

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

The meeting was called to order, at 6:45 pm, 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 April 1, 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, were also posted on the City's website and Linden TV for the public. The meeting was called to order at 7:00 p.m.

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

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

The Clerk conducted the prayer and flag salute.

President Yamakaitis apologized for the late start to the meeting, noting that it was due to a technical difficulty.

A roll call showed the following members were present:

ROLL CALL

Councilwoman	Lisa Ormon
Councilman	Barry Javick
Councilman	Monique Caldwell
Councilman	John F. Roman
Councilman	Ralph Strano
Councilman	Garnett Blaine
Councilman	Armando Medina
Council President	Michele Yamakaitis
Mayor	Derek Armstead

Mr. Roman was present, but his responses, during the beginning part of the meeting, were not heard, however, he messaged the Clerk his votes, who announced them. Mr. Roman was able to be heard at 6:58 p.m.

Also present was representatives of the Calcagni law firm, Thomas Calcagni, Ralph Marra and Linda Claude-Oben.

RESOLUTIONS

Mrs. Caldwell moved for approval of Resolutions 2021-156 through 2021-160. The motion was seconded by Mrs. Ormon, and was ordered approved by a roll call vote, with all voting in favor, except for Ms. Cosby who voted no to resolution 2021-160 and yes to the rest; and Mr. Blaine, who did not vote on the resolutions.

RESOLUTION: 2021-156

CITY OF LINDEN

A RESOLUTION APPROVING PARKING EASEMENT AGREEMENT BETWEEN THE CITY OF LINDEN AND LINDEN HARMONY URBAN REDEVELOPMENT URBAN RENEWAL, LLC FOR PROPERTY IDENTIFIED ON THE OFFICIAL TAX MAP OF THE CITY OF LINDEN BLOCK 253, LOTS 40 AND 41

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

WHEREAS, on February 19, 2019 the City Council of the City (the “**City Council**”), pursuant to *N.J.S.A. 40A:12A-6*, authorized the Planning Board of the City (the “**Planning Board**”) to determine whether the property identified as Block 253, Lots 40 and 41 the “**Property**”), on the official tax map of the City, met the statutory criteria for designation as an “area in need of redevelopment” pursuant to the Redevelopment Law; and

WHEREAS, on May 14, 2019, the Planning Board undertook said investigation and conducted a public hearing, all in accordance with *N.J.S.A. 40A:12A-6*, and recommended to the City Council that the Property satisfied certain statutory criteria and thus constituted an area in need of redevelopment in accordance with the Redevelopment Law; and

WHEREAS, on May 21, 2019, the City Council adopted Resolution 2019-219, which designated the Property as an area in need of redevelopment; and

WHEREAS, in order to facilitate the redevelopment of the Property, the City Council also authorized the preparation of a redevelopment plan for the Property pursuant to the authority granted under the Redevelopment Law; and

WHEREAS, Ricci Planning prepared, and the City Council adopted by way of Ordinance No. 63-26, the redevelopment plan entitled “West Price Street Redevelopment Plan,” (the “**Redevelopment Plan**”), providing the development standards for the Property; and

WHEREAS, Linden Harmony Urban Redevelopment Urban Renewal, LLC has obtained approvals to construct a 36-unit residential building at the Property (the “**33-37 West Price Street Project**”) on the Property and has agreed to allow the public to utilize no less than ten (10) parking spaces at the Property; and

WHEREAS, for One Dollar (\$1.00) and other valuable consideration, the parties hereto are desirous of entering into an agreement pursuant to which Linden Harmony Urban Redevelopment Urban Renewal, LLC shall grant an easement to the City for public access and parking on the Property.

WHEREAS, the City of Linden and Linden Harmony Urban Redevelopment Urban Renewal, LLC have set forth their intentions within the attached Parking Easement Agreement and mutually agree to the terms therein.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Linden that the City of Linden is hereby authorized to enter into the attached Parking Easement Agreement, subject to the terms and conditions set forth in the Parking Easement Agreement; and

BE IT FURTHER RESOLVED by that the City Council of the City of Linden finds the contents of the proposed plan to be acceptable and consistent with the Master Plan of the City of Linden; and

BE IT FURTHER RESOLVED that a true copy of this Resolution and a copy of the executed Parking Easement Agreement shall be forwarded to Linden Harmony Urban Redevelopment Urban Renewal, LLC.

RESOLUTION: 2021-157

CITY OF LINDEN

A RESOLUTION AUTHORIZING THE REDEVELOPMENT AGREEMENT BETWEEN THE CITY OF LINDEN (“CITY”) AND LINDEN HARMONY URBAN REDEVELOPMENT URBAN RENEWAL, LLC FOR PROPERTY IDENTIFIED ON THE OFFICIAL TAX MAP OF THE CITY OF LINDEN BLOCK 252, LOTS 11 AND 12 AND BLOCK 253, LOTS 40 AND 41

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

WHEREAS, on February 19, 2019 the City Council of the City (the “**City Council**”), pursuant to *N.J.S.A. 40A:12A-6*, authorized the Planning Board of the City (the “**Planning Board**”) to determine whether the property identified as Block 252, Lots 11 and 12, and Block 253, Lots 40 and 41, on the official tax map of the City (“**Study Area**”), met the statutory criteria for designation as an “area in need of redevelopment” pursuant to the Redevelopment Law; and

WHEREAS, on May 14, 2019, the Planning Board undertook said investigation and conducted a public hearing, all in accordance with *N.J.S.A. 40A:12A-6*, and recommended to the City Council that the Study Area satisfied certain statutory criteria and thus constituted an area in need of redevelopment in accordance with the Redevelopment Law; and

WHEREAS, on May 21, 2019, the City Council adopted Resolution 2019-219, which designated the Study Area as an area in need of redevelopment; and

WHEREAS, in order to facilitate the redevelopment of the Property, the City Council also authorized the preparation of a redevelopment plan for the Property pursuant to the authority granted under the Redevelopment Law; and

WHEREAS, Ricci Planning prepared, and the City Council adopted by way of Ordinance No. 63-26, the redevelopment plan entitled "West Price Street Redevelopment Plan," (the "**Redevelopment Plan**"), providing the development standards for the Property; and

WHEREAS, in order to implement the development, financing, construction, operation and management of the Project, the City has determined to enter into this Agreement with Redeveloper, which specifies the rights and responsibilities of the City, designates Redeveloper as redeveloper of the Project Area and specifies the rights and responsibilities of Redeveloper with respect to the Project.

WHEREAS, the City of Linden and Linden Harmony Urban Redevelopment Urban Renewal, LLC have set forth their intentions within the attached Redevelopment Agreement and mutually agree to the terms therein.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Linden that the City of Linden is hereby authorized to enter into the attached Redevelopment Agreement, subject to the terms and conditions set forth in the Redevelopment Agreement; and

BE IT FURTHER RESOLVED by that the City Council of the City of Linden finds the contents of the proposed plan to be acceptable and consistent with the Master Plan of the City of Linden; and

BE IT FURTHER RESOLVED that a true copy of this Resolution and a copy of the executed Redevelopment Agreement shall be forwarded to Linden Harmony Urban Redevelopment Urban Renewal, LLC.

RESOLUTION: 2021-158

CITY OF LINDEN

A RESOLUTION APPROVING PARKING EASEMENT AGREEMENT BETWEEN THE CITY OF LINDEN AND WEST PRICE STREET NORTH URBAN RENEWAL, LLC FOR PROPERTY IDENTIFIED ON THE OFFICIAL TAX MAP OF THE CITY OF LINDEN BLOCK 252, LOTS 11 AND 12

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

WHEREAS, on February 19, 2019 the City Council of the City (the "**City Council**"), pursuant to *N.J.S.A. 40A:12A-6*, authorized the Planning Board of the City (the "**Planning Board**") to determine whether the property identified as Block 252, Lots 11 and 12 (the "**Property**"), on the official tax map of the City, met the statutory criteria for designation as an "area in need of redevelopment" pursuant to the Redevelopment Law; and

WHEREAS, on May 14, 2019, the Planning Board undertook said investigation and conducted a public hearing, all in accordance with *N.J.S.A. 40A:12A-6*, and recommended to the City Council that the Property satisfied certain statutory criteria and thus constituted an area in need of redevelopment in accordance with the Redevelopment Law; and

WHEREAS, on May 21, 2019, the City Council adopted Resolution 2019-219, which designated the Property as an area in need of redevelopment; and

WHEREAS, in order to facilitate the redevelopment of the Property, the City Council also authorized the preparation of a redevelopment plan for the Property pursuant to the authority granted under the Redevelopment Law; and

WHEREAS, Ricci Planning prepared, and the City Council adopted by way of Ordinance No. 63-26, the redevelopment plan entitled "West Price Street Redevelopment Plan," (the "**Redevelopment Plan**"), providing the development standards for the Property; and

WHEREAS, West Price Street North Urban Renewal, LLC has obtained approvals to construct a 37-unit residential building at the Property (the "**40-46 West Price Street Project**") and has agreed to allow the public to utilize no less than ten (10) parking spaces at the Property; and

WHEREAS, for One Dollar (\$1.00) and other valuable consideration, the parties hereto are desirous of entering into an agreement pursuant to which West Price Street North Urban Renewal, LLC shall grant an easement to the City for public access and parking on the Property.

WHEREAS, the City of Linden and West Price Street North Urban Renewal, LLC have set forth their intentions within the attached Parking Easement Agreement and mutually agree to the terms therein.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Linden that the City of Linden is hereby authorized to enter into the attached Parking Easement Agreement, subject to the terms and conditions set forth in the Parking Easement Agreement; and

BE IT FURTHER RESOLVED by that the City Council of the City of Linden finds the contents of the proposed plan to be acceptable and consistent with the Master Plan of the City of Linden; and

BE IT FURTHER RESOLVED that a true copy of this Resolution and a copy of the executed Parking Easement Agreement shall be forwarded to West Price Street North Urban Renewal, LLC.

RESOLUTION: 2021-159

CITY OF LINDEN

A RESOLUTION AUTHORIZING THE REDEVELOPMENT AGREEMENT BETWEEN THE CITY OF LINDEN (“CITY”) AND WEST PRICE STREET NORTH URBAN RENEWAL, LLC FOR PROPERTY IDENTIFIED ON THE OFFICIAL TAX MAP OF THE CITY OF LINDEN BLOCK 252, LOTS 11 AND 12 AND BLOCK 253, LOTS 40 AND 41

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

WHEREAS, on February 19, 2019 the City Council of the City (the “**City Council**”), pursuant to *N.J.S.A. 40A:12A-6*, authorized the Planning Board of the City (the “**Planning Board**”) to determine whether the property identified as Block 252, Lots 11 and 12, and Block 253, Lots 40 and 41, on the official tax map of the City (“**Study Area**”), met the statutory criteria for designation as an “area in need of redevelopment” pursuant to the Redevelopment Law; and

WHEREAS, on May 14, 2019, the Planning Board undertook said investigation and conducted a public hearing, all in accordance with *N.J.S.A. 40A:12A-6*, and recommended to the City Council that the Study Area satisfied certain statutory criteria and thus constituted an area in need of redevelopment in accordance with the Redevelopment Law; and

WHEREAS, on May 21, 2019, the City Council adopted Resolution 2019-219, which designated the Study Area as an area in need of redevelopment; and

WHEREAS, in order to facilitate the redevelopment of the Property, the City Council also authorized the preparation of a redevelopment plan for the Property pursuant to the authority granted under the Redevelopment Law; and

WHEREAS, Ricci Planning prepared, and the City Council adopted by way of Ordinance No. 63-26, the redevelopment plan entitled “West Price Street Redevelopment Plan,” (the “**Redevelopment Plan**”), providing the development standards for the Property; and

WHEREAS, in order to implement the development, financing, construction, operation and management of the Project, the City has determined to enter into this Agreement with Redeveloper, which specifies the rights and responsibilities of the City, designates Redeveloper as redeveloper of the Project Area and specifies the rights and responsibilities of Redeveloper with respect to the Project.

WHEREAS, the City of Linden and West Price Street North Urban Renewal, LLC have set forth their intentions within the attached Redevelopment Agreement and mutually agree to the terms therein.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Linden that the City of Linden is hereby authorized to enter into the attached Redevelopment Agreement, subject to the terms and conditions set forth in the Redevelopment Agreements; and

BE IT FURTHER RESOLVED by that the City Council of the City of Linden finds the contents of the proposed plan to be acceptable and consistent with the Master Plan of the City of Linden; and

BE IT FURTHER RESOLVED that a true copy of this Resolution and a copy of the executed Redevelopment Agreement shall be forwarded to West Price Street North Urban Renewal, LLC.

RESOLUTION: 2021-160

RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE TOWNSHIP OF WOODBRIDGE FOR A CERTIFIED HEALTH OFFICER

WHEREAS, the City of Linden wishes to enter into a Shared Services Agreement with the Township of Woodbridge to provide Woodbridge’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 Township of Woodbridge 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 Township of Woodbridge and all costs associated with same shall be reimbursed to the Township of Woodbridge; and

WHEREAS, based upon the cost savings benefit received by the City of Linden under this Agreement, the Chief Financial Officer recommends that it is in the best interests of the City to enter into this Shared Services Agreement with the Township of Woodbridge; and

WHEREAS, the cost to the City of Linden for said services will be \$20,000.00 for the period of April 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 four (4) months beginning April 1, 2021 and terminating July 30, 2021 at a total fee of \$20,000.00.
3. The form of said agreement shall be substantially the same as hereto attached.
4. This Resolution shall take effect pursuant to law.

ORDINANCES ON INTRODUCTION

Ordinance

#65-19

An Ordinance approving the application for a long-term tax exemption and authorizing the City of Linden to enter into a financial agreement with West Price Street North Urban Renewal, LLC for property identified on the official tax map of the City of Linden as Block 252, Lots 11 and 12.

Ordinance #65-19 was introduced by Mrs. Caldwell and was read on first reading by the Clerk.

On motion of Mrs. Ormon, seconded by Mr. Javick the foregoing Ordinance was ordered approved by a roll call vote with all voting in favor, except Ms. Cosby, Mr. Roman, and Mrs. Hickey all of whom voted no. Mr. Blaine did not vote.

Ordinance

#65-20

An ordinance approving the application for a long-term tax exemption and authorizing the City of Linden to enter into a financial agreement with Linden Harmony Urban Redevelopment Urban Renewal, LLC for property identified on the official tax map of the City of Linden as Block 253, Lots 40 and 41.

Ordinance #65-20 was introduced by Mrs. Caldwell and was read on first reading by the Clerk.

On motion of Mrs. Caldwell, seconded by Mr. Javick the foregoing Ordinance was ordered approved by a roll call vote, with all voting in favor except Ms. Cosby, Mr. Roman, and Mrs. Hickey all of whom voted no. Mr. Blaine did not vote.

PUBLIC COMMENT

There were no members of the public who wished to speak.

Mrs. Cosby moved to close the public comment portion of the meeting. The motion was seconded by Mrs., Ormon and was ordered approved, with Mr. Blaine not voting.

EXECUTIVE SESSION

WHEREAS, The Open Public Meeting Act (OPMA) (NJSA 10:4-6 et seq) provides that a public body may go into Executive Session to discuss certain matters from which the public may be excluded;

NOW IT IS THEREFORE RESOLVED by the Governing Body of the City of Linden that it move into Executive Session to discuss the following matters:

- 1) A matter pertaining to personnel/investigation. – Personnel, Attorney Client Privilege. Litigation.

The results of these discussions will be made public when the need for confidentiality no longer exists. Same may be made public at the public meeting, or in the case of litigation or negotiations, when same is concluded. The Governing Body convened into Executive Session at 7:01 p.m.

Upon motion of Mrs. Ormon, seconded by Mr. Javick the governing body returned to public session at 7:29 p.m.

There being no further business to come before the governing body Mrs. Caldwell moved to adjourn the meeting. The motion was seconded by Mr. Strano and was unanimously ordered approved. The meeting was adjourned at 7:30 p.m.

Respectfully submitted,

Joseph C. Bodek
City Clerk