENT CORPORATION (SID)**

**WHEREAS**, the Municipal Code of the City of Linden, 27-7.2, provides for the organization of the Linden District Management Corporation (SID); and

**WHEREAS**, Section 27-7.2(d) provides that the Chairperson of the Board of Trustees shall be appointed by the City annually; and

**WHEREAS**, Cynthia Johnson has previously been appointed a member of the Board of Trustees of the Linden District Management Corporation; and

**WHEREAS**, the City Council of the City of Linden wishes to appoint Cynthia Johnson as Chairman of the Board of Trustees of the Linden District Management Corporation;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** that they do hereby designate Cynthia Johnson as Chairperson of the Board of Trustees of the Linden District Management Corporation for a term of one year commencing January 1, 2021 and terminating December 31, 2021, and until their successor is appointed and qualifies.

**RESOLUTION: 2021-21**

**A RESOLUTION APPOINTING LISA ORMON, A MEMBER OF THE GOVERNING A MEMBER OF THE CULTURAL AND HERTIAGE COMMISSION FOR THE TERM OF ONE YEAR BEGINNING JANUARY 1, 2021 AND EXPIRING DECEMBER 31, 2021.**

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

Section 1. Lisa Ormon, Councilperson of the First Ward of the City of Linden, be and is hereby is appointed to serve as a member of the Cultural and Heritage Committee of the City of Linden for a term commencing January 1, 2021 and terminating December 31, 2021, and until their successor his appointed and qualifies.

**RESOLUTION: 2021-22**

**A RESOLUTION APPOINTING DEREK ARMSTEAD TO THE UNION COUNTY COMMUNITY DEVELOPMENT REVENUE SHARING COMMITTEE AS AN ALTERNATE MEMBER**

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

Section 1. That the City of Linden hereby appoints **DEREK ARMSTEAD**, residing in the City of Linden, New Jersey an alternate member of the Union County Development Revenue Sharing Committee for a (1) one-year term commencing January 1, 2021 and terminating December 31, 2021 until his successor has been appointed and qualifies. Said appointment is without any monetary stipend.

Section 2. That the City Clerk of the City of Linden shall certify a copy of this Resolution and cause it to be filed with Brandon Givens, Director of Community Development, Division of Community Services, Administration Building, 2nd Floor, Elizabethtown Plaza, Elizabeth, New Jersey 07207.

**RESOLUTION: 2021-23**

**A RESOLUTION APPOINTING JOSEPH CHROBAK TO THE UNION COUNTY COMMUNITY DEVELOPMENT REVENUE SHARING COMMITTEE**

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

Section 1. That the City of Linden hereby appoints **JOSEPH CHROBAK**, residing in the City of Linden, New Jersey a member of the Union County Development Revenue Sharing Committee for a (1) one-year term commencing January 1, 2021 and terminating December 31, 2021 until his successor has been appointed and qualifies. Said appointment shall be with a \$2,500.00 stipend.

Section 2. That the City Clerk of the City of Linden shall certify a copy of this Resolution and cause it to be filed with Brendan Givens, Director of Community Development, Division of Community Services, Administration Building, 2<sup>nd</sup> Floor, Elizabethtown Plaza, Elizabeth, New Jersey 07207.

**RESOLUTION: 2021-24**

**A RESOLUTION APPOINTING CHRISTINE FIGUEIREDO TO THE UNION COUNTY COMMUNITY DEVELOPMENT REVENUE SHARING COMMITTEE AS AN ALTERNATE MEMBER**

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

Section 1. That the City of Linden hereby appoints **CHRISTINE FIGUEIREDO**, residing in the City of Linden, New Jersey an alternate member of the Union County Development Revenue Sharing Committee for a (1) one-year term commencing January 1, 2021 and terminating December 31, 2021 until her successor has been appointed and qualifies. Said appointment is without any monetary stipend.

Section 2. That the City Clerk of the City of Linden shall certify a copy of this Resolution and cause it to be filed with Brendan Givens, Director of Community Development, Division of Community Services, Administration Building, 2<sup>nd</sup> Floor, Elizabethtown Plaza, Elizabeth, New Jersey 07207.

**RESOLUTION: 2021-25**

**A RESOLUTION APPOINTING GEORGE VIRCIK TO THE UNION COUNTY COMMUNITY DEVELOPMENT REVENUE SHARING COMMITTEE**

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

Section 1. That the City of Linden hereby appoints **GEORGE VIRCIK**, a resident of the City of Linden as a member of the Union County Development Revenue Sharing Committee for a (1) one-year term commencing January 1, 2021 and terminating December 31, 2021 until his successor has been appointed and qualifies. Said appointment is without any monetary stipend.

Section 2. That the City Clerk of the City of Linden shall certify a copy of this Resolution and cause it to be filed with Brendan Givens, Director of Community Development, Division of Community Services, Administration Building, 2<sup>nd</sup> floor, Elizabethtown Plaza, Elizabeth, New Jersey 07207.

**RESOLUTION: 2021-26**

**A RESOLUTION REAPPOINTING ANNMARIE WHELAN AS QUALIFIED PURCHASING AGENT**

**WHEREAS**, pursuant to N.J.S.A. 40A:11-3 (c) and 18A:18A-3 (b), Governor Phil Murphy has exercised his authority to adjust the bid thresholds for awarding contracts by various contracting units; and

**WHEREAS**, N.J.S.A. 40A: 11-3 (a), permits an increase in the bid threshold if a Qualified Purchasing Agent is appointed as well as granted the authorization to negotiate and award such contracts below the bid threshold; and

**WHEREAS**, N.J.A.C. 5:34-5 et seq. establishes the criteria for qualifying as a Qualified Purchasing Agent; and

**WHEREAS**, Ann Marie Whelan possesses the designation of Qualified Purchasing Agent as issued by the Director of the Division of Local Government Services in accordance with N.J.A.C 5:34-5 et seq.; and

**WHEREAS**, the City of Linden desires to take advantage of the increase bid threshold;

**NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LINDEN**, in the County of Union in the State of New Jersey hereby increases its bid threshold to \$44,000.00, and the quotation threshold to \$6,600.00; and

**BE IT FURTHER RESOLVED**, that the Governing Body hereby appoints Ann Marie Whelan as the Qualified Purchasing Agent to exercise the duties of a Purchasing Agent pursuant to N.J.S.A. 40A:11-2 (30), with specific relevance to the authority, responsibility, and accountability of the purchasing activity of the contracting units; and

**BE IT FURTHER RESOLVED**, that the City Council of the City of Linden designates to the Purchasing Agent and delegates to her the authority to act on behalf of the City of Linden and make,

negotiate, and award all contracts and goods and services which do not exceed the bid threshold of \$44,000.00 as provided for in N.J.S.A. 40:a 11-1 et seq.; and

**BE IT FURTHER RESOLVED**, that in accordance with N.J.A.C. 5:34-5.2 the local unit Clerk is hereby authorized and directed to forward a certified copy of this resolution and a copy of Ann Marie Whelan's certification to the Director of the Division of Local Government Services.

**RESOLUTION: 2021-27**

**RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE CITY OF ELIZABETH FOR LICENSE INSPECTORS FOR TAXICABS AND LIMOUSINE ENFORCEMENT**

**WHEREAS**, the City of Linden wishes to enter into a Shared Services Agreement with the City of Elizabeth to provide the City of Elizabeth's License Inspectors, on a part time basis, to assist in the enforcement of the City of Linden's taxicab and limousine codes; and

**WHEREAS**, the City of Linden has no license inspectors and has a need for the expertise of the City of Elizabeth's license inspectors; and

**WHEREAS**, it is not anticipated that the duties of any license inspectors operating in the City of Linden will interfere with the fulfillment of said inspectors' duties within the City of Elizabeth, and all costs associated with same shall be reimbursed to the City of Elizabeth; and

**WHEREAS**, based upon the cost savings benefit received by the City of Elizabeth under this Agreement, the Business Administrator recommends that it is in the best interests of the City of Elizabeth to enter into this Shared Services Agreement with the City of Linden; and

**WHEREAS**, the cost to the City of Linden for said services will be \$10,000.00 for the period of December 15, 2020 through December 14, 2021; 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/line item No. 1-01-42-341-325-271;

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

1. The Mayor and City Clerk are hereby authorized and directed to execute any and all necessary documents in order to effectuate the foregoing, as approved by the Law Department.
2. Said Agreement shall be for the period of December 15, 2020 through December 14, 2021, at a fee of \$10,000.00.
3. This Resolution shall take effect pursuant to law.

**RESOLUTION: 2021-28**

**A RESOLUTION CONFIRMING THE MAYOR'S APPOINTMENT OF ARMAND FIORLETTI AS MEMBER OF THE LINDEN ECONOMIC DEVELOPMENT CORPORATION OF THE CITY OF LINDEN**

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

Confirming Mayor Derek Armstead's appointment of Armand Fiorletti to the Linden Economic Development Corporation of the City of Linden as the Planning Board representative to serve for a term of one (1) years, commencing January 1, 2021 and terminating December 31, 2021 and until his successor shall have been appointed and shall have qualified.

**RESOLUTION: 2021-29**

**A RESOLUTION CONFIRMING THE MAYOR'S APPOINTMENT OF KATHY BURKE AS A MEMBER OF THE LINDEN ECONOMIC DEVELOPMENT CORPORATION OF THE CITY OF LINDEN**

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

Confirming Mayor Derek Armstead's appointment of Kathy Burke to the Linden Economic Development Corporation of the City of Linden as a representative of Linden's Business/Industrial Community to serve for a term of one (1) years, commencing January 1, 2021 and terminating December 31, 2021 and until his successor shall have been appointed and shall have qualified.

**RESOLUTION: 2021-30**

**A RESOLUTION CONFIRMING THE MAYOR'S APPOINTMENT OF NANCY SADLON A MEMBER OF THE LINDEN ECONOMIC DEVELOPMENT CORPORATION OF THE CITY OF LINDEN**

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

Confirming Mayor Derek Armstead's appointment of Nancy Sadlon to the Linden Economic Development Corporation of the City of Linden as a representative of the Linden Industrial Association to serve for a term of one (1) years, commencing January 1, 2021 and terminating December 31, 2021 and until her successor shall have been appointed and shall have qualified.

**RESOLUTION: 2021-31**

**A RESOLUTION APPOINTIN REBECCA KERNS TATTOLI A MEMBER**

**OF THE LINDEN ECONOMIC DEVELOPMENT CORPORATION OF  
THE CITY OF LINDEN**

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

That Rebecca Kerns Tattoli, a resident of the City of Linden, County of Union and State of New Jersey, shall be and she hereby is appointed a member of the Linden Economic Development Corporation of the City of Linden (Council Appointment) to serve a two-year term beginning January 1, 2021 and terminating December 31, 2022, and until her successor shall have been appointed and shall have qualified.

**RESOLUTION: 2021-32**

**A RESOLUTION APPOINTING JAMES MOORE A  
MEMBER OF THE LINDEN ECONOMIC DEVELOPMENT CORPORATION OF THE CITY OF LINDEN**

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

That James Moore, a resident of the City of Linden, County of Union and State of New Jersey, shall be and he hereby is appointed a member of the Linden Economic Development Corporation of the City of Linden (Council Appointment) to serve for the term of two (2) years, commencing January 1, 2021 and terminating December 31, 2022, and until her successor shall have been appointed and shall have qualified.

**RESOLUTION: 2021-33**

**RESOLUTION ACCEPTING THE RESIGNATION OF SAL RENNA AS AN ALTERNATE MEMBER  
OF THE ZONING BOARD OF ADJUSTMENT**

WHEREAS, Sal Renna, has submitted his resignation as an alternate member of the Linden Zoning Board of Adjustment, effective December 31, 2020.

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

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

**RESOLUTION: 2021-34**

**RESOLUTION ACCEPTING THE RESIGNATION OF ROBERT SADOWSKI AS A MEMBER  
OF THE BOARD OF HEALTH**

WHEREAS, Robert Sadowski, has submitted his resignation as a member of the Board of Health, effective December 8, 2020.

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

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

**RESOLUTION: 2021-35**

**RESOLUTION ACCEPTING THE RESIGNATION OF ROBERT SADOWSKI AS A MEMBER  
OF THE LOCAL ASSISTANCE BOARD**

WHEREAS, Robert Sadowski, has submitted his resignation as a member of the Local Assistance Board, effective December 8, 2020.

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

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

**RESOLUTION: 2021-36**

**RESOLUTION ACCEPTING MONETARY DONATION FROM CITGO PETROLEUM CORPORATION  
TO THE LINDEN FIRE DEPARTMENT**

**WHEREAS**, CITGO Petroleum Corporation, P.O. Box 4689, Houston, TX 77077 wishes to donate \$2,000.00 to the Linden Fire Department for Fire Prevention ; and

**WHEREAS**, the City of Linden is desirous of accepting the aforesaid donation.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF LINDEN** that the City of Linden shall accept the aforesaid donation; and

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk are hereby authorized to execute any and all documents, if necessary, to effectuate the foregoing as approved by the City of Linden Law Department.

**RESOLUTION: 2021-37**

**RESOLUTION ACCEPTING MONETARY DONATION FROM NuSTAR LOGISTICS, LP TO THE LINDEN FIRE DEPARTMENT**

**WHEREAS**, NuStar Logistics, LP, P.O. Box 781609, San Antonio, TX 78278-1609 wishes to donate \$5,000.00 to the Linden Fire Department for Fire Prevention ; and

**WHEREAS**, the City of Linden is desirous of accepting the aforesaid donation.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF LINDEN** that the City of Linden shall accept the aforesaid donation; and

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk are hereby authorized to execute any and all documents, if necessary, to effectuate the foregoing as approved by the City of Linden Law Department.

**RESOLUTION: 2021-38**

**RESOLUTION ACCEPTING MONETARY DONATION FROM WELDON MATERIALS TO THE LINDEN FIRE DEPARTMENT**

**WHEREAS**, WELDON MATERIALS, 141 Central Avenue, Westfield, NJ 07016 wishes to donate \$500.00 to the Linden Fire Department for Fire Prevention ; and

**WHEREAS**, the City of Linden is desirous of accepting the aforesaid donation.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF**

**THE CITY OF LINDEN** that the City of Linden shall accept the aforesaid donation; and

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk are hereby authorized to execute any and all documents, if necessary, to effectuate the foregoing as approved by the City of Linden Law Department.

**RESOLUTION: 2021-39**

**RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT THE CITY OF RAHWAY FOR BRINE**

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

**WHEREAS**, the City of Linden had previously paid the City of Rahway the sum of \$24,000.00, which is one-fifth of the total purchase price of said Automated Brine Maker, and the City of Linden will be responsible for one-fifth of any costs other than routine maintenance. (RESOLUTION 2019-160); and

**WHEREAS**, the City of Rahway anticipates no maintenance cost this year that the City of Linden would be responsible for one-fifth of any cost; and

**WHEREAS**, The City of Rahway has agreed to provide the necessary brine in the sum not to exceed \$1,000.00; and

**WHEREAS**, the Chief Financial Officer or his designee has certified to the availability of funds for this purpose, to be charged to Account No. 1-01-26-291-173-273; and

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that the Mayor and City Clerk be and hereby are directed and authorized to enter into a Shared Services Agreement, a copy of which is attached; and

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

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

**RESOLUTION: 2021-40**

**STATE CONTRACT RESOLUTION FOR MAINTENANCE SERVICES - POLICE & FIRE SYSTEMS FROM QUEUES ENFORTH DEVELOPMENT, INC. FOR 2021**

**WHEREAS**, the City of Linden wishes to obtain maintenance services for Police and Fire systems from an authorized vendor under the State of New Jersey contract A83889 awarded to Queues Enforth Development, Inc., 92 Montvale Avenue Suite 4350, Stoneham, MA 02180-3647 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**, Queues Enforth Development, Inc. has been awarded Contract No A83889 for the provision of radio communications accessories and service; 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 \$51,072.00 and,

**WHEREAS**, the Chief Finance Officer has certified the availability of funds for this contract, which will be charged to account number 1-01-20-110-107-272. .

**NOW THEREFORE BE IT RESOLVED** by the City of Linden that Queues Enforth Development, 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: 2020-41**

**CITY OF LINDEN RAT RESOLUTION**

**WHEREAS**, there were certain payments made by the Municipal Treasurer during the month of December 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>	
	12/1/2020	Payroll – 12/3	Payroll – Current	\$2,005,885.47
	12/1/2020	Payroll – 12/3	Payroll – Trust	\$134,755.92
	12/1/2020	Payroll – 12/3	Payroll – Grant	\$773.39
	12/1/2020	Payroll – 12/3	Payroll – Unemployment	\$143.43
	12/3/2020	Unity Bank	Worker’s Comp Claims 11/23 – 11/29	\$13,259.70
	12/8/2020	Benecard Services LLC	December Prescription Funding	\$131,932.70
	12/10/2020	Linden Board of Education	December Board of Ed. Payment	\$7,851,326.33
	12/10/2020	Linden Free Library	December Library Payment	\$170,731.64
	12/10/2020	Elavon, Inc.	December Merchant Fee – Dog Online	\$74.41
	12/10/2020	Elavon, Inc.	December Merchant Fee – Garage Sale	\$64.31
	12/10/2020	Unity Bank	Worker’s Comp Claims 11/30 – 12/6	\$9,395.34
178843	12/14/2020	Rahway Post Office	Postage for Recycling Calendar	\$2,550.00
	12/15/2020	NJ State Health Benefits	Health Claims – Active Bill	\$677,218.04
	12/15/2020	NJ State Health Benefits	Health Claims – Retiree Bill	\$400,154.43
	12/15/2020	Payroll 12/17	Payroll – Current	\$3,381,232.46
	12/15/2020	Payroll 12/17	Payroll – Trust	\$141,553.23
	12/15/2020	Payroll 12/17	Payroll – Grant	\$987.50
	12/15/2020	Payroll 12/17	Payroll – Unemployment	\$174.88
	12/22/2020	Unity Bank	Worker’s Comp Claims 12/7 – 12/13	\$26,170.67
	12/22/2020	Unity Bank	Worker’s Comp Claims 12/14 – 12/20	\$21,105.25
179422	12/22/2020	Crane, Charles Jr.	Second License Reimbursement	\$690.00
179423	12/22/2020	Genievich, Frank	Medicare Reimbursement	\$654.00
179424	12/22/2020	Leporino, Frank	Medicare Reimbursement	\$4,063.80
179425	12/22/2020	Pascack Data Services	Virtual VDI Access	\$9,219.44
179426	12/22/2020	Healthlink International	4 Gallon Fogger Disinfectant	\$892.28
179427	12/22/2020	Polly, Myra	Medicare Reimbursement	\$2,776.20
	12/28/2020	Unity Bank	Worker’s Comp Claims 12/21 – 12/27	\$23,293.34
179428	12/29/2020	A&M Industrial, Inc.	Non-Woven Wipes 160 Count	\$1,002.24
179429	12/29/2020	Medical Necessities Corp.	Disposable Face Mask – COVID	\$239.60
179430	12/29/2020	Dell Marketing	COVID Laptops	\$59,777.13
	12/29/2020	Payroll – 12/31	Payroll – Current	\$1,838,574.49
	12/29/2020	Payroll – 12/31	Payroll – Trust	\$125,423.70
	12/29/2020	Payroll – 12/31	Payroll – Grant	\$1,469.76
	12/29/2020	Payroll – 12/31	Payroll – Unemployment	\$149.32

**RESOLUTION: 2021-42**

**RESOLUTION AUTHORIZING THE CITY ENGINEER TO ACT AS THE CITY'S COUNCIL REPRESENTATIVE IN CONSENTING TO VARIOUS BUSINESSES SUBMITTING APPLICATIONS TO THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**WHEREAS**, Businesses in the City of Linden have to periodically submit applications to the New Jersey Department of Environmental Protection ("NJDEP"); and

**WHEREAS**, said applications require the consent of the Governing Body; and

**WHEREAS**, the City Engineer reviews all applications to ensure conformance with the requirements of all City ordinances.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN**, that Nicholas Pantina, City Engineer, or his successor, is hereby authorized as the representative of the City of Linden to fulfill all requirements of the application.

**BE IT FURTHER RESOLVED** that all applications shall be reported to the Engineering Committee and shall require no funds to be expended by the City.

**RESOLUTION: 2021-43**

**RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE LINDEN ROSELLE SEWERAGE AUTHORITY FOR SEWER COLLECTOR SERVICES**

**WHEREAS**, the City of Linden wishes to enter into a Shared Services Agreement with the Linden Roselle Sewerage Authority ("LSRA"), which would provide the City of Linden with a DEP Licensed Operator to operate and maintain the City of Linden's ("City") C-4 collection system; and

**WHEREAS**, the City will pay the LSRA \$12,000 for one year, payable at the rate of \$1,000 per month.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that the Mayor and City Clerk be and hereby are directed and authorized to enter into a Shared Services Agreement, a copy of which is attached; and

**WHEREAS**, the Finance Director has certified to the availability of funds for this purpose, to be charged to Account No. 1-01-20-165-124-255;

**BE IT FURTHER RESOLVED** that a duly executed copy of this Resolution be sent to the LSRA; and

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

**RESOLUTION: 2021-44**

**RESOLUTION APPOINTING CLEARY GIACOBBE ALFIERI JACOBS LLC TO SERVE AS SPECIAL COUNSEL FOR OPRA SERVICES**

**WHEREAS**, the City of Linden has a need for special counsel services with regard to OPRA; and  
**WHEREAS**, the firm Cleary Giacobbe Alfieri Jacobs, LLC, have submitted qualifications for said services for 2021; and

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

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

**WHEREAS**, the Chief Financial Officer or his designee has certified to the availability of funds for this purpose, to be charged to Account No. 1-01-20-120-103-255;

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

1. Cleary Giacobbe Alfieri Jacobs LLC shall serve as Special Counsel for the City of Linden as aforesaid and shall be paid a fee not to exceed \$17,500.00
2. This Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents between Cleary Giacobbe Alfieri Jacobs LLC and the City of Linden.
3. The Mayor and City Clerk are hereby authorized to execute all documents to effectuate the purposes herein above expressed.

**Resolution: 2021-45**

**RESOLUTION POSTHUMOUSLY RECOGNIZING ELIJAH JOHNSON, SR., FOR HIS MANY YEARS OF SERVICE AND DEDICATION TO THE CITY OF LINDEN AND THE ENTIRE LINDEN COMMUNITY**

**WHEREAS**, Elijah Johnson, Sr., was born and raised in Lee County, South Carolina. As a young adult, he relocated to Linden, New Jersey the City he would come call home for the rest of his life. From an early age, he demonstrated his ability and desire to help his community; and

**WHEREAS**, during his Senior Year of High School he would lead his football team onto the field and volunteered his time by driving the Number 5708 Bus which took younger children to school; and

**WHEREAS**, Elijah was employed by the refinery which is now formerly known as Philips 66 for over forty years. In addition to working full-time, Elijah Johnson, Sr., spent decades dedicating his time to the City of Linden and neighboring towns by providing housing and employment to many people through his entrepreneurial efforts. He also ran the infamous 1980's Club and Banquet Hall known as Linden Hall. Elijah would often throw impromptu BBQ's and Fish Fry's to support the community especially the senior citizens of Linden; and

**WHEREAS**, Elijah served as a member of the Linden Board of Education from April 1995 to April 1998, served as Chairman of the Committee dedicated to the annual celebration of Black History since 2011 and was an elected Union County Democratic Committee Member for the 5<sup>th</sup> Ward, 2<sup>nd</sup> District in the City of Linden for many years; and

**WHEREAS**, Councilwoman Rhashonna Cosby wishes to acknowledge Elijah Johnson, Sr., for his initiative and constant support of the residents of Linden and the residents of the Fifth Ward; and

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the City of Linden that they posthumously recognize Mr. Elijah Johnson, Sr. for his unsolicited efforts expressing the city's gratitude for his efforts in making Linden a better place. And that this Resolution be entered into the minutes of the Council of the City of Linden and that a copy be presented to the Family of Elijah Johnson, Sr., in permanent recognition of the foregoing.

**Resolution: 2021-46**

#### **RESOLUTION AWARDING A CONTRACT TO COMMUNITIES IN COOPERATION, INC.**

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

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

**WHEREAS**, the Chief Financial Officer or his designee has certified as to the availability of funds for this purpose will be charged to account #1-01-40-700-104-255; and

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

**NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN**, that the contract for professional services be and hereby awarded to Communities In Cooperation, Inc., 9-11 Crawford Street, Suite #3, Newark, NJ 07102 in accordance with their qualifications, in an amount not to exceed \$10,000 for the period of January 1, 2021 through March 31, 2021;

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

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

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

**RESOLUTION: 2021-47**

#### **RESOLUTION APPOINTING AN ASSISTANT MUNICIPAL ATTORNEY FOR A THREE-YEAR PERIOD**

**WHEREAS**, Assistant Municipal Attorneys shall be appointed by the City Council for a term of three (3) years and shall receive such compensation as shall be provided by ordinance and by further resolution of the Council;

**BE IT FURTHER RESOLVED** that **MOHAMED JALLOH**, an Attorney at Law of the State of New Jersey, shall be and hereby is appointed Assistant Municipal Attorney of the City of Linden for a term of three (3) years, commencing January 1st, 2021 and terminating December 31st, 2023, and until his successor or successors has been appointed and qualified, and that a residency requirement waiver is herein granted.

**RESOLUTION: 2021-48**

#### **A RESOLUTION CONFIRMING THE APPOINTMENT AND DESIGNATION OF CHIEF JUDGE OF THE MUNICIPAL COURT OF THE CITY OF LINDEN**

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

That the appointment made by DEREK ARMSTEAD, Mayor, with the advice and consent of this body as provided by law and in accordance with N.J.S.A. 2B:12-8, of **CASSANDRA CORBETT**, to serve as Chief Municipal Judge of the Municipal Court of the City of Linden, commencing as of the date of this resolution and appointing **CASSANDRA CORBETT** to serve as Municipal Judge of the Municipal Court of the City of Linden, for a term of three (3) years, commencing February 22, 2021 and terminating February 21, 2024 and until her successor is appointed and qualifies, shall be and the same is hereby confirmed. The Chief Judge shall be paid a salary of \$85,256.00 per year, subject to increases as may be granted to Department heads, with no benefits.

**RESOLUTION: 2021-49**

**RESOLUTION APPOINTING MICHELLE WELSH, ESQ. AS  
ASSISTANT PUBLIC DEFENDER**

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

That **MICHELLE WELSH, ESQ.**, an Attorney at Law of the State of New Jersey, is appointed to serve as Municipal Public Defender for a one-year term commencing January 1, 2021 and terminating December 31, 2021, until her successor is appointed and qualifies at A salary of \$33,000.00, subject to annual increases that may be granted to members of the Linden Supervisors Association, and that a residency requirement waiver is herein granted.

**RESOLUTION: 2021-50**

**RESOLUTION PROVIDING AN EMPLOYEE ASSISTANCE  
PROGRAM FOR THE CITY OF LINDEN**

**WHEREAS**, there exists a need in the City of Linden for the retention of extraordinary unspecifiable services relative to providing an employee assistance program for the City of Linden; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the Resolution authorizing the award of contracts for "Extraordinary, Unspecifiable Services" without competitive bids and the contract itself must be available for public inspection; and

**WHEREAS**, this service qualifies as an extraordinary unspecifiable service under the rules of the Division of Local Government Services as contained in N.J.A.C. 5:34-2.1 et seq. and is certified as an extraordinary unspecifiable service in accordance with the requirements thereof; and

**WHEREAS**, the Chief Financial Officer or his designee has certified as to the availability of funds for this purpose, as attached hereto, which will be charged to account/line item No. 1-01-20-105-105-274; and

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

1. Trinitas Physicians Practice, LLC, having offices at 300 North Avenue East, Cranford, New Jersey 07016 is hereby engaged to provide an employee assistance program to the City of Linden for a period commencing January 1, 2021 to December 31, 2021 at a cost not to exceed \$13,560.00.
2. The Mayor and City Clerk are hereby authorized to execute an agreement with Trinitas Physicians Practice, LLC for the aforesaid purposes.
3. This contract is awarded without competitive bidding as an "Extraordinary Unspecifiable Service" in accordance with N.J.S.A. 40A:11-5(1) (a) of the Local Public Contracts Law because Physicians Health has a proven reputation in the field of providing employee assistance programs.
4. A notice of this action shall be published in accordance with applicable law.

**Resolution: 2021-51**

**RESOLUTION ENGAGING AHS HOSPITAL CORP FOR MEDICAL SERVICES FOR 2021**

**WHEREAS**, there exists within the City of Linden the need for Medical Services relative to the conducting of fitness for duty examinations and pre-employment examinations for new employees; and examination of drivers holding a Commercial Driving License, for the year 2021; 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**, AHS Hospital Corp., submitted a qualification to the City and has qualified for the aforesaid services for the year 2021; and

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

**WHEREAS**, the Chief Financial Officer has certified to the availability of funds for this purpose, to be charged to Account Nos. 1-01-27-332-313-272, 1-01-20-105-105-272, 1-01-20-105-105-273, 1-01-20-105-105-271 and 1-01-20-105-105-270;

**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 AHS Hospital Corp., 475 South Street, Morristown, New Jersey 07962, for the following assignments: random drug testing, which is not covered under stipend for police and fire physician, at a fee not to exceed \$10,000.00; pre-employment examinations for new employees for a total not to exceed \$5,000.00 for the examination of drivers holding a C.D.L. for the year 2020 for a total not to exceed \$15,000.00; and for other medical examinations as required, other than those covered under this resolution and/or his appointment as the physician to the Police and Fire Departments and as MRO (Medical Review Officer) for the City of Linden, and all medical

services under this agreement will be rendered at MultiCare Industrial Medicine, located at 100 Commerce Place, Clark, New Jersey 07066; and

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

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

**RESOLUTION: 2021-52**

**RESOLUTION APPROVING DENTAL PLAN  
FOR THE CITY OF LINDEN**

**WHEREAS**, the City of Linden elects to provide a benefit program to its employees in the area of Dental Care for a period commencing January 1, 2021 to December 31, 2021; and

**WHEREAS**, the Chief Financial Officer has certified as to the availability of funds for this purpose, which will be charged to account/line No. 1-01-23-220-141-272, as attached hereto, subject to the approval of the 2020 budget; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for "Extraordinary, Unspecifiable Services" without competitive bids and the contract itself must be available for public inspection; and

**WHEREAS**, the Chairman of the Insurance Commission has certified that this meets the statute and regulations governing the award of said contracts;

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

1. That RD Parisi Associates is hereby named as Brokers of Record for Dental Insurance Coverage.
2. That Delta Dental of New Jersey shall be and hereby are engaged to provide dental coverage on a fully insured basis for the City of Linden employees at a cost not to exceed \$525,000.00 per year.
3. This contract is awarded without competitive bidding as an "Extraordinary, Unspecifiable Service" in accordance with N.J.S.A. 40A:11-5 (1) (a) (m) of the Local Public Contracts Law because the firm of Delta Dental of New Jersey offers the City of Linden extensive administrative experience in the field of dental services. The quotations offered for services were the most favorable quotations affording the most coverage and lowest administrative fee for the best interests of the City of Linden.
4. A notice of this action shall be published in accordance with applicable law.

**RESOLUTION: 2021-53**

**RESOLUTION APPOINTING FAIRVIEW INSURANCE AGENCY ASSOCIATES, INC. AS PUBLIC RISK  
MANAGER FOR THE CITY OF LINDEN**

**WHEREAS**, the City of Linden wishes to appoint Risk Manager for the period of January 1, 2021 to December 31, 2021; 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**, Fairview Insurance Agency Associates, Inc. have submitted a qualification to the City and have qualified for the aforesaid services; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for "Extraordinary, Unspecifiable Services" without competitive bids and the contract itself must be available for public inspection; and

**WHEREAS**, the City Attorney has certified that this meets the statute and regulations governing the award of said contracts;

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

1. That Fairview Insurance Agency Associates, Inc. is awarded without competitive bidding as an "Extraordinary, Unspecifiable Service" in accordance with N.J.S.A. 40A:11-5 (1) (m) of the Local Public Contracts Law to provide Risk Manager services.
2. A notice of this action shall be published in accordance with applicable law.

**RESOLUTION: 2021-54**

**RESOLUTION APPOINTING INSURANCE BROKER FOR EMPLOYEE MEDICAL, PRESCRIPTION  
AND VOLUNTARY BENEFITS**

**WHEREAS**, the City of Linden wishes to appoint an insurance broker for employee medical, prescription and voluntary benefits January 1, 2021 to December 31, 2021; 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**, Fairview Insurance Agency Associates, Inc. have submitted a qualification to the City and have qualified for the aforesaid services; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for "Extraordinary, Unspecifiable Services" without competitive bids and the contract itself must be available for public inspection; and

**WHEREAS**, the City Attorney has certified that this meets the statute and regulations governing the award of said contracts;

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

1. That Fairview Insurance Agency Associates, Inc. is awarded without competitive bidding as an "Extraordinary, Unspecifiable Service" in accordance with N.J.S.A. 40A:11-5 (1) (m) of the Local Public Contracts Law to provide employee medical, prescription and voluntary benefits.

2. A notice of this action shall be published in accordance with applicable law.

**RESOLUTION: 2021-55**

**RESOLUTION AUTHORIZING A VOLUNTARY FURLOUGH PROGRAM  
TO THE CITY OF LINDEN EMPLOYEES**

WHEREAS, the City is under budgetary restraints for the period January 1, 2021 through December 31, 2021; and

WHEREAS, NJAC 4A:8-1.2 permits employees to voluntarily request temporary furloughs; and

WHEREAS, it is in the interests of the City to continue to offer the voluntary furlough program to its employees and to approve said furlough requests on a case by case basis at the discretion of the City Council; and

WHEREAS, the City will continue to make regular pension payments to employees whose requests for voluntary furloughs are approved.

NOW THEREFORE BE IT RESOLVED, that the City Council authorizes the City's Division of Personnel to draft and submit a voluntary furlough plan to the Civil Service Commission in the interest of economy for the period January 1, 2021 through December 31, 2021. Said plan is to be drafted for each City department, with the exception of non-emergency services personnel.

**RESOLUTION: 2021-56**

**RESOLUTION AUTHORIZING A MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF LINDEN BOARD OF HEALTH AND THE NEW JERSEY MEDICAL SCHOOL GLOBAL TUBERCULOSIS INSTITUTE AT RUTGERS BIOMEDICAL AND HEALTH SCIENCES (RBHS) FOR 2021 FOR TB SERVICES**

**WHEREAS**, the City of Linden is desirous of entering into a Memorandum of Agreement with the New Jersey Medical School Global Tuberculosis Institute at Rutgers Biomedical and Health Sciences (RBHS) for TB services; and

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

**WHEREAS**, funds are available for this purpose, to be charged to account/line item No. **1-01-27-330-183-255**;

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

1. The City of Linden and the Linden Health Department hereby approve the Memorandum of Agreement between the City of Linden and the New Jersey Medical School Global Tuberculosis Institute at Rutgers Biomedical and Health Sciences (RBHS) providing for TB Services, attached hereto and made a part hereof, at a fee not to exceed \$6,967.40.

2. The Mayor and City Clerk be and hereby are directed, empowered and authorized to execute said Agreement on behalf of the City of Linden.

3. This Resolution shall take effect pursuant to law.

**RESOLUTION: 2021-57**

**A RESOLUTION CONFIRMING THE APPOINTMENT  
OF AN ASSOCIATE MUNICIPAL JUDGE OF THE MUNICIPAL  
COURT OF THE CITY OF LINDEN**

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

That the appointment made by DEREK ARMSTEAD, Mayor, with the advice and consent of this body as provided by law, of **SUSAN MACMILLAN**, to serve as Associate Municipal Judge of the Municipal Court of the City of Linden, for a term of three (3) years, commencing January 20, 2021 and terminating January 19, 2024 and until her successor is appointed and qualifies, shall be and the same is hereby confirmed; and

**BE IT FURTHER RESOLVED THAT** due to the qualifications required for the position, and due to the qualifications and experience of **SUSAN MACMILLAN** that a residency requirement waiver is herein granted; and

**BE IT FURTHER RESOLVED THAT** the Associate Judge shall be paid a salary of \$72,500.00 per year, subject to annual increases that may be granted to the Supervisors Association members, for 3 court sessions a week, with no benefits.

**RESOLUTION: 2021-58**

**A RESOLUTION APPOINTING JOSEPH CHROBAK TO THE UNION COUNTY TRANSPORTATION ADVISORY BOARD**

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

Section 1. That the City of Linden hereby appoints **JOSEPH CHROBAK**, as the City of Linden's alternate member to the Union County Transportation Advisory Board for a (1) one-year term commencing January 1, 2021 and terminating December 31, 2021 until his successor has been appointed and qualifies.

Section 2. That the City Clerk of the City of Linden shall certify a copy of this Resolution and cause it to be filed with the Bureau of Transportation Planning, Department of Economic Development, Union County Administration Building, 3<sup>rd</sup> Floor, Elizabethtown Plaza, Elizabeth, New Jersey 07207.

**RESOLUTION: 2021-59**

**A RESOLUTION APPOINTING NICHOLAS PANTINA TO THE UNION COUNTY TRANSPORTATION ADVISORY BOARD**

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

Section 1. That the City of Linden hereby appoints **NICHOLAS PANTINA**, as the City representative to the Union County Transportation Advisory Board for a (1) one-year term commencing January 1, 2021 and terminating December 31, 2021 until his successor has been appointed and qualifies.

Section 2. That the City Clerk of the City of Linden shall certify a copy of this Resolution and cause it to be filed with the Bureau of Transportation Planning, Department of Economic Development, Union County Administration Building, 3<sup>rd</sup> Floor, Elizabethtown Plaza, Elizabeth, New Jersey 07207.

**RESOLUTION: 2021-60**

**RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE HOUSING AUTHORITY FOR THE CITY OF LINDEN FOR FUEL SERVICE**

**WHEREAS**, the City of Linden ("City") desires to sell and the Housing Authority for the City of Linden ("LHA") desires to buy fuel for LHA vehicles; and

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that the Mayor and City Clerk be and hereby are directed and authorized to enter into a Shared Services Agreement, attached, subject to further modification by the parties, with the LHA for the aforementioned fuel services for calendar year 2021; and

**BE IT FURTHER RESOLVED** that a duly executed copy of this Resolution be forwarded to Ann J. Ferguson, Executive Director of the LHA; and

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

**RESOLUTION: 2021-61**

**RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT WITH LINDEN BOARD OF EDUCATION FOR FUEL SERVICE**

**WHEREAS**, the City of Linden ("City") desires to sell and the Linden Board of Education ("BOE") desires to buy fuel for BOE vehicles; and

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that the Mayor and City Clerk be and hereby are directed and authorized to enter into a Shared Services Agreement, attached, subject to further modification by the parties, with the BOE for the aforementioned fuel services for calendar year 2021; and

**BE IT FURTHER RESOLVED** that a duly executed copy of this Resolution be forwarded to Kathleen Gaylord, Business Administrator of the BOE; and

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

**RESOLUTION: 2021-62**

**RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT WITH LINDEN FREE LIBRARY FOR FUEL SERVICE**

**WHEREAS**, the City of Linden ("City") desires to sell and the Linden Free Library ("LFL") desires to buy fuel for LFL vehicles; and

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that the Mayor and City Clerk be and hereby are directed and authorized to enter into a Shared Services Agreement, attached, subject to further modification by the parties, with the LFL for the aforementioned fuel services for calendar year 2021; and

**BE IT FURTHER RESOLVED** that a duly executed copy of this Resolution be forwarded to the LFL; and

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

**RESOLUTION: 2021-63**

**RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT WITH LINDEN ROSELLE SEWERAGE AUTHORITY FOR FUEL SERVICE**

**WHEREAS**, the City of Linden ("City") desires to sell and the Linden Roselle Sewerage Authority ("LRSA") desires to buy fuel for LSRA vehicles; and

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that the Mayor and City Clerk be and hereby are directed and authorized to enter into a Shared Services Agreement, attached, subject to further modification by the parties, with the LSRA for the aforementioned fuel services for calendar year 2021; and

**BE IT FURTHER RESOLVED** that a duly executed copy of this Resolution be forwarded to David Brown, Executive Director of the LSRA; and

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

**RESOLUTION: 2021-64**

**RESOLUTION APPROVING A CONTRACT WITH RICCI PLANNING FOR ON -CALL PLANNING SERVICES**

**WHEREAS**, there exists a need for on-call Planning Services relative to redevelopment studies, amendments to City Ordinances, studies to create Special Improvement District as well as consultation on upcoming projects and associated meetings; and

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

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

**WHEREAS**, Ricci Planning submitted a qualification to the City and has qualified for the aforesaid services for 2021; and

**WHEREAS**, the Chief Financial Officer has certified to the availability of funds for this purpose, to be charged to Account No. 1-01-20-165-124-256.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that a contract for Professional Services be and hereby is awarded to Ricci Planning, 177 Monmouth Avenue, Atlantic Highlands, NJ 07716, at a fee not to exceed \$40,000.00, in accordance with their proposal dated September 28, 2020; and

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

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

**RESOLUTION: 2021-65**

**RESOLUTION APPROVING THE AWARD OF A CONTRACT TO CROSSROADS PAVING FOR THE 2019 NJDOT STATE AID RESURFACING OF SUMMIT TERRACE, NORTH PARK AVENUE, PENNSYLVANIA AVENUE, WEST TWENTIETH STREET AND MARION AVENUE IN THE CITY OF LINDEN**

**WHEREAS**, sealed bids were received by the Purchasing Agent on December 22, 2020 for the 2019 NJDOT State Aid Resurfacing of Summit Terrace, N. Park Avenue, Pennsylvania Avenue, W. Twentieth Street and Marion 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/line item No. C-04-55-901-703-919; and

**WHEREAS**, Crossroads Paving, 286 South Street, Suite 169, Newark, NJ 07105 was the lowest responsible bidder at their bid of \$501,562.50; and

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

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

1. The Council of the City of Linden hereby recommends to the New Jersey Department of Transportation that the contract for the 2019 NJDOT State Aid Resurfacing of Summit Terrace, N. Park

Avenue, Pennsylvania Avenue, W. Twentieth Street and Marion Avenue in the City of Linden, County of Union be awarded to Crossroads Paving whose bid amounted to \$501,562.50, subject to the approval of the Department.

2. This Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents between Crossroads Paving and the City of Linden.

3. The Mayor and City Clerk are hereby authorized to execute all documents to effectuate the purposes herein above expressed.

**RESOLUTION: 2021-66**

**RESOLUTION APPROVING THE AWARD OF A CONTRACT TO  
CROSSROADS PAVING FOR THE 2020 NJDOT STATE AID RESURFACING OF ORCHARD  
TERRACE, WEST LINDEN AVENUE, WEST CURTIS STREET AND McCANDLESS STREET IN THE  
CITY OF LINDEN**

**WHEREAS**, sealed bids were received by the Purchasing Agent on December 22, 2020 for the 2020 NJDOT State Aid Resurfacing of Orchard Terrace, W. Linden Avenue, W. Curtis Street and McCandless Street 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/line item No. C-04-55-901-733-919; and

**WHEREAS**, Crossroads Paving, 286 South Street, Suite 169, Newark, NJ 07105 was the lowest responsible bidder at their bid of \$633,290.50; and

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

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

1. The Council of the City of Linden hereby recommends to the New Jersey Department of Transportation that the contract for the 2020 NJDOT State Aid Resurfacing of Orchard Terrace, W. Linden Avenue, W. Curtis Street and McCandless Street in the City of Linden, County of Union be awarded to Crossroads Paving whose bid amounted to \$633,290.50, subject to the approval of the Department.

2. This Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents between Crossroads Paving and the City of Linden.

3. The Mayor and City Clerk are hereby authorized to execute all documents to effectuate the purposes herein above expressed.

**RESOLUTION: 2021-67**

**RESOLUTION AUTHORIZING A CONTRACT WITH DYNAMIC TESTING SERVICE FOR EMPLOYEE  
DRUG AND ALCOHOL TESTING**

**WHEREAS**, Dynamic Testing Service submitted a proposal dated March 11, 2019 for employee alcohol and drug testing; and

**WHEREAS**, it is the best interests of the City of Linden to utilize Dynamic Testing Service to assist the City in the administration of its Employee Drug and Alcohol Policy; and

**WHEREAS**, funds will be made available for this purpose to be charged to Account No. 1-01-20-105-105-271.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** the City hereby authorizes Dynamic Testing Service to provide drug and alcohol testing services in accordance with their proposal dated March 11, 2019 at fee not to exceed \$12,000.00; and

**RESOLUTION: 2021-68**

**RESOLUTION APPOINTING ANDREW BENO  
A MEMBER OF THE  
ZONING BOARD OF ADJUSTMENT**

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

That **Andrew Beno** residing in the City of Linden, New Jersey, be and he hereby is appointed as Member of the Zoning Board of Adjustment of the City of Linden for a four year term commencing on January 1, 2020 and terminating December 31, 2023, and until his successor is duly appointed and qualifies.

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

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

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

This resolution shall take effect immediately.

**RESOLUTION: 2021-69**

**RESOLUTION APPOINTING EDWARD STANCH  
A MEMBER OF THE  
ZONING BOARD OF ADJUSTMENT**

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

That **Edward Stanch**, residing in the City of Linden, New Jersey, be and he hereby is appointed as Member of the Zoning Board of Adjustment of the City of Linden for a four year term commencing on January 1, 2021 and terminating December 31, 2024, and until his successor is duly appointed and qualifies.

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

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

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

This resolution shall take effect immediately.

**RESOLUTION: 2021-70**

**RESOLUTION APPOINTING DANIEL YAMAKAITIS  
A MEMBER OF THE  
ZONING BOARD OF ADJUSTMENT**

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

That **Daniel Yamakaitis**, residing in the City of Linden, New Jersey, be and he hereby is appointed as Member of the Zoning Board of Adjustment of the City of Linden for a four year term commencing on January 1, 2021 and terminating December 31, 2024, and until his successor is duly appointed and qualifies.

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

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

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

This resolution shall take effect immediately.

**RESOLUTION: 2021-71**

**RESOLUTION APPOINTING HANS HERBERG  
AS ALTERNATE #1 MEMBER OF THE  
ZONING BOARD OF ADJUSTMENT**

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

That **Hans Herberg**, residing in the City of Linden, New Jersey, be and he hereby is appointed as the Alternate #1 Member of the Zoning Board of Adjustment of the City of Linden for a two year term commencing on January 1, 2020 and terminating December 31, 2021, and until his successor is duly appointed and qualifies.

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

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

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

This resolution shall take effect immediately.

**RESOLUTION: 2021-72**

**A RESOLUTION APPOINTING RHASHONNA COSBY A MEMBER  
OF THE LINDEN BOARD OF ALCOHOLIC BEVERAGE CONTROL**

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN**, that Rhashonna Cosby a resident of the City of Linden, be and she is hereby appointed a member of the Linden Board of Alcoholic Beverage Control, to serve a three-year term beginning June 5, 2020 and terminating June 4, 2023 and until her successor is appointed and qualifies.

**BE IT FURTHER RESOLVED** that said member shall perform all of the duties of said office in pursuance to an act entitled, "AN ACT CONCERNING ALCOHOLIC BEVERAGES" and of a resolution of

this Council establishing a Municipal Board of Alcoholic Beverage Control, adopted June 6, 1934, and the respective amendments thereof and supplements thereto.

**RESOLUTION: 2021-73**

**RESOLUTION APPOINTING SPECIAL COUNSEL**

**WHEREAS**, the City Council of the City of Linden has previously determined to retain the services of Special Counsel to represent the City of Linden in Linden Democratic Committee v. City of Linden, et al., and other matters as assigned to Special Counsel by the City Attorney from time to time; 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**, Aloia Law Firm, LLC has submitted a qualification to the City and has qualified for the aforesaid services; and

**WHEREAS**, since professional legal services are rendered or performed by persons authorized by law to practice a recognized profession and whose practice is regulated by the laws of the State of New Jersey; the Local Public Contracts Law (N.J.S. 40A:11-1 et seq.) permits the award of a contract therefore as a Professional Service without competitive bidding; and

**WHEREAS**, the Finance Director has certified to the availability of funds for this purpose, to be charged to Account No. 1-01-20-155-123-255;

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

1. That the Aloia Law Firm, LLC, be and is hereby retained as Special Counsel.
2. The Mayor and City Clerk are hereby authorized and directed to execute an Agreement with the Aloia Law Firm, LLC setting forth the terms and conditions of the legal services to be rendered.
3. This contract is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law as a contract for professional services may be awarded without competitive bidding, pursuant to N.J.S. 40A:11-5 (1) (a).
4. For the services hereinabove described the Aloia Law Firm, LLC shall be awarded an agreement in the amount of \$10,000.00 for the calendar year 2021. The City shall not be liable for payment of any monies exceeding the contract price stated herein unless additional funds are approved by the governing body and the contract amended in accordance with applicable law.
5. A notice of this action shall be published in accordance with applicable law.

**RESOLUTION: 2021-74**

**RESOLUTION AUTHORIZING SUBSTITUTE MUNICIPAL PROSECUTORS FOR LINDEN MUNICIPAL COURT FOR 2021**

**WHEREAS**, there is a need from time to time to appoint a substitute Prosecutor to fill in for the Chief Prosecutor or Assistant Prosecutor as a result of a vacation, sick or personal day; and

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

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

**WHEREAS**, the Treasurer has certified to the availability of funds for this purpose, to be charged to Account No. 1-01-20-155-123-255;

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

The above named attorneys are approved to provide Substitute Prosecutor services, when authorized by the City Attorney or his designee.

This Resolution shall take effect pursuant to law.

**RESOLUTION: 2021-75**

**RESOLUTION AWARDING CONTRACT TO APRUZZESE, MCDERMOT, MASTO & MURPHY, P.C.  
FOR SPECIAL LABOR COUNSEL SERVICES ON AN AS NEEDED BASIS AS DETERMINED BY THE  
CITY ATTORNEY FOR 2021**

**WHEREAS**, the City Council of the City of Linden has determined that it would be advisable and in the best interests of the City to retain the services of Professional Services to represent the City of Linden, and to render legal advice and assistance to the city and to the City Attorney; 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**, Apruzzese, McDermot, Mastro & Murphy, P.C submitted a qualification to the City and has qualified for the aforesaid services; and

**WHEREAS**, since professional legal services are rendered or performed by persons authorized by law to practice a recognized profession and whose practice is regulated by the laws of the State of New Jersey; the Local Public Contracts Law (N.J.S. 40A:11-1 et seq.) permits the award of a contract therefore as a Professional Service without competitive bidding; and

**WHEREAS**, the Finance Director has certified to the availability of funds for this purpose, to be charged to Account No. **1-01-20-155-123-255**;

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

1. That the law firm of Apruzzese, McDermot, Mastro & Murphy, P.C., Attorneys at Law of the State of New Jersey be and is hereby retained as Special Labor Counsel to the City on an as needed basis as determined by the City Attorney.
2. The Mayor and City Clerk are hereby authorized and directed to execute an Agreement with Apruzzese, McDermot, Mastro & Murphy, P.C setting forth the terms and conditions of the legal services to be rendered.
3. This contract is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law as a contract for professional services may be awarded without competitive bidding, pursuant to N.J.S. 40A:11-5 (1) (a).
4. For the services hereinabove described as Apruzzese, McDermot, Mastro & Murphy, P.C. shall be awarded an agreement in the amount of **\$15,000.00** for the calendar year 2021. The City shall not be liable for payment of any monies exceeding the contract price stated herein unless additional funds are approved by the governing body and the contract amended in accordance with applicable law.
5. A notice of this action shall be published in accordance with applicable law.

**RESOLUTION: 2020-76**

**RESOLUTION APPROVING THE AWARD OF A CONTRACT TO APPRAISAL CONSULTANTS CORP.  
FOR REAL ESTATE APPRAISER SERVICES FOR STATE COURT TAX APPEALS FOR 2021**

**WHEREAS**, it is necessary to hire a real estate appraiser who is a member of the Appraisal Institute (M.A.I.) in order to defend the City of Linden on all industrial and commercial tax appeals filed before the Union County Board of Taxation for 2020 and also new and pending cases before the Tax Court of New Jersey; and

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

**WHEREAS**, Appraisal Consultants Corp. 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**, the Chief Financial Officer or his designee has certified to the availability of funds for this purpose, to be charged to Account No. 1-01-20-156-117-272;

**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 Appraisal Consultants Corp., Real Estate Appraisers and Consultants, Presidential Center, 293 Eisenhower Parkway, Suite 200, Livingston, New Jersey 07039; and

**BE IT FURTHER RESOLVED** the terms of said agreement shall be for a period of one year at a fee not to exceed \$12,500.00; and

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

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

**RESOLUTION: 2021-77**

**RESOLUTION AWARDING A CONTRACT WITH MCMANIMON, SCOTLAND & BAUMANN AS  
SPECIAL REDEVELOPMENT COUNSEL TO REPRESENT THE CITY IN REDEVELOPMENT  
MATTERS AND OTHER MATTERS**

**WHEREAS**, the City of Linden has a need for to hire McManimon, Scotland & Baumann, LLC, as Special Redevelopment Counsel representing the City in various redevelopment matters and other matters pending in the City of Linden, as assigned by the City Attorney; 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**, McManimon, Scotland & Baumann, LLC submitted a qualification to the City and has qualified for the aforesaid services for 2021; and

**WHEREAS**, the Chief Financial Officer has certified to the availability of funds for this purpose, to be charged as follows: 1-01-20-155-123-255

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that they do hereby approve an amount not to exceed \$50,000.00 for services rendered by McManimon, Scotland & Baumann, LLC.; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary amendatory contract documents between McManimon, Scotland & Baumann, LLC 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 for Professional Services consistent with the above; and

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

**RESOLUTION: 2021-78**

**RESOLUTION APPROVING THE AWARD OF A CONTRACT TO SOCKLER REALTY GROUP FOR REAL ESTATE APPRAISER SERVICES FOR STATE COURT TAX APPEALS FOR 2021**

**WHEREAS**, it is necessary to hire a real estate appraiser who is a member of the Appraisal Institute (M.A.I.) in order to defend the City of Linden on all industrial and commercial tax appeals filed before the Union County Board of Taxation for 2021 and also new and pending cases before the Tax Court of New Jersey; and

**WHEREAS**, Sockler Realty Group 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**, the Chief Financial Officer or his designee has certified to the availability of funds for this purpose, to be charged to Account No. 1-01-20-156-117-272;

**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 Sockler Realty Group, 299 Ward Street, Suite C, Hightstown, New Jersey 08520; and

**BE IT FURTHER RESOLVED** the terms of said agreement shall be for a period of one year at a fee not to exceed \$12,500.00; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents between Sockler Realty Group 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 Sockler Realty Group, to effectuate the foregoing; and

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

**RESOLUTION: 2021-79**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDEN, COUNTY OF UNION, NEW JERSEY DESIGNATING THE PROPERTY COMMONLY KNOWN AS BLOCK 51, LOTS 1, 2, 3, 4, 5, 6, 32, 33 AND 34 (A/K/A 1204-1222 EAST SAINT GEORGES AVENUE AND 1201-1213 UNION STREET) ON THE CITY TAX MAP AS AN 'AREA IN NEED OF REDEVELOPMENT' (WITHOUT CONDEMNATION) 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 (the "**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**, on August 18, 2020, the City Council adopted Resolution 2020-267, authorizing and directing the Planning Board to conduct an investigation of the property commonly known as Block 51, Lots 1, 2, 3, 4, 5, 6, 32, 33 and 34 (a/k/a 1204-1222 East Saint Georges Avenue and 1201-1213 Union Street) on the tax maps of the City (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 providing that a redevelopment area determination would authorize the City and City Council to use all those powers permitted by the Redevelopment Law, other than the power of eminent domain; and

**WHEREAS**, on December 9, 2020, the Planning Board, after providing due notice, conducted a public hearing in accordance with the Redevelopment Law and determined that the Study Area qualified as an area in need of redevelopment and recommended that the City Council designate the Study Area as an area in need of redevelopment pursuant to the criteria and requirements of the Redevelopment Law; and

**WHEREAS**, the City Council has determined that, based upon the recommendations of the Planning Board, the Study Area should be designated an area in need of redevelopment under the Redevelopment Law, such designation authorizing the City and City Council to use all those powers provided by the Redevelopment Law for use in a redevelopment area, other than the power of eminent domain; and

**WHEREAS**, pursuant to *N.J.S.A. 40A:12A-7(f)*, the City Council further directs the Planning Board to prepare a redevelopment plan for the Study Area, and to take any action necessary to effectuate its review of same so that a recommendation may be made to the City Council.

**NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL 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 recommendations and conclusions of the Planning Board are hereby accepted by the City Council.

Section 3. Based upon the findings and recommendations of the Planning Board, the Study Area is hereby designated an area in need of redevelopment other than the power of eminent domain pursuant to the provisions of Sections 5 and 6 of the Redevelopment Law (the "**Non-Condemnation Redevelopment Area**").

Section 4. The City Council directs the Planning Board to prepare a redevelopment plan for the Study Area, and to take any action necessary to effectuate its review of same so that a recommendation may be made to the City Council.

Section 5. The City Clerk is hereby directed to transmit a copy of this Resolution to the Commissioner of the New Jersey Department of Community Affairs for review pursuant to Section 6(b)(5) of the Redevelopment Law.

Section 6. The City Clerk is hereby directed to serve, within ten (10) days hereof, a copy of this Resolution upon (i) all record owners of property located within the Non-Condemnation Redevelopment Area, as reflected on the tax assessor's records, and (ii) each person who filed a written objection prior to the hearing held by the Planning Board, service to be in the manner provided by Section 6 of the Redevelopment Law.

Section 7. This Resolution shall take effect immediately.

**RESOLUTION: 2021-80**

**RESOLUTION APPOINTING FLORIO KENNY RAVAL, LLP AS SPECIAL COUNSEL TO HANDLE MATTERS AS ASSIGNED BY THE CITY ATTORNEY**

**WHEREAS**, the City Council of the City of Linden has determined to retain as special counsel to handle matters as assigned by the City Attorney; 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**, Florio Kenny Raval, LLP has submitted a qualification to the City and has qualified for the aforesaid services; and

**WHEREAS**, since professional legal services are rendered or performed by persons authorized by law to practice a recognized profession and whose practice is regulated by the laws of the State of New Jersey; the Local Public Contracts Law (*N.J.S. 40A:11-1 et seq.*) permits the award of a contract therefore as a Professional Service without competitive bidding; and

**WHEREAS**, the Finance Director has certified to the availability of funds in the amount of \$15,000 for this purpose, to be charged to Account No. **1-01-20-155-123-255**;

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

1. That the Florio Kenny Raval, LLP, be and is hereby retained as Special Counsel to handle matters as assigned by the City Attorney.
2. The Mayor and City Clerk are hereby authorized and directed to execute an Agreement with the Florio Kenny Raval, LLP setting forth the terms and conditions of the legal services to be rendered.

3. For the services hereinabove described the Florio Kenny Raval, LLP shall be awarded an agreement in the amount of \$15,000.00 for the calendar year 2021. The City shall not be liable for payment of any monies exceeding the contract price stated herein unless additional funds are approved by the governing body and the contract amended in accordance with applicable law.

5. A notice of this action shall be published in accordance with applicable law.

**RESOLUTION: 2021-81**

**RESOLUTION APPROVING A CONTRACT TO INGLESINO, WEBSTER, WYCISKALA & TAYLOR, LLC FOR AVIATION COUNSEL SERVICES FOR 2021**

**WHEREAS**, the City Council of the City of Linden has determined that it would be advisable and in the best interests of the City to retain the services of Aviation Counsel to represent the City of Linden and airport operations, and to render legal advice and assistance to the city and to the City Attorney; 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**, Ingelsino Webster Wyciskala & Taylor submitted a qualification to the City and has qualified for the aforesaid services: and

**WHEREAS**, there is a need to award a contract to Inglesino, Webster, Wyciskala & Taylor in the amount of \$10,000; and

**WHEREAS**, the Finance Director has certified to the availability of funds for this purpose, to be charged to Account No. 1-01-20-155-123-255;

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

1. That a contract with the law firm of Ingelsino Webster Wyciskala & Taylor, Attorneys at Law of the State of New Jersey be and is hereby awarded in the amount of \$10,000.

2. If necessary, the Mayor and City Clerk are hereby authorized and to execute an Agreement with Ingelsino Webster Wyciskala & Taylor setting forth the terms and conditions of the legal services to be rendered.

3. This contract is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law as a contract for professional services may be awarded without competitive bidding, pursuant to N.J.S. 40A:11-5 (1) (a).

4. The City shall not be liable for payment of any monies exceeding the contract price stated herein unless additional funds are approved by the governing body and the contract amended in accordance with applicable law.

5. A notice of this action shall be published in accordance with applicable law.

**RESOLUTION: 2021-82**

**RESOLUTION AUTHORIZING A CONTRACT WITH ROBERT VARADY, ESQ. OF THE FIRM LA CORTE, BUNDY, VARADY & KINSELLA FOR SPECIAL COUNSEL SERVICES ON AN AS NEEDED BASIS AS DETERMINED BY THE CITY ATTORNEY**

**WHEREAS**, from time to time, as determined by the City Attorney, special counsel services are needed to represent the City of Linden; and

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

**WHEREAS**, La Corte Bundy Varady & Kinsella has submitted a qualification to the City and has qualified for the aforesaid services: and

**WHEREAS**, since professional legal services are rendered or performed by persons authorized by law to practice a recognized profession and whose practice is regulated by the laws of the State of New Jersey; the Local Public Contracts Law (N.J.S. 40A:11-1 et seq.) permits the award of a contract therefore as a Professional Service without competitive bidding; and

**WHEREAS**, it is necessary to provide for funds for said purpose in an amount not to exceed \$15,000.00

**WHEREAS**, the Treasurer has certified to the availability of funds for this purpose, to be charged to Account No. 1-01-20-155-123-255;

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

1. That the law firm of La Corte, Bundy, Varady & Kinsella, Attorneys at Law of the State of New Jersey be and is hereby retained as Special Counsel to the City for all matters assigned to it by the City Attorney.
2. The Mayor and City Clerk are hereby authorized and directed to execute an Agreement with La Corte, Bundy, Varady & Kinsella setting forth the terms and conditions of the legal services to be rendered.
3. This contract is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law as a contract for professional services may be awarded without competitive bidding, pursuant to N.J.S. 40A:11-5 (1) (a).
4. The City shall not be liable for payment of any monies exceeding the contract price of \$15,000.00 unless additional funds are approved by the governing body and the contract amended in accordance with applicable law.
5. A notice of this action shall be published in accordance with applicable law.

**RESOLUTION: 2021-83 REMOVED FROM CONSIDERATION**

**RESOLUTION: 2021-84**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINDEN,  
COUNTY OF UNION, NEW JERSEY SUPPORTING THE POTENTIAL  
COMMUNITY SOLAR PROJECT AT 1951 EAST LINDEN AVENUE BY  
SOLAR SANDSCAPE**

**WHEREAS**, on January 18, 2021, Solar Landscape presented to the City Council of the City of Linden (the "City") regarding its potential rooftop community solar project located at 1951 E Linden Ave, including fielding questions and suggestions from City Councilmembers regarding how this project can best serve the City's residents; and

**WHEREAS**, for more than a decade, the State of New Jersey has promoted energy policies that have created a vibrant solar energy market; and

**WHEREAS**, the State of New Jersey adopted the 2019 New Jersey Energy Master Plan, *Pathway to 2050*, and the legislature passed the Clean Energy Act of 2018; and

**WHEREAS**, Strategy 6 of the 2019 Energy Master Plan calls for the State to: Support community energy planning and action with an emphasis on encouraging and supporting participation by low- and moderate-income and environmental justice communities; and

**WHEREAS**, Goal 6.2.1 of the 2019 Energy Master Plan calls for the support of community-led development of community solar projects; and

**WHEREAS**, this governing body is knowledgeable about the benefits of community solar projects as approved by the Board of Public Utilities, including the following:

- o Local, clean power generation
- o Support for active participation in the program by low- and moderate-income families
- o Reduction of energy bills for all participants
- o Job training, certification support, and job placement in the solar industry.

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

Section 1. The Linden City Council supports the Solar Landscape community solar project(s) located at 1951 E Linden Ave within the municipality.

Section 2. The Mayor and City staff may reasonably collaborate with Solar Landscape in furtherance of bringing the financial and environmental benefits of this project to our citizens.

Section 3. The City supports green energy alternatives within our municipality and will help make subscriber information available to our constituents for all community solar projects that meet the criteria for our citizens' participation.

Section 4. Subject to review and any changes by counsel, the Mayor and City Clerk are hereby authorized to execute a letter of support and other documents, and to undertake all actions reasonably necessary, to effectuate this Resolution, including any documents needed for Solar Landscape to participate in the Community Solar Program.

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

Section 6. This Resolution shall take effect immediately.

**RESOLUTION: 2021-85**

**RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN  
APPROVED STATE CONTRACT VENDORS FOR CONTRACTING UNITS PURSUANT TO N.J.S.A.  
40A:11-12a**

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

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

**WHEREAS**, the City of Linden intends to enter into contracts with the following State Contract vendors:

	<u>State Contract Number</u>
Avaya	80802
B&H Photo Video	88839/T0052
Fyr Fyter Sales & Service	G-0576
WB Mason	88839/T0052

Through this resolution and properly executed contracts, which shall be subject to all the conditions applicable to the current State contracts;

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

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

**BE IT FURTHER RESOLVED**, that the duration of the contracts between the City of Linden and the State Contract Vendors shall be from January 1, 2021 through December 31, 2021.

**RESOLUTION: 2021-86**

**RESOLUTION APPROVING THE AWARD OF A CONTRACT TO ADS CONTRACTORS, LLC FOR  
THE 2021 SANITARY SEWER AT ALLEN STREET, FAY AVENUE AND MAPLE AVENUE IN THE  
CITY OF LINDEN**

**WHEREAS**, sealed bids were received by the Purchasing Agent on January 14, 2021 for the 2021 Sanitary Sewer Reconstruction at Allen Street, Fay Avenue and Maple 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/line item No. C-04-55-901-657-919; and

**WHEREAS**, ADS Contractors, LLC was the lowest responsible bidder at their bid of \$88,650.00; 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 COUNCIL OF THE CITY OF LINDEN** as follows:

1. A contract is awarded to ADS Contractors, LLC, 52 Cooks Cross Road, Pittstown, NJ 08867 at their bid of \$88,650.00.

2. This Resolution is expressly contingent upon the negotiation and execution of the necessary contract documents between ADS Contractors, LLC and the City of Linden.

3. The Mayor and City Clerk are hereby authorized to execute all documents to effectuate the purposes herein above expressed.

**RESOLUTION: 2021-87**

**RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE CITY OF ELIZABETH FOR CERTIFIED HEALTH OFFICER**

**WHEREAS**, the City of Linden wishes to enter into a Shared Services Agreement with the City of Elizabeth to provide the City of Elizabeth's Certified Health Officer on a part time basis, as Linden's Certified Health Officer; and

**WHEREAS**, the City of Linden Health Officer position is vacant and has a need for the expertise of the City of Elizabeth's Certified Health Officer; and

**WHEREAS**, it is not anticipated that the duties of the Health Officer operating in the City of Linden will not interfere with the fulfillment of said health officer within the City of Elizabeth, and all costs associated with same shall be reimbursed to the City of Elizabeth; and

**WHEREAS**, based upon the cost savings benefit received by the City of Elizabeth under this Agreement, the Business Administrator recommends that it is in the best interests of the City of Elizabeth to enter into this Shared Services Agreement with the City of Linden; and

**WHEREAS**, the cost to the City of Linden for said services will be \$20,000.00 for the period of February 1, 2021 till July 30, 2021; and

**WHEREAS**, the Chief Financial Officer or her designee has certified as to the availability of funds for this purpose, subject to approval of the 2021 budget, which will be charged to account/line item No. 1-01-42-341-332-271;

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

1. The Mayor and City Clerk are hereby authorized and directed to execute any and all necessary documents in order to effectuate the foregoing, as approved by the Law Department.
2. Said Agreement shall be for the period of six (6) months beginning February 1, 2021 and terminating July 30, 2021 at a total fee of \$20,000.00.
3. This Resolution shall take effect pursuant to law.

**RESOLUTION: 2021-88**

**RESOLUTION FOR MAINTENANCE & SUPPORT FOR CITYWIDE CAMERA SYSTEM THROUGH THE PEPPM PROGRAM FOR EASTERN DATACOMM**

**WHEREAS**, the City of Linden wishes to obtain maintenance & support for city wide camera system from an authorized vendor under the PEPPM program awarded to Eastern Datacomm, 44 Commerce Way, Hackensack, NJ 07601 a distributor of Panasonic and Razberi, authorized vendors and,

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

**WHEREAS**, Eastern Datacomm, Inc. has been awarded as distributor for Razberi and Panasonic, for the provision maintenance and support of providing city wide camera systems; 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 \$47,625.00 and,

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

1-01-25-250-314-272    \$47,625.00

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

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

**RESOLUTION: 2021-89**

**RESOLUTION APPOINTING MARLENA BERGHAMMER AS ALTERNATE #2 MEMBER OF THE ZONING BOARD OF ADJUSTMENT**

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

That **Marlena Berghammer**, residing in the City of Linden, New Jersey, be and he hereby is appointed as the Alternate #1 Member of the Zoning Board of Adjustment of the City of Linden for a two-year term commencing on January 1, 2021 and terminating December 31, 2022, and until her successor is duly appointed and qualifies.

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

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

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

This resolution shall take effect immediately.

**RESOLUTION: 2021-90**

**A RESOLUTION APPOINTING DEREK ARMSTEAD A MEMBER OF THE LINDEN-ROSELLE SEWERAGE AUTHORITY**

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

Section 1. That pursuant to the Ordinance entitled "ORDINANCE CREATING THE LINDEN ROSELLE SEWERAGE AUTHORITY", approved December 3, 1947, a certified copy whereof was duly filed by the City Clerk in the Office of the Secretary of the State of New Jersey, **DEREK ARMSTEAD**, residing in Linden, New Jersey, be and he hereby is appointed a member of the Linden Roselle Sewerage Authority to serve a five year term, which term commenced on February 2, 2021 and terminates on February 1, 2026 and until his successor has been appointed and qualifies, to exercise and perform all the rights, powers and duties provided in the Ordinance hereinbefore mentioned, and in N.J.S.A. 40:14A-1 et seq., and the amendments and supplements thereto.

Section 2. That the City Clerk of the City of Linden shall certify a copy of this Resolution and cause it to be filed in the Office of the Secretary of the State of New Jersey.

**RESOLUTION: 2021-91**

**RESOLUTION ENGAGING SKOLOFF & WOLFE, P.C. AS SPECIAL TAX COUNSEL FOR 2021**

**WHEREAS**, the City Council of the City of Linden has determined that it would be advisable and in the best interests of the City to continue to retain the services of Special Tax Counsel to represent the City of Linden in defense of real property tax assessment appeals concerning the assessment of commercial, industrial and multi-family residential properties in the city for the year 2021, and to render legal advice and assistance to the city and to the Tax Assessor in preparing the trials of such proceedings; 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**, Skoloff & Wolfe, P.C. submitted a qualification to the City and has qualified for the aforesaid services: and

**WHEREAS**, since professional legal services are rendered or performed by persons authorized by law to practice a recognized profession and whose practice is regulated by the laws of the State of New Jersey; the Local Public Contracts Law (N.J.S. 40A:11-1 et seq.) permits the award of a contract therefore as a Professional Service without competitive bidding; and

**WHEREAS**, the Finance Director has certified to the availability of funds for this purpose, to be charged to Account No. 1-01-20-156-117-271;

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

1. That the law firm of Skoloff & Wolfe, P.C., Attorneys at Law of the State of New Jersey be and is hereby retained as Special Tax Counsel to the City for all matters in the Tax Court, and related forums, and as set forth in an agreement to be executed between Skoloff & Wolfe, P.C. and the City of Linden.
2. The Mayor and City Clerk are hereby authorized and directed to execute an Agreement with Skoloff & Wolfe, P.C. setting forth the terms and conditions of the legal services to be rendered.
3. This contract is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law as a contract for professional services may be awarded without competitive bidding, pursuant to N.J.S. 40A:11-5 (1) (a).

4. For the services hereinabove described as Skoloff & Wolfe, P.C. shall be awarded an agreement in the amount of \$40,000.00 pursuant to the temporary budget. The City shall not be liable for payment of any monies exceeding the contract price stated herein unless additional funds are approved by the governing body and the contract amended in accordance with applicable law.

5. A notice of this action shall be published in accordance with applicable law.

**RESOLUTION: 2021-92**

**RESOLUTION AWARDING A CONTRACT WITH WILLIAM T. ROGERS, ESQ. OF THE FIRM HOAGLAND LONGO, MORAN, DUNST & DOUKAS, LLP., AS SPECIAL TAX COUNSEL TO INCLUDE OTHER VARIOUS TAX APPEALS FOR 2021**

**WHEREAS**, the City Council has a need to retain the services of Special Tax Counsel for tax appeals where Skoloff & Wolfe, P.C. have a conflict for 2021; 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**, William T. Rogers, Esq, of Hoagland Longo, Moran, Dunst & Doukas, LLP., at 40 Paterson St., New Brunswick, NJ, New Jersey, 08901 submitted a qualification to the City and has qualified for the aforesaid services for 2021; and

**WHEREAS**, it is necessary to provide for funds for said purpose in an amount not to exceed \$10,000.00; and

**WHEREAS**, the Chief Financial Officer or his designee has certified to the availability of funds for this purpose, to be charged to Account No. 1-01-20-156-117-271;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** that the agreement for Professional Services is awarded to William T. Rogers, Esq, of Hoagland Longo, Moran, Dunst & Doukas, LLP., at 40 Paterson St., New Brunswick, NJ, New Jersey, 08901 in an amount not to exceed of \$10,000.00; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary amended contract documents between William T. Rogers, Esq. 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 said amendatory agreement consistent with William T, Rogers, Esq. to effectuate the foregoing; and

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

**RESOLUTION: 2021-93**

**RESOLUTION APPROVING A CONTRACT WITH TELIAPP CORPORATION FOR WEBSITE SERVICES IN THE CITY OF LINDEN**

**WHEREAS**, there exists a need for website services in the City of Linden; and

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

**WHEREAS**, Teliapp Corporation submitted a qualification to the City and has qualified for the aforesaid services for 2021; and

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

**WHEREAS**, the Chief Financial Officer or his designee has certified to the availability of funds for this purpose, to be charged to Account No. 1-01-20-131-113-244;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN** that a contract for Professional Services be and hereby is awarded to Teliapp Corporation at a fee not to exceed \$42,480.00 in accordance with their proposal dated, December 2021; and

**BE IT FURTHER RESOLVED** that this Resolution is expressly contingent upon the negotiation and execution of the necessary contract agreements between Teliapp Corporation 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 Teliapp Corporation effectuate the foregoing; and

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

**Resolution: 2021-94**

**RESOLUTION AWARDING A CONTRACT TO TELIAPP CORPORATION FOR COMPUTER CONSULTING SERVICES**

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

**WHEREAS**, in accordance with provisions of N.J.S.A 19:44A-20.4, qualifications have been

received through a fair and open process; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for "Extraordinary, Unspecifiable Services" without competitive bids and the contract itself must be available for public inspection; and

**WHEREAS**, the Chief Financial Officer or his designee has certified as to the availability of funds for this purpose will be charged to account/line item 1-01-20-110-107-272; and

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

**NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN**, that the contract for professional services be and hereby awarded to Teliapp Corporation, 401 N. Wood Avenue, Linden in accordance with their qualifications, in an amount not to exceed \$10,000.00 for the period of January 1, 2021 through December 31, 2021;

**BE IT FURTHER RESOLVED** that this Resolution expressly contingent upon the negotiation of the necessary contract documents between Teliapp Corporation and the City of Linden; and

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk are hereby empowered and directed to execute a contact with Teliapp Corporation to effectuate the foregoing; and;

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

Mr. Javick moved for approval of Resolutions 2021-18 through 2021-94. The motion was second by Mrs. Caldwell. President Yamakaitis asked for discussion. Ms. Cosby stated she would speak on resolutions 2021-45 and 79. Ms. Cosby spoke about the many contributions of Elijah Johnson, Sr. to the Linden community. Next, she spoke on resolution 2021-79, noting that the Mayor had said that the owner, of the property, agreed with development. The owner, Maria Laos, is a developer who has done these types of projects for a number of years, on her own. She noted that this evening Ms. Laos had sent a letter to the members of Council, stating that this is her project, and does not need to partner with anyone to do it. Mr. Roman spoke on the same two resolutions. He talked about Elijah Johnson, Sr., his first meeting with Mr. Johnson, and his memories of him. Regarding Resolution 79, he noted that he did receive a letter from Ms. Laos He then read from the letter. The letter noted that the property is in good condition, she is interested in working with the City, but is not interested in working with another developer. The City shouldn't be pushing her. Ms. Laos wants to develop a nice project for this site. Mrs. Hickey read the complete letter and asked that it be included in the minutes.

January 19th, 2021

Maria Laos  
Laos Contractors LLC 1211  
Union St.  
Linden, NJ 07036

Good evening representatives of the city of Linden,  
This is to inform and update you on the information about my properties in Saint George Ave. Linden, NJ and Union St. Linden, NJ Block 51. Lot 2, 3, 4, 5, 32, 33, 34.

Lots 3, 4, 34 were acquired only 8 months ago by us. To correct and update the information in the planning board report presented by Paul Ricci. None of my properties are abandoned or in poor condition.

1206 East Saint George Ave. is a mixed-use property and has not been unoccupied for 2 years, previously operating a Beauty Salon like this on record in the city of Linden. Today we are awaiting approvals from the Planning Board to open a Day Care.

1212, 1214, 1218 East Saint George Ave. Linden is closed and secured by a fence. It is completely clean and not abandoned.

1209 Union St. Linden is closed and secured by a fence. Completely clean and not abandoned.

1211 and 1213 Union St. Linden is neat and in good condition with new siding, roof, and windows.

I want to inform the city that I am a pioneer in the city and on Saint George Ave. My work started in 2015 at 1228 East Saint George Ave. Linden and in 2018 I purchased a City Lien from the property at 1214 East Saint George Ave. The city took it away from me without warning. Consequently, I wasted my time and money to further develop this area. I have worked very hard to develop and clean this area. Now the city is interested in developing my area. For informational purposes, I want to inform all representatives of the city that I am not interested in selling my properties and I am not interested in associating with anyone. Laos Contractors LLC feels empowered to develop this project. If the city is interested in working with Laos Contractors LLC please include my name in these resolutions, as I have earned it by merit.

Mrs. Hickey upon the conclusion of her reading the letter stated that the property is in good condition, and that she does not feel that we are getting the truth on this matter. Ms. Laos is a hard worker.

President Yamakaitis recognized LEDC Director Alex Lospinoso. Mr. Lospinoso stated there is a misunderstanding. This is a redevelopment study. He then laid out the process, moving forward. He stated that this is typical. Mayor Armstead thanked Mr. Lospinoso for the clarification on resolution 2021-79. The Mayor then talked about Mr. Johnson and his long relationship with Mr. Johnson, noting that he will be missed, as he was a good guy, kind and considerate. Mr. Johnson raised some nice children. Mr. Antonelli spoke on Resolution 79, noting that it is a non-condemnation resolution. The concerns of the property are not valid. We cannot force her to participate.

Upon a roll call vote the resolutions were ordered approved with all voting in favor, except Ms. Cosby who voted no to 2021-32, 41, 46, 64, 76, 79 & 80; abstained on 2021-18, 19, 22, 28, 29, 30, 31, 72, 77, 84, 85 and 90; Mr. Roman who voted no to 2021-17, 18 and 91; Mrs. Hickey who voted no to 2021-79; and President Yamakaitis who abstained on 2021-70.

**ORDINANCES FOR INTRODUCTION**

**Ordinance**

**65-2** An Ordinance Chapter VII, Section 20 entitled One-Way Streets  
 BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LINDEN:  
 7-20 ONE-WAY STREETS

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

Ordinance #65-2 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 by a roll call vote was unanimously ordered approved

Ordinance

**65-3** **An ordinance to amend an ordinance entitled, “An ordinance establishing a schedule of titles, salary ranges and regulations for maintaining the classification and salary standardization plan of all employees of the City of Linden,” passed August 15, 1995 and approved August 16, 1995.**

**Adopting Salary Schedule 4-PP-1**

Ordinance #65-3 was introduced by Mr. Strano and was read on first reading by the Deputy Clerk.

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

Ordinance

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

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

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

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

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

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

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

Ordinance #65-4 was introduced by Mr. Javick and was read on first reading by the Deputy Clerk.

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

Ordinance  
65-5

**AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER VII,  
TRAFFIC, OF AN ORDINANCE ENTITLED, "AN ORDINANCE  
ADOPTING AND ENACTING THE REVISED GENERAL ORDINANCES  
OF THE CITY OF LINDEN, 1999," PASSED NOVEMBER 23, 1999 AND  
APPROVED NOVEMBER 24, 1999, AND AS AMENDED AND SUPPLEMENTED**

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

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

Chapter VII, Traffic

**7-33 HANDICAPPED PARKING REGULATIONS**

**7-33.1A Handicapped Parking On-Street**

<u>Name of Street</u>	<u>Spaces</u>	<u>No. of Location</u>
<b>ADD:</b> 918 Roselle Street (on East Curtis Street)	1	On the southeasterly sideline of East Curtis Street, 42 feet more or less northeasterly from the projection of the northeasterly curblineline of Roselle Street on the East Curtis Street side of 918 Roselle Street for a length of 22 feet. The aforesaid space is specifically reserved and designated for a vehicle for Marco Cevallos to be identified by license plate number and placard issued by the City, and no other vehicle bearing or displaying handicapped license plates and/or placards, or not, shall be permitted to park in such space.
1524 Winans Avenue	1	On the southwesterly sideline of Winans Avenue, 70 feet more or less northwesterly from the projection of the northwesterly curblineline of W. 16 <sup>th</sup> Street in front of 1524 Winans Avenue for a length of 22 feet. The aforesaid space is specifically reserved and designated for a vehicle for Robert Sasarak to be identified by license plate number and placard issued by the City, and no other vehicle bearing or displaying handicapped license plates and/or placards, or not, shall be permitted to park in such space.
1112 Winans Avenue	1	On the southwesterly sideline of Winans Avenue, 80 feet more or less northwesterly from the projection of the northwesterly curblineline of West 12 <sup>th</sup> Street in front of 1112 Winans Avenue for a length of 22 feet. The aforesaid space is specifically reserved and designated for a vehicle for Palma Sansone to be identified by license plate number and placard issued by the City, and no other vehicle bearing or displaying handicapped license plates and/or placards, or not, shall be permitted to park in such space.
104 West 11 <sup>th</sup> Street	1	On the northwesterly sideline of West 11 <sup>th</sup> Street, 65 feet more or less southwesterly from the projection of the southwesterly curblineline of Winans Avenue in front of 104 West 11 <sup>th</sup> Street for a length of 22 feet. The aforesaid space is specifically reserved and designated for a vehicle for Martin Stanley to be identified by license plate number and placard issued by the City, and no other vehicle bearing or displaying handicapped license plates and/or placards, or not, shall be permitted to park in such space.

**DELETE:**

604 West Elm Street

On the northwesterly sideline of West Elm Street, 65 feet more or less southwesterly from the projection of the southwesterly curblineline of Lafayette Street in front of 604 West Elm Street for a length of 22 feet. The aforesaid space was specifically reserved and designated for a vehicle for Tracy Malosky to be identified by license plate number and placard issued by the City.

Ordinance #65-5 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 by a roll call vote 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.**

Anthony Mislán, 444 Inwood Road. Mr. Mislán spoke about the situation with the jitney buses, and asked if a bus stop could be made for each street. Currently the buses are stopping in the middle of the street. He asked what the benefit was of moving the recreation staff to a smaller building. Mr. Dunham responded that the JTG Center is handicapped acceptable, where the previous site wasn't, and all of the rec staff would be in one location.

Ed Kaminsky, Maple Ave. Mr. Kaminski noted that his comments were directed at Mr. Medina. Mr. Kaminski stated that he thinks of himself as an honorable person. He talked about a conversation he had with Mr. Medina, a long time ago. He then apologized to Mr. Medina for comments he made at that time, noting that Mr. Medina was ahead of his time, and was right. Next, Mr. Kaminsky spoke about how the utility companies were disrespecting Linden, and explained what he sees in Linden, compared to other towns. Mr. Kaminski spoke about redevelopment and, in his opinion, Linden doesn't do development well, we just throw stuff against the wall and see what sticks. He urged leadership to take a leadership roll and move Linden ahead. He spoke about Wood Ave and poor condition it is in.

John Kaczor, Munsell Ave. Mr. Kaczor spoke about Linden silences its residents. He thanked the Fire Department for taking care of his father, when the father came down with COVID. He talked about the letter written by Ms. Laos, and her request not to sell. He noted that once the wheels are moving it will be to late.

Hans Herberg, 1501 Westover Road. Mr. Herberg stated that we all need to put aside our differences and work together. He then asked when the road work, at the Rt 1 and Stiles St. would be completed. He thanked the Police and Fire Departments for all that they have been doing. He stated that they are doing a tremendous job. Mr. Pantina responded to the question on the intersection informing Mr. Herberg that the State and County will not allow the paving work be done until the spring. He reviewed the work to be done.

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

**COMMENTS FROM MEMBERS OF THE GOVERNING BODY**

Mr. Roman welcomed Mr. Herberg to the Zoning Board. He talked about Nancy Koblis service to Linden and thanked her for it.

Mr. Strano – Offered his condolences to the family of Elijah Johnson, stating that Mr. Johnson was a kind person and a gentleman. He told a story about Mr. Johnson from when Mr. Strano had first run for office. He added that he will be missed. He expressed his appreciation to all of the department heads and employees for all their hard work. He also stated that the Mayor and Council President were working tirelessly to better Linden and thanked them.

Mr. Medina thanked Mr. Kaminski for his comments. He then noted the amazing job that Engineering and DPW were doing. He stated that he was grateful for the upgrades being done by the utility companies.

Mrs. Caldwell offered congratulation to Nancy Koblis on her retirement. Noted that Construction Code collected \$1,877,000.00 for 2020 permits.

Mrs. Ormon stated her agreement with Mr. Strano on the commitment of the Mayor and Council President to their jobs. She continued noting that social media has been ugly, and has seen, first hand, what words can do. She urged all to be careful with the words that they use.

Mr. Javick wished congratulations to Nancy Koblis and the other retirees.

President Yamakaitis wished Nancy Koblis well as well as Mr. Searles and Mr. Zack. She offered her condolences to the family of Elijah Johnson, Sr. and to Henry Mack who was best friends with Mr. Johnson.

### **ANNOUNCEMENTS**

Present Yamakaitis made the following announcements:

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

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

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

Please check the City website, [Linden-nj.org](http://Linden-nj.org) for directions on how to participate electronically in these meetings and for copies of the agenda.

### **ADJOURN**

There being no further business to come before the Governing Body, Mrs. Ormon moved to adjourn the meeting. The motion was seconded by Mrs. Caldwell, and was unanimously ordered approved by a roll call vote, with Ms. Cosby having left the meeting before the vote. The meeting was adjourned at 9:04 p.m.

Respectfully submitted,

Joseph C. Bodek  
City Clerk