

**Minutes of the Regular  
Meeting of the 2021 Council of the  
City of Linden, held Tuesday,  
May 18, 2021**

**The meeting was called to order, at 7:01 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 May 14, 2021 to The Local Source and Star Ledger, noting that the meeting would be conducted through the Ring Central Program and containing information on how to access the meeting. The same information was posted on the City's website, Linden TV, the bulletin board, and the front door of City Hall. Copies of the Agenda, and Personnel Reports are also posted on the City's website and Linden TV for the public. The meeting was called to order at 7:00 p.m.

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

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

A roll call showed the following members were present:

**ROLL CALL**

Councilwoman	Lisa Ormon
Councilman	Barry Javick
Councilman	Monique Caldwell
Councilman	Alfred Mohammed
Councilwoman	Rhashonna Cosby
Councilman	John F. Roman (7:28 p.m.)
Councilman	Ralph Strano
Councilman	Garnett Blaine
Councilman	Armando Medina
Council President	Michele Yamakaitis
Mayor	Derek Armstead

**APPROVAL OF MINUTES**

Mr. Strano moved for approval of the minutes of regular meeting of April 20, 2021. The motion was seconded by Ms. Cosby and was unanimously ordered approved by a roll call vote.

**MAYOR'S PROCLAMATION**

**WHEREAS**, "Do Something Good For Your Neighbor Day" is a nationwide effort observed in thousands of Cities across the United States to celebrate neighborly love and kindness; and,

**WHEREAS**, the vision of Do Something Good For Your Neighbor Day is for millions of people to show selfless love, compassion, acts of charity toward our fellow neighbors; and,

**WHEREAS**, in May, 2009, founder Mr. Starr Valentino began this day in Atlanta, Georgia. He created a grassroots movement in an effort to encourage and inspire people to spread acts of kindness. If there was ever a time to do something good for your neighbor, it would be now during this COVID 19 pandemic.

**WHEREAS**, with self-isolation practices still underway, people are experiencing numerous problems that are related to being stuck at home and not being able to socialize and visit family and friends. It is why the founder is of the belief that we must use this time to come together as a nation, which starts as a ripple effect through our immediate neighborhoods; and,

**WHEREAS**, Do Something Good For Your Neighbor Day will strengthen social bonds and values for all. It will invite all humanity to come together and challenge each other to be our very best; and,

**NOW, THEREFORE BE IT RESOLVED**, that I Derek Armstead, Mayor of the City of Linden, NJ, declares May 16<sup>th</sup> to be "**Do Something Good For Your Neighbor Day**". I encourage all residents of Linden to support and participate in spreading random acts of kindness throughout all our neighborhoods within our community.

## ORDINANCE ON HEARING

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

**65-21** Bond ordinance providing an appropriation of \$129,800 for the acquisition of various items of capital equipment for the Fire Department authorizing the issuance of \$123,310 bonds or notes of the City for financing part of the appropriation.

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

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

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

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

**65-22** Bond Ordinance authorizing the resurfacing of various streets in and for the City of Linden, appropriating \$4,400,000 therefore and authorizing the issuance of \$4,180,000 in Bonds or Notes to finance part of the cost thereof.

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

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

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

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

**65-23** Bond Ordinance providing an appropriation of \$330,000.00 for the replacement of the roof at the JTG Recreation Center for the City of Linden and authorizing the issuance of \$313,500.00 in Bonds or Notes of the City for financing part of the appropriation.

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

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

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

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

**65-24** Ordinance of the City of Linden, adopting a Redevelopment Plan entitled, "Redevelopment Plan Block 513, Lot 1 (South Park Avenue Redevelopment) pursuant to the Local Redevelopment and Housing Law.

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

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

There being no persons to be heard, Mrs. Ormon moved that the hearing be closed and the ordinance be adopted. The motion was seconded by Mrs. Caldwell and on a roll, call vote the foregoing ordinance was unanimously ordered approved.

**CONSENT AGENDA**

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

**(1)** Advising the following monies were collected and turned over to the Municipal Treasurer during the month of April, 2021.

2021 Taxes	\$16,754,028.21
2020 Taxes	\$603,005.46
2019 Taxes	\$0.00
Garbage Fee	\$0.00
Municipal Lien Redemption	\$6,098.65
Duplicate Tax Sale Certificate	\$0.00
Tax Search	\$0.00
Lien Redemption Request Fee	\$0.00
Year End Penalty	\$25,160.15
Returned Check Fee Paid	\$0.00
Returned Sewer Clean out	(\$0.00)
Returned Sewer Interest	(\$0.00)
Returned Check 2020	(\$0.00)
Returned Check 2021	(\$1,358.20)
Returned Check Interest	(\$0.00)
Returned Online 2020 Taxes	(\$1,190.01)
Returned Online 2021 Taxes	(\$0.00)
Returned Online Interest	(\$309.99)
Adv. Before Tax Sale	\$0.00
Premium	\$0.00
Sewer Clean out charge	\$900.00
DPW Reso payments	\$0.00
Interest	\$85,903.76
Total	\$17,472,238.03

**OVERPAYMENT**

Re: Block-1 Lot-11  
Garbage fee overpayment

The above referenced property has an overpayment in the amount of \$ 60.00 that was due to a posting error from the former owner of block 271 Lot-10. By the time that we were able to identify these payments and their origin, the ownership had changed and no one has come forward to request a refund. I am requesting that this amount be transferred to M.R.N.A. by the City Treasurer.

Total \$17,472,238.03

**OVERPAYMENT**

Re: Block-5 Lot-23  
Garbage fee overpayment

The above referenced property has an overpayment in the amount \$ 5.00 that was due to a payment by the former owner. By the time that we were able to identify these payments and their origin, the ownership had changed and no one has come forward to request a refund. I am requesting that this amount be transferred to M.R.N.A. by the City Treasurer.

**OVERPAYMENT**

Re: Block-8 Lot-16  
Garbage fee overpayment

The above referenced property has an overpayment in the amount \$ 2.38 that was due to a payment by the former owners title agency. By the time that we were able to identify these payments and their origin, the ownership had changed and no one has come forward to request a refund. I am requesting that this amount be transferred to M.R.N.A. by the City Treasurer.

**OVERPAYMENT**

Re: Block-75 Lot-12

Garbage fee overpayment

The above referenced property has an overpayment in the amount \$ 60.00 that was due to a payment by the former owner. By the time that we were able to identify these payments and their origin, the ownership had changed and no one has come forward to request a refund. I am requesting that this amount be transferred to M.R.N.A. by the City Treasurer.

**OVERPAYMENT**

Re: Block-222 Lot-15  
Garbage fee overpayment

The above referenced property has an overpayment in the amount \$ 10.00 that was due to a payment by the former owners title agency. By the time that we were able to identify these payments and their origin, the ownership had changed and no one has come forward to request a refund. I am requesting that this amount be transferred to M.R.N.A. by the City Treasurer.

**OVERPAYMENT**

Re: Block-329 Lot-19  
Garbage fee overpayment

The above referenced property has an overpayment in the amount \$ 5.00 that was due to a payment by the former owner. By the time that we were able to identify these payments and their origin, the ownership had changed and no one has come forward to request a refund. I am requesting that this amount be transferred to M.R.N.A. by the City Treasurer.

**OVERPAYMENT**

Re: Block-413 Lot-26  
Garbage fee overpayment

The above referenced property has an overpayment in the amount \$ 60.00 that was due to a payment by the former owner. By the time that we were able to identify these payments and their origin, the ownership had changed and no one has come forward to request a refund. I am requesting that this amount be transferred to M.R.N.A. by the City Treasurer.

**OVERPAYMENT**

Re: Block- 472 Lot- 11  
Garbage fee overpayment

The above referenced property has an overpayment in the amount \$ 5.00 that was due to a payment by the former owner. By the time that we were able to identify these payments and their origin, the ownership had changed and no one has come forward to request a refund. I am requesting this amount be transferred to M.R.N.A. by the City Treasurer.

**OVERPAYMENT**

Re: Block-483 Lot- 12  
Garbage fee overpayment

The above referenced property has an overpayment in the amount \$ 5.00 that was due to a payment by the former owner. By the time that we were able to identify these payments and their origin, the ownership had changed and no one has come forward to request a refund. I am requesting that this amount be transferred to M.R.N.A. by the City Treasurer.

**OVERPAYMENT**

Re: Block- 549 Lot- 4  
Garbage fee overpayment

The above referenced property has an overpayment in the amount \$ 30.00 that was due to a payment by the former owner. By the time that we were able to identify these payments and their origin, the ownership had changed and no one has come forward to request a refund. I am requesting this amount be transferred to M.R.N.A. by the City Treasurer.

**OVERPAYMENT**

Re: Block-16 Lot-22  
Garbage fee overpayment

The above referenced property has an overpayment in the amount \$ 5.00 that was due to a payment by the former owner. By the time that we were able to identify these payments and their origin, the ownership had changed and no one has come forward to request a refund. I am requesting that this amount be transferred to M.R.N.A. by the City Treasurer.

**TAX SALE** Requesting the refunds of the premiums paid at the 2020 tax sale on the following block & lot.

Block	Lot	Redemption Date	CTF#	Amount
5	13	4/13/2021	19-00001	\$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 #-1-01-55-276-999-956.

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

Block	Lot	Redemption Date	Cert#	Premium
8	23	4/13/2021	19-00003	\$31,700.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of \$31,700.00 payable to: Pine Valley One Real Estate, LLC, 33 N. La Salle Street, Suite #-1730, Chicago, IL 60602, charging same to account #1-01-55-276-999-956.

**TAX SALE** Requesting the refund of the premium paid at the 2019 & 2020 tax sale on the following blocks & lots.

Block	Lot	Redemption Date	Cert#	Premium
13	3	4/30/2021	19-00008	\$41,500.00
162	9	4/30/2021	18-00095	\$9,900.00
452	13	4/30/2021	19-00149	\$1,600.00
562	17	4/30/2021	19-00185	\$1,500.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of \$ 54,500.00 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 2018 tax sale on the following blocks & lots.

Block	Lot	Redemption Date	Cert#	Premium
18	7.01	4/13/2021	17-00017	\$1,100.00
574	8.03	5/5/2021	17-00353	\$1,400.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of \$2,500.00 payable to: Fig as Custodian for Fig NJ18, LLC, Secured Party, P.O. Box 54472, 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 2019 & 2020 tax sale on the following blocks & lots.

Block	Lot	Redemption Date	CTF#	Amount
100	6	5/5/2021	18-00048	\$2,400.00
554	6	4/30/2021	19-00182	\$25,400.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of \$ 27,800.00 payable to: Greymorr, LLC, BMO 85, P.O. Box 1414, Minneapolis, MN 55480, charging same to account # 1-01-55-276-999-956.

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

Block	Lot	Redemption Date	CTF#	Amount
184	1	5/5/2021	19-00085	46,200.00
188	8	4/30/2021	19-00087	\$1,600.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of \$47,800.00 payable to: Christiana T C/F, CE/1 Firsttrust, P.O. Box 5021, Philadelphia, PA 19111-5021, charging same to account #-1-01-55-276-999-956.

**TAX SALE** Requesting the refund of the premium paid at the 2018 & 2019 tax sale on the following blocks & lots.

Block	Lot	Redemption Date	CTF#	Amount
188	20	4/23/2021	17-00153	\$35,100.00
253	11 CA02	4/13/2021	18-00137	\$10,200.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of \$45,300.00 payable to: Lillian Zhang, 11 Walnut Street, Livingston, NJ 07039, charging same to account #1-01-55-276-999-956

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

Block	Lot	Redemption Date	CTF#	Amount
220	5	4/30/2021	19-00104	\$71,300.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of \$ 71,300.00 payable to FNA DZ, LLC FBO WSFS, 120 N. La Salle Street, Suite #1220, Chicago, IL 60602 charging same to account #-1-01-55-276-999-956.

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

Block	Lot	Redemption Date	CTF#	Amount
332	2	5/7/2021	19-00122	\$900.00
399	15	4/30/2021	19-00137	\$800.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of \$1,700.00 payable to: US Bank Cust ProCap8 PROCAP MTGII, 50 South 16<sup>th</sup> Street, Suite #2050, Philadelphia, PA 19102, charging same to account #-1-01-55-276-999-956.

**TAX SALE** I am requesting the refund of the premium paid at the 2020 tax sale on the following block & lot.

Block	Lot	Redemption Date	CTF#	Amount
265	13	5/7/2021	19-00110	\$1,200.00
341	26	4/16/2021	19-00125	\$1,200.00
540	17	4/30/2021	19-00172	\$1,200.00

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 Trystone Capital Assets, LLC., 575 Route #-70, 2<sup>nd</sup> Floor, P.O. Box 1030, Brick, NJ 08723, charging same to account #-1-01-55-276-999-956.

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

Block	Lot	Redemption Date	CTF#	Amount
439	12	5/7/2021	19-00144	\$2,000.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of \$2,000.00 payable to: EONE Group, LLC, 150 Airport Road, Suite #-1200, Lakewood, NJ 08701, charging same to account #-1-01-55-276-999-956.

**TAX SALE** Requesting the refund of the premium paid at the 2018 tax sale on the following block & lot.

Block	Lot	Redemption Date	CTF#	Amount
462	12	5/4/2021	17-00294	\$1,000.00

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of \$1,000.00 payable to: US Bank Cust for PC7, LLC Firsttrust Bank, 50 South 16<sup>th</sup> Street, Suite #2050, Philadelphia, PA 19102, charging same to account #-1-01-55-276-999-956.

**OVERPAYMENT** Block 436 Lot 6, 1420 E. Linden Avenue Realty, LLC  
1420 E. Linden Avenue 2021 1<sup>st</sup> quarter

There now exists a credit balance on the above referenced block & lot due to an overpayment by the owner on the 2021 1<sup>st</sup> quarter. The overpayment amount is \$ 18,173.38.

Therefore, it would be in order for the council to authorize the treasurer to issue a check in the amount of \$18,173.38 payable to: 1420 E. Linden Avenue Realty, LLC, 1420 E. Linden Avenue, Linden, NJ 07036 charging same to account #-1-01-55-288-999-904.

**OVERPAYMENT** Block 207 Lot 28, Thomas J. Borowski  
2017 Garbage Fee Overpayment Refund

There now exists a credit balance on the above referenced block & lot due to the owner making partial payments towards the Garbage Fee. The garbage fee is no longer being billed, I am requesting that this overpayment in the amount \$360.00 be refunded and made payable to LRSA (Linden Roselle Sewerage Authority) to remove the credit and pre-pay the 2021 amounts due.

Therefore, it would be in order for the council to authorize the treasurer to issue a check for \$360.00 payable to L.R.S.A., 5005 South Wood Avenue, P.O. Box 4118, Linden, NJ 07036, charging same to account #1-01-08-607-011.

**OVERPAYMENT** Block 279 Lot 20, Maria A. Flechas  
407 W. Curtis Street



Approval is requested for the following finance actions:

1. The payment of bills totaling \$1,683,764.58. 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 April 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, with all voting in favor except Ms. Cosby who voted no.

Mrs. Ormon then gave the report of the Transportation and Parking Division. A total of \$27,390.77 was collected from all sources for the month of April.

Mrs. Ormon reported on a number of First Ward related issues. She noted that a traffic study had been ordered for Keep Street, and explained what the study would be looking at, with an end result being a possible change in the traffic pattern. She spoke about the arrival of the warm weather and urged drivers to slow down and pay attention for children playing. Mrs. discussed bike safety and the importance to teach it to children (Mr. Roman arrived 7:23 p.m.) She went to speak on the issue of dog waste and urged all to clean up after their dog, noting that the fine can be up to \$2,000.00.

Mrs. Ormon spoke about the need to keep up the ward and reminded homeowners to keep their grass cut, and the need to do it frequently. She talked about garbage and debris, noting what sweepers would pick up and asked residents to pickup larger items. She announced when bulk pickup would be in the First Ward, First District on this Wednesday. Mrs. Ormon informed all that a community yard sale would take place in the First, Second and Third Wards and the dates for the same. She concluded by thanking the Mayor for his Proclamation regarding being good neighbors.

#### Second Ward

Mr. Javick gave the report of the Fire Committee. The Fire Prevention Bureau collected a total of \$6,381.53 for the month of April. The ambulance reimbursement system collected \$60,103.45 for April, with a year to date total of \$244,777.33. He announced that the department would be receiving their new ambulance in July. He also noted that there were still openings for the Junior Fire Academy, and urged those interested to apply. Mr. Javick thanks Ms. Lamm for her efforts in addressing some issues at the Board of Health.

Mr. Javick recognized the OEM volunteers for the job they are doing. He spoke about the new apartments, being built on Elizabeth Avenue, and how nicely they are moving along. The new dog park, being built in the Second Ward, is getting closer to being finished. He then spoke about Second Ward street paving projects, reminded residents to pickup after their dogs, to keep their grass cut and wished all a happy safe summer. Mr. Javick provided his contact information.

#### Third Ward

Mrs. Caldwell reported that the Construction Code Department issued 234 permits and collected \$70,673.00 in fees. Next, she reported that the IT Committee was working on the issue of fictitious emails that were affecting the City's system, with Mr. Crane and Sgt Sanchez. She gave a report on the installation of cameras in the Fourth Ward Park. Mrs. Caldwell discussed the Mitchell Humphrey computer program that Construction Code would soon be using.

Mrs. Caldwell spoke about the issue of a predator, around Lawson Park, and that issue is being worked on, adding that she appreciated the response of the Police Department. She discussed the upcoming bulk trash collection, in the ward, and the planned Community Yard sale. She also expressed her thanks, to the Mayor for the COVID-19 vaccination program, and concluded by providing her contact information.

#### Fourth Ward.

Mr. Mohammed noted that he is requesting that speed bumps be installed on Washington Ave. He discussed the installation of camera's in the Fourth Ward Park, and an agreement with Verizon to move the project along. He spoke about the COVID-19 vaccination program. Next, he addressed conditions around the ward and urged residents to make sure that they clean up dog waste. He informed all about the new equipment that would be installed in the Fourth Ward Park. Mr. Mohammed talked about the utility work being done throughout the ward and asked residents to be patient. He asked that anyone in need of food baskets to let him know, and provided his contact information.

Mr. Mohammed stated that despite his disagreement with the Mayor, and have to painfully make this move for my own personal protection of my own property. I have decided to make a motion for the release of the Scutari report, for this to be made public as it was paid for with taxpayer dollars. Further more in the spirit of transparency the public has a right of the abuse of those taxpayer dollars. Furthermore, I am confident that it will deter further abuse of the public trust. The credentials of the law firm that conducted that investigation are impeccable, comprised of former US Attorneys. He noted that it was shameful that former Senator Wayne Bryant served prison time for similar abuse, while Mr. Scutari

remains the chairmen of both the Senate Judiciary Committee and the Union County Democratic Party. This points to a gross racial inequality. He is suing the Mayor, myself, the City of Linden and several members of the Council, who addressed those abuses. . I am ashamed and appalled that one would be threatened with the loss of their property because they have decided to become a citizen and a councilman. They say that truth is a defense. Mr. Mohammed moved to release the report, so that he could defend himself. The motion was seconded by Mrs. Caldwell. President Yamakaitis asked for discussion. Ms. Cosby stated that while she finds this amusing, if this report is released then the three-year report and investigation that was lodged against me, by City employees, is also published so that all could see the witch hunt that she had to endure. Mr. Roman asked if this was discussed previously, or is it being thrown out as part of some theatrics. Why wasn't this not discussed at all. President Yamakaitis noted that the motion was made during Mr. Mohammed's report, as is his right. Mr. Roman stated that this wasn't discussed in executive session. He was also critical of Mr. Mohammed's report, as he has never done one like that previously. An argument ensued between Mr. Roman and Mr. Mohammed. Mr. Roman noted that there has been discussion in executive session, and council had voted, unanimously not to release this report to anyone, and the reasons why. This could backfire on the taxpayers who pay the bills. He called it theatrics at its best. President Yamakaitis recognized Mrs. Hickey. Mrs. Hickey stated that she would have to agree with some of the remarks made by Mr. Roman, as we had not discussed this at all, last night. Last month it was discussed in great detail, and the limitation that were placed on even seeing the report, limiting to the viewing in the attorney's office. She continued stating that it was her belief this was brought up for political reasons. She did not feel it was appropriate to bring it up in the report tonight, and did not want to be a part of this and would be abstaining. Mrs. Hickey expressed her feeling that this should have been brought up last night, in executive session. Mr. Javick was recognized next. He asked if Mr. Mohammed was bringing this forward as Chairman of the Ad Hoc Committee, and was this discusses by the members of the Committee. Mr. Mohammed responded that he was bringing it as a defendant who is being sued in his capacity as Chairperson of the Municipal Investigation Committee. It is personal, anytime your property is at stake, it is very personnel. Mr. Javick responded so this was coming up, in Mr. Mohammed role as Chairman of the Ad Hoc Committee, after it was discussed by the members. Mr. Mohammed responded it does. Mrs. Ormon noted she was having some audio issues, and did not hear all of the discussion. She pointed out that she would have jumped in and seconded the motion in a heartbeat. She was critical of those on council who called this ridiculous, pointing out that people's houses and property were at stake. Mrs. Ormon was critical of Mrs. Hickey's position, stating that Mrs. Hickey should be supportive of protecting the assets of members of council. She spoke to Mr. Mohammed, stating that he should do everything in his power to protect his assets. She stated that this is not political, but is about maintaining what you own. She noted what her efforts would be. Ms. Cosby spoke next. She stated that all of us are named in the lawsuit, if she was not mistaken. Mrs. Cosby stated that she was perplexed as to why the City attorney is silent. She noted the restrictions that were initially placed on members of Council if they had wanted to view the report. Mrs. Cosby repeated her earlier demand that the report, concerning her, be released, and the reasons why. Mr. Roman stated that he understands everyone's compassion. He went to say that this started out essentially as a political battle. He speculated on how this ended up on this path. Mr. Roman state he wanted it on the record that you guys did not discuss this after a through discussion in executive session. He went on to say that those that are going to abstain on it are doing so for the taxpayers who will be footing the bill on this, and why. President Yamakaitis stated that the taxpayers have a right to know what went down, and the report speaks for itself. Mrs. Ormon stated that no one who wants to bring out the things that happened, the dishonesty, should have to risk losing their home. The report speaks for itself and the lawyers of the people involved need to defend them. Not showing up and getting paid for it is dishonesty.

The motion was approved with all voting for approval, except Mr. Medina and Mrs. Hickey who abstained, and Ms. Cosby and Mr. Roman who did not vote.

Mr. Mohammed in concluding my report, the purpose is not some publicity stunt. I have an attorney and he have a right to know. The report exonerates me.

#### Fifth Ward

Ms. Cosby began by apologizing for some of her comments, when others were speaking, as she though that she was on mute. She then started with a protest that an investigation report was voted to be released but when I was the victim of a four-year witch hunt, no one thought it was important to release that investigation that proved that the complaint had no merit.

Good evening everyone:  
I have no report from the environmental commission to date.

No report from the rent leveling board which I requested on May 7th

IN the 5th ward I am compiling a list of areas that have been damaged by city trees currently and in the past that need repair, if you side walk has been damaged please let me know. Send an email to [rcosby@linden-nj.org](mailto:rcosby@linden-nj.org) or text or call 9087177933. Or if your city tree needs trimming as well.

We have a new traffic pattern which I have been reminding everyone about for months. The change has gone into effect. E Baltimore is now a one way from E St Georges to Union St and Union is a two-way street. Please be guided accordingly when traveling in that area.

Caroline Ave had a speed device as the street of the week recently. If I recall there were 80 tickets issued. If that is not correct, I ask Chief Hart to correct me. This should be enough data to prove that some traffic calming devices should be installed on this thoroughfare. Trees and rumble strips. I will follow up on that and thank the neighbors in this area for their patience as we have waited over a year for this to be revisited.

I am so proud and grateful to have been the champion for public safety and not getting deterred by the political nonsense that was initially interjected when I started this quest to get a light. Finally, at the area of 1600 East St Georges Ave and Carolyn there is a push to stop light. The pedestrian has to press the button on either side of the street and the light turn red allowing for safe passage. There are still parts that need to be installed per our engineering department, but they expect it to be up and functional in the coming weeks. I do need to correct my statement on Facebook. The city in fact will have to pay 25% of the cost as will the Borough of Roselle and the state will assume the rest as part of the safe corridor project that was already underway here.

Unofficial minutes from the May 6 Shade Tree Commission. see the clerk

Tune in my YouTube channel this Thursday to get information about life insurance 7pm. Because everyone dies and I regularly provide valuable information to the entire community because I believe that knowledge is power. go to [rhashonna.com](http://rhashonna.com) for the link to the 7pm every Thursday.

Finally, I am not visible because this is my way of a protest on behalf of the general public. As is evident by how the vendors and meeting guests are allowed to be seen and heard when addressing the council so too should the residents or members from the public. This is silly and I think they should be seen and we need to meet in person. Let's have the meetings at the promenade if you all are so afraid! That concludes my report.

During Ms. Cosby's report President Yamakaitis requested that Ms. Cosby stop Facebooking, the meeting, as Council did not agree to the use of that platform.

Mr. Antonelli – Noted that this was the first time he was being recognized this evening. The Council has rules. Mr. Mohammed's resolution was proper and Council has not agreed to do Facebook Live, so Ms. Cosby needs to discontinue her broadcast.

Ms. Cosby – Responded that Council hasn't agreed to do it, but they also have not said that we cannot do it.

Mr. Antonelli – Council has rules, and you could not be doing Facebook live if you were in the Council Chambers. The same rules apply to virtual meetings. He added that Council could not be more transparent then voting to release the Scutari report.

Ms. Cosby – Stopped Facebooking. We will be in person next month one way or another.

#### Sixth Ward

Mr. Roman – Back to the business of the people. Regarding the other matter, an article will appear in various media, controlled by other. He stated that it is one big game, and he didn't want to be part of it. He went on to state that the Shade Tree Commission has planted trees and they are beautiful He asked Sixth Ward residents, that if they needed their sidewalks replaced to give him a call, and provided his phone number. He informed all that the spray park, in Wheeler Park, is getting ready to open, and asked all to give them a chance to take care of it.

Mr. Roman next spoke about the widening of Stiles Street and Routes 1&9, the widening of the sidewalks on West Linden Avenue, when the street was paved. In addition, lighting issues were addressed. He asked residents to be patient, with the construction. He thanked various City personnel who helped addressed the issue of the large pile of rumble on Hampton Street.

Mr. Roman all that NJ DEP is digging on Cedar Ave, and that he will follow up and get a report. He urged residents to lock their cars at all times. He spoke about bulk trash pickup and noted when it was appropriate to place material at the curb, and that it should not be placed there at any time.

#### Seventh Ward

1. Mayor's Office:
  - a. Approve the internship of Faith Itepu effective June 7, 2021 through August 31, 2021 at the rate of \$15.00 per hour not to exceed 35 hours per week.
2. Police Department:
  - a. Accepting the resignation not in good standing of PO David Araque effective April 26, 2021.

- b. Permission to hire eight (8) Police officers from the current list effective June 1, 2021 pending the successful completion of the back-ground checks.
3. Department of Parks and Recreation:
  - a. Approve the title change for Belinda McGhee from Recreation Leader to part-time Clerk 1 at the rate of \$18.98 per hour effective May 16, 2021, not to exceed 25 hours per week.
  - b. Approval of the Seasonal List on file in the Clerk's office.
  - c. Rescinding the appointment of Andy Brisson, Omnibus Driver/Recreation Leader
  - d. Approval to post for Omnibus Driver/Recreation Leader, at the salary of \$18.00 to \$23.00 per hour.
4. Engineering Department:
  - a. Appointment of Tyler Slivinski to the position of engineering aide effective May 31, 2021 and concluding no later than August 31, 2021 at the rate of \$15.00 per hour not to exceed 35 hours per week, subject to the successful completion of the City's pre-employment requirements.
  - b. Appointment of Robert Greeley, Jr., to the position of engineering aide effective May 31, 2021 and concluding no later than August 31, 2021 at the rate of \$15.00 per hour not to exceed 35 hours per week, subject to the successful completion of the City's pre-employment requirements.
5. Construction Code Department:
  - a. Approval of the posting for a P/T Fire Sub-Code Official state-wide.
6. Personnel Division:
  - a. Approval of the FMLA/NJFLA leaves on file with the Division of Personnel:
7. Municipal Court:
  - a. Approve the salary correction of salary for Laura Lee Wade to \$18.98/hr.
8. Community Services:
  - a. Accepting the resignation not in good standing of Mykola Besedin effective May 4, 2021.
9. Finance office:

Approval of the provisional appointment of Daniel Sobolewski to the position of Sr. Staff Accountant effective May 19, 2021 at an annual salary of \$55,000.00.

Mr. Strano moved for approval of the Personnel Report. The motion was seconded by Mrs. Ormon and was ordered approved by with all voting yes, with the exception of Ms. Cosby who voted no and Mr. Roman who voted yes to all and abstained on item 1a.

Mr. Strano noted that Joe Chrobak is doing an outstanding job, filling in during Mr. Pantina's absence. He noted that Mr. Chrobak's wife worked for the Board of Health, as a nurse. He noted that their son had graduated college, achieve honors as magna cum laud. He spoke about the celebration of Earth Day, in the Seventh Ward by working on restoring the rain garden He noted those that had assisted.

Mr. Strano spoke about the recent striping of Stiles St, and pointed out some of the deficiencies in the work, adding that it will be re-done.

#### Eighth Ward

Mr. Blaine and the Parks and Recreation Department, noting that things are getting back to normal. He announced that registration for soccer and for a limited number of participants, the Day Camps. He stated that soccer, basketball and the summer concert series are all coming back. Mr. Blaine spoke about the importance of getting vaccinated and urged all to get vaccinated for COVID-19. He informed all that all of the street sweepers are fixed and running. He asked Eighth Ward residents that if the sweepers aren't coming through their areas to please let him know.

Mr. Blaine spoke about finding drug paraphernalia in and around the parks, He had requested that cleanup, in and around the parks be increased and asked the police to keep an eye out. He discussed the recent changes to the traffic pattern's on E. Baltimore Ave and the need to make a full stop, at the new stop signs. He urged drivers to slow down and put their phones down.

Mr. Blaine announced the Eighth Ward yard sale, and urged residents to join in. He asked all to follow the Governor's guidelines on the indoor wearing of masks.

#### Ninth Ward

Mr. Medina stated he would be discussing some public safety and quality of life issues in the Ninth Ward. He urged motorists to take it easy, on the roads, Don't recklessly be speeding on Orchard, Summit and DeWitt. He told a story regarding traffic safety on a street in the ward. The individuals laughed in his face and noted that they do it, because there are never any police around. He expressed his sympathy to Ms. Caldwell and Mrs. Ormon regarding the situation they were facing on Washington Avenue, with a bar. He stated that he has been pushing for a greater police presence in Sunnyside. Without a police presence the criminals come in. He continued that he is getting lots of calls, from residents, regarding speeding.

Mr. Medina talked about the street of the week program, run by the Linden Police, and added that he has asked Union County for more of a police presence of County roads. He asked all to be considerate, and not to litter. He announced that new backboards were being installed in the Ninth Ward basketball courts. Mr. Medina requested that "Do Not Litter" signs be installed. He concluded by providing his contact information.

#### Tenth Ward

Mrs. Hickey thanked the Finance Committee for hearing her concerns on OEM, noting that it was a great meeting. She pointed out that OEM saves the City a lot of money and frees up police officers and firemen.

Mrs. Hickey gave the report of the Building and Grounds Committee. She provided updates on a number of projects. She spoke about profanity that was written on a street, by School 9, and how wonderful DPW has been in getting it removed. She wondered how a display this large, could be done and that no one noticed it being done. She provided updates on road paving projects in the Tenth Ward and announced the upcoming community yard sale. Mrs. Hickey noted how she loved seeing all of the graduates on Facebook.

Mrs. Hickey asked Tenth Ward residents that if their sidewalks need repairs to call her, and she provided her contact information. She spoke about the work done at Izzi Park and what an amazing job it was. She spoke about past comments, regarding the litigation, and stated that she would not want anyone to lose their house due to a lawsuit. She expressed her desire that the matter should have been early. She wished all a happy Memorial Day.

Mrs. Caldwell – Congratulated her niece. .

Ms. Cosby – Stated that she was nauseated and needed to be excused. She left at 8:40 p.m.

#### Council President.

President Yamakaitis announced that the class of 2021 will have an in-person graduation, but there will be no bash operation. Instead the Mayor's Youth Commission would be sponsoring an outdoor bar-b-que, adding that donations are needed. She announced that the NJ Audubon Society will be hosting some programs at Hawkrise, and detailed them.

President Yamakaitis discussed the electronic council meetings, pointing out that the public may be on screen when they are recognized and explained the access process.

### **MAYOR'S REPORT**

Mayor Armstead provided details on the vaccination clinics run by the pharmacy at Super-Fresh and what vaccines were given out. He thanks the First Baptist Church for hosting a vaccination clinic and its members for volunteering to help. He then noted future clinics that would be taking place and thanked Super-Fresh and its pharmacy for providing these services.

Mayor Armstead announced that a Taco Bell would be coming to Legacy Square. He informed all that the farmers market, in front of City Hall has begun operating, and that the summer camps have been once again open. Regarding the summer camps he provided details on the camps and what was being provided, pointing out how great the programs were. The Mayor announced that the SID was hosting a "After Work Wednesday" program, at the Bauer Promenade, and noted what was being offered.

Mayor Armstead announced that a local business, Syrena Deli, was ranked the number twenty-two deli, in New Jersey on the NJ.com website. He thanked Phillips 66 for their assistance in helping clean up the rain gardens located in the Seventh Ward. The Mayor spoke about the celebration of Hattian Independence Day that was held in front of City Hall. The Mayor thanked Judge Cybil Alysis, associated with For My City. The group, twice donated 700 boxes of food to Linden's Food Bank. The food was targeted to the senior populations.

Mayor Armstead informed all that all City Buildings reopened to the public on June 1<sup>st</sup>, adding that the City was returning to some sense of normalcy. He hoped that all had enjoyed their Memorial Day holiday. He spoke about the plans for post-graduation activities, for Linden's graduating class, including a bar-b-que. In the event that the rules did not allow for those activities he noted that he was prepared to conduct a drive by graduation ceremony, as was done last year. He thanked his staff for being prepared.

Mayor Armstead spoke about the vaccination clinics, and how the City nurses could not be used, because we had no doctor. As a result, the Mayor had spoken to Doctor Schulman, and he will be coming on board to provide that service. The Mayor noted that he was still looking for a pediatrician as well, to provide services to the Board of Health. He would be meeting with a local doctor for this service.

Mayor Armstead stated that he was blindsided by the motion of Alfred Mohammed. The motion was made because the report was paid for by the public. He spoke about the need for transparency, and provided the credentials of the Calcagni Law Firm and the credentials of each of the attorneys who had worked on the report, some of which were the same people who had worked on the conflict of interest prosecution of former Senator Wayne Bryant. He noted that when the matter was being discussed Ms. Cosby and Mr. Roman had left the meeting. He stated the truth is a defense, and spoke about the real possibility of those named by Mr. Scutari, in his lawsuit, losing their homes. The Mayor stated that he was not sleeping at night over this. The report needs to be released, to the attorney, so that Council people can defend themselves.

**RESOLUTIONS**

Mr. Medina was out of the meeting at 9:00 p.m.

**RESOLUTION: 2021-194**

**RESOLUTION FOR STATE CONTRACT PURCHASE OF FOUR (4) 2021 FORD POLICE INTERCEPTOR UTILITY (SUV'S) FROM WINNER FORD FOR THE POLICE DEPARTMENT**

**WHEREAS**, the City of Linden wishes to obtain FOUR (4) 2021 Ford police interceptors (SUV) with options for Police Patrol Division from an authorized vendor under the State of New Jersey Cooperative Purchasing Program 1-NJCP; and,

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

**WHEREAS**, Winner Ford, Cherry Hill, NJ has been awarded New Jersey State Contract No. 20-FLEET-01189 for the provision of police vehicles; and,

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

**WHEREAS**, the amount of the service is not to exceed \$130,000.00 and,

**WHEREAS**, the Chief Finance Officer has certified the availability of funds charged to account #C-04-55-902-744-919; and

**NOW THEREFORE BE IT RESOLVED** by the City of Linden that Winner Ford 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: 2021-195**

**CITY OF LINDEN RAT RESOLUTION**

**WHEREAS**, there were certain payments made by the Municipal Treasurer during the month of April 2021 which do not appear on the Claims list,

**WHEREAS**, said payment must be ratified by the Governing Body of the City of Linden,

**NOW, THEREFORE, BE IT RESOLVED** that the following payments be and hereby are approved:

<b><u>CK#</u></b>	<b><u>DATE</u></b>	<b><u>PAYABLE TO:</u></b>	<b><u>PURPOSE</u></b>	
	4/5/2021	Unity Bank	Workers Comp Claims 3/29 – 4/4	\$8,164.33
	<b>A</b>			
	4/5/2021	Elavon Inc.	April Merchant Fee – Garage Sale	\$63.77
	<b>B</b>			
	4/5/2021	Elavon Inc.	April Merchant Fee – Dog License	\$74.91
	<b>C</b>			
180139	4/7/2021	SID Harvey	Replacement Check	\$2,740.94
	<b>D</b>			
180140	4/7/2021	Jen Electric, Inc.	Traffic Lights Repair – 1/21/2021	\$11,783.00
	<b>E</b>			
	4/7/2021	Payroll 4/9	Payroll – Current	\$176,241.16
	<b>F</b>			

	4/7/2021	Payroll 4/9	Payroll – Trust	\$158,907.50
	<b>G</b>			
	4/7/2021	Payroll 4/9	Payroll – Grant	\$1,539.09
	<b>H</b>			
	4/7/2021	Payroll 4/9	Payroll – Unemployment	\$1,328.79
	<b>I</b>			
	4/8/2021	Benecard Services LLC	April Funding for Prescription Plan	\$125,855.67
	<b>J</b>			
	4/12/2021	Linden Board of Ed.	April Board of Education Payment	\$7,851,326.33
	<b>K</b>			
	4/12/2021	Linden Free Library	April Library Payment	\$187,630.33
	<b>L</b>			
	4/14/2021	TD Wealth Management	Admin Fee – UCIA Airport 2010B	\$3,100.00
	<b>M</b>			
	4/15/2021	NJ State Health Benefits	Health Claims – Active Bill	\$670,963.52
	<b>N</b>			
	4/15/2021	NJ State Health Benefits	Health Claims – Retiree Bill	\$452,369.76
	<b>O</b>			
	4/16/2021	Unity Bank	Workers Comp Claims 4/5 – 4/11	\$14,004.59
	<b>P</b>			
	4/21/2021	Payroll 4/23	Payroll – Current	\$1,702,587.72
	<b>Q</b>			
	4/21/2021	Payroll 4/23	Payroll – Trust	\$140,988.50
	<b>R</b>			
	4/21/2021	Payroll 4/23	Payroll – Grant	\$1,511.45
	<b>S</b>			
	4/21/2021	Payroll 4/23	Payroll – Unemployment	\$1,049.80
	<b>T</b>			
	4/22/2021	Unity Bank	Workers Comp Claims 4/12 – 4/18	\$5,300.65
	<b>U</b>			
	4/22/2021	TD Bank, N.A..	Refunding 2016 Debt Payment	\$345,272.68
	<b>V</b>			
	4/22/2021	Delta Dental of NJ	May Dental Claims – City	\$38,419.84
	<b>W</b>			
	4/22/2021	Delta Dental of NJ	May Dental Claims – Sewerage	\$2,739.58
	<b>X</b>			
	4/22/2021	Delta Dental of NJ	May Dental Claims – Housing	\$1,099.37
	<b>Y</b>			
	4/22/2021	Delta Dental of NJ	May Dental Claims – Library	\$867.81
	<b>Z</b>			
	4/22/2021	Delta Dental of NJ	May Dental Claims – Cobra	\$33.67
	<b>AA</b>			
180385	4/26/2021	Rutgers	Mini-MPA Course – Lt. Sanchez	\$1,800.00
	<b>BB</b>			
180385	4/26/2021	Rutgers	Mini-MPA Course – C. P. Yamakatis	\$1,800.00
	<b>CC</b>			
180385	4/26/2021	Rutgers	Mini-MPA Course – Councilwoman Ormon	\$1,800.00
	<b>DD</b>			
180385	4/26/2021	Rutgers	Mini-MPA Course – Councilwoman Caldwell	\$1,800.00
	<b>EE</b>			
180385	4/26/2021		RutgersMini-MPA Course – Councilman Roman	\$1,800.00
	<b>FF</b>			
180385	4/26/2021	Rutgers	Mini-MPA Course – Councilwoman Hickey	\$1,800.00
	<b>GG</b>			
180385	4/26/2021	Rutgers	Mini-MPA Course – Councilman Medina	\$1,800.00
	<b>HH</b>			
	4/26/2021	Edmunds& Associations	Maintenance for 2021	\$30,000.00
	<b>II</b>			
	4/26/2021	American Builders	Supplies for Wilson Park Bldg.	\$306.75
	<b>JJ</b>			
	4/27/2021	Unity Bank	Workers Comp Claims 4/18 – 4/24	\$3,513.64
	<b>KK</b>			
	4/28/2021	Police & Firemen's	Annual P&F Pension Bill	\$8,153,975.00
	<b>LL</b>			
	4/28/2021	Public Emp.	Ret. Sy. Annual Pers Pension Bill	\$2,474,871.00
	<b>MM</b>			
	4/29/2021	Depository Trust Comp.	Go Bonds 2011 Debt Payment	\$1,234,062.50
	<b>NN</b>			
	4/30/2021	Vision Service Plan	May 2021 Vision Claims	\$3,871.08
	<b>OO</b>			

**RESOLUTION: 2021-196**

**RESOLUTION APPROVING THE INTRODUCTION OF THE CALENDAR YEAR 2021 SPECIAL IMPROVEMENT DISTRICT BUDGET AND SETTING THE HEARING ON THE BUDGET**

**WHEREAS**, the City of Linden, pursuant to N.J.S.A. 40:56-65 et seq. has established a Special Improvement District ("SID") by Ordinance 31-63 adopted on October 19, 1993 which created Linden Code Section 27-1 et seq.; and,

**WHEREAS**, the City of Linden SID has the responsibility to prepare and submit to the City Council a yearly budget and a report which explains how the budget contributes to the goals and objectives of the Special Improvement District; and,

**WHEREAS**, Linden Code 27-5 establishes a maximum added assessment that shall not exceed a sum of \$0.050 of the total assessment; and

**WHEREAS**, the Tax Assessor has determined that the total assessment for the Special Improvement District is \$37,954,900.00 in 2021; and

**WHEREAS**, pursuant to Linden Code Section 27-6 the City Council is in receipt of the 2016 yearly budget and the report which explains how the budget contributes to the goals and objectives of the Special Improvement District, both of which are attached hereto; and

**WHEREAS**, pursuant to N.J.S.A 40:56-84(f) (2) City Council shall introduce and approve the yearly budget by a Resolution passed by not less than a majority of the full membership of the City Council; and

**WHEREAS**, pursuant to N.J.S.A 40:56-84(c) the City Council shall upon approval of the budget, fix the time and place for the holding of a public hearing upon the budget with the notice of the hearing and copy of the budget to be published at least 10 days prior to the date fixed therefore in the official newspaper of the City and not less than 28 days after the approval of the budget.

**IT IS HEREBY RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN**, that:

1. The 2021 Special Improvement District budget and a report which explains how the budget contributes to goals and objectives for the Special Improvement District are attached hereto as Exhibit "A", and made part hereof. The budget is hereby introduced being read by its title and declares that the conditions set forth in N.J.S.A 40:56-84(f)(1) are satisfied.

2. The hearing on the 2021 Special Improvement District budget shall be on June 15, 2021 at City of Linden City Hall, Council Chambers, 301 North Wood Avenue, Linden New Jersey, at 7:00 p.m.

3. The notice of the time and place for the holding of the public hearing upon the budget and a copy of the budget shall be published in the Local Source on \_\_\_\_\_. Same was posted in City Hall and made available to any person requesting same.

**RESOLUTION: 2021-197**

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

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

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

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

**WHEREAS**, the anticipated term of this contract is one (1) year, commencing on July 1, 2021 through June 30, 2022 for software at the rate not to exceed \$53,125.00; and

**WHEREAS**, Visual Computer Solutions, Inc. has submitted a proposal dated May 1, 2021 indicating they will provide the software required for the aforesaid price; and

**WHEREAS**, funds have been previously certified and will be charged to account/line item 1-01-25-250-314-271; and

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

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

RESOLUTION: 2021-198

RESOLUTION AUTHORIZING THE EXECUTION OF A REIMBURSEMENT AGREEMENT WITH ACE PLUS, LLC

WHEREAS, the City of Linden ("City") was awarded a grant under the Hazardous Site Discharge Remediation Fund and the City wishes to reimburse the property owner who has paid Brinkerhoff Environmental Services to preform additional site investigation work at the site; and

WHEREAS, the City of Linden has determined it is in the best interests of the City to enter into this agreement, as attached hereto and made part of, for said purposes.

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

1. The City hereby authorized execution of the Reimbursement Agreement with Ace Plus, LLC.
2. The Mayor and the City Clerk are hereby authorized to execute said Agreement.

RESOLUTION: 2021-199

RESOLUTION AUTHORIZING THE CITY OF LINDEN TAX COLLECTOR TO PREPARE AND MAIL ESTIMATED TAX BILLS IN ACCORDANCE WITH P.L. 1994, C.72

**WHEREAS**, the City Council of the City of Linden does have an adopted City of Linden Budget for 2021 and the City of Linden has not received a certified tax rate from Union County as of this date, the City of Linden Tax Collector will be unable to mail the City of Linden's 2021 tax bills on a timely basis; and

**WHEREAS**, the City of Linden Tax Collector, in consultation with the City of Linden Chief Financial Officer, has computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3, and they have both signed a certification showing the tax levies for the previous year, the tax rates and the range of permitted estimated tax levies;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINDEN**, in the County of Union and State of New Jersey on this 18<sup>th</sup> day of May, 2021 as follows:

1. The City of Linden Tax Collector is hereby authorized and directed to prepare and issue estimated tax bills for the City of Linden for the third installment of the 2021 taxes on or before June 30, 2021.
2. The entire estimated tax levy for 2021 is hereby set at \$189,168,148.52 with an estimated rate of \$6.918.
3. In accordance with law the third installment of 2021 taxes shall not be subject to interest until the twenty-fifth calendar day after the date the estimate tax bills were mailed. The estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue.

RESOLUTION: 2021-200

CITY OF LINDEN RESOLUTION TO ESTABLISH THE CURRENT FUND OPERATING BUDGET FOR THE PERIOD OF JANUARY 1, 2021 THROUGH JUNE 30, 2021

**WHEREAS**, N.J.S. 40A:4-19 provides that where any contract, commitment or payments are to be made prior to the final adoption of the 2021 Current Operating Budget, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided; and

**WHEREAS**, the total appropriations in the 2020 Current Operating Budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance, is the sum of \$98,328,334.60 and

**WHEREAS**, six months of the total appropriations in the 2021 Current Operating Budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance in said Current Operating Budget is the sum of \$49,164,167.35; and

**NOW, THEREFORE, BE IT RESOLVED** that the following appropriations be made for current fund and that a certified copy of this resolution be transmitted to the Chief Financial Officer for his records.

**RESOLUTION: 2021-201**

**CITY OF LINDEN RESOLUTION TO  
ESTABLISH THE SANITARY LANDFILL  
UTILITY OPERATING BUDGET  
FOR THE PERIOD OF  
JANUARY 1, 2021 THROUGH JUNE 30, 2021**

**WHEREAS**, N.J.S. 40A:4-19 provides that where any contract, commitment or payments are to be made prior to the final adoption of the 2021 Sanitary Landfill Utility Operating Budget, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided; and

**WHEREAS**, the total appropriations in the 2020 Sanitary Landfill Utility Operating Budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance, is the sum of \$99,700.00; and **WHEREAS**, six months of the total temporary appropriations for the 2021 Sanitary Landfill Utility Operating Budget cannot exceed the sum of \$49,850.00; and

**NOW, THEREFORE, BE IT RESOLVED** that the following temporary appropriations be made in the amount of \$49,850.00 and that a certified copy of this resolution be transmitted to the Chief Financial Officer for his records.

**RESOLUTION: 2021-202**

**A RESOLUTION AUTHORIZING THE CANCELATION OF TAX SALE CERTIFICATE PREMIUM  
MONIES**

**WHEREAS**, a tax sale certificate #17-00008 on block 8 lot 25 was sold on June 8, 2018;

**WHEREAS**, a premium of \$ 9,500.00 was paid on this certificate; and

**WHEREAS**, Stacey L. Carron, Tax Collector has verified that no redemption has taken place, and the lien holder of tax sale certificate #17-00008, Phoenix Funding has assigned to Arianna Holding Co., LLC and Arianna Holding Co., LLC has foreclosed on 1/8/2021 and recommends said premium, totaling \$9,500.00, be canceled and turned over the City Treasurer.

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

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

**RESOLUTION: 2021-203**

**A RESOLUTION AUTHORIZING THE CANCELATION OF TAX SALE CERTIFICATE PREMIUM  
MONIES**

**WHEREAS**, a tax sale certificate # 16-00282 block 439 lot 20 was sold on June 9, 2017;

**WHEREAS**, a premium of \$70,000.00 was paid on this certificate; and

**WHEREAS**, Stacey L. Carron, Tax Collector has verified that no redemption has taken place, and the lien holder of tax sale certificate #16-00282, MTAG Cust for Empire VIII, NJ has assigned to ETF8 Special NJ Assets, NJ and then assigned to Mann Boys Realty, LLC and Mann Boys Realty, LLC has foreclosed on 12/4/2020 and recommends said premium, totaling 70,000.00, be canceled and turned over the City Treasurer.

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

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

**RESOLUTION: 2021-204**

**RESOLUTION AMENDING RESOLUTION 2021-160 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 \$24,000.00 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 \$24,000.00.
3. This Resolution shall take effect pursuant to law.

**RESOLUTION: 2021-205**

**RESOLUTION APPOINTING HOPLITE COMMUNICATIONS AS CONSULTANT TO THE CITY OF LINDEN**

**WHEREAS**, it is necessary for the City of Linden to retain a Consultant to provide municipal services with regard to the City of Linden's communication carriers as carrier agreements are beyond the scope and expertise of professionals normally utilized by the City of Linden.; and

**WHEREAS**, pursuant to the Municipal Land Use Law, N.J.S.A. 40:55D-53.2 application review and inspection charges shall be limited only to professional charges for review of applications, review and preparation of documents and inspections of developments under construction and review by outside consultants when an application is of a nature beyond the scope of the expertise of the professionals normally utilized by the municipality; and

**WHEREAS**, the City of Linden desires to appoint Peter J. Lupo, Esq. of Hoplite Communications as a Consultant to provide municipal services with regard to the City of Linden's communications carriers; and

**WHEREAS**, Hoplite Communications has provided a copy of its summary of services, attached hereto and incorporated herein by reference; and

**WHEREAS**, Peter J. Lupo, Esq. of Hoplite communications will serve as Consultant at no cost to the City of Linden for the term May 18, 2021 through December 31, 2021; and

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN** by the Mayor and Council of the City of Linden, County of Union and State of New Jersey that Peter J. Lupo, Esq. of Hoplite Communications be and is hereby appointed as a Consultant to the City of Linden provide municipal services with regard to the City of Linden's communication carriers as set forth in its summary of services attached hereto and made a part hereof; and

**BE IT FURTHER RESOLVED** that the Consultant will provide its services to the City of Linden at no cost to the City for the term May 18, 2021 through December 31, 2021; and

**BE IT FURTHER RESOLVED** that all services rendered to the City of Linden will be paid by the communications/utility carrier; and

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk be and hereby authorized and directed to forward a copy of this resolution to Peter J. Lupo Esq., upon its passage.

**RESOLUTION: 2020-206**

**RESOLUTION  
SUPPORTING THE 2021 NATIONAL CLICK IT OR TICKET 2021 ENFORCEMENT CAMPAIGN**

**WHEREAS**, there were 558 motor vehicle fatalities in New Jersey in 2019; and

**WHEREAS**, a large percentage of the motor vehicle occupants killed in traffic crashes were not wearing a seat belt; and

**WHEREAS**, use of a seat belt remains the most effective way to avoid death or serious injury in a motor vehicle crash; and

**WHEREAS**, the National Highway Traffic Safety Administration estimates that 14,955 lives were saved by safety belt usage nationally in 2017. From 2013 to 2017, seat belts saved nearly 69,000 lives; and

**WHEREAS**, the State of New Jersey will participate in the nationwide *Click It or Ticket* seat belt mobilization from May 24th to June 6, 2021 in an effort to raise awareness and increase seat belt usage through a combination of high visibility enforcement and public education; and

**WHEREAS**, the New Jersey Division of Highway Traffic Safety has set a goal of increasing the seat belt usage rate in the State from the current level of almost ninety (90) per cent(%) to ninety-five (95) per cent(%); and

**WHEREAS**, a further increase in seat belt usage in New Jersey will save lives on our roadways;

**THEREFORE, BE IT RESOLVED** that the City of Linden declares its support for the *Click It or Ticket* seat belt mobilization both locally and nationally, from May 24th to June 6, 2021 and pledges to increase awareness of the mobilization and the benefits of seat belt use.

**RESOLUTION: 2021-207**

**RESOLUTION AUTHORIZING THE EXECUTION OF DUAL STREAM RECYCLABLES AGREEMENT  
WITH BAYSHORE**

**WHEREAS**, the City of Linden ("City") is in need of disposing its curbside recyclable materials and containers services; and

**WHEREAS**, the City of Linden has determined it is in the best interests of the City to enter into this agreement, as attached hereto and made part of, for said purposes.

**WHEREAS**, there is a cost associated with the recycling of commingle, the amount of said service is not to exceed \$112,000.00; and

**WHEREAS**, the Chief Financial Officer has certified the availability of funds charged to account #1-01-26-305-169-270.

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

1. The City is hereby authorized to enter into the Dual Stream Recyclables Agreement with Bayshore, located at 75 Crows Mill Road, Keasbey, New Jersey 08832.
2. The City Attorney, Daniel Antonelli has approved the form of agreement.
3. The Mayor and the City Clerk are hereby authorized to execute said Agreement.

**RESOLUTION: 2021-208**

**RESOLUTION AUTHORIZING THE EXECUTION OF A POLE ATTACHMENT AGREEMENT WITH  
VERIZON TO ALLOW PLACEMENT OF SECURITY CAMERAS ON THEIR UTILITY POLES**

**WHEREAS**, the City of Linden wishes to install security cameras on utility poles in the City of Linden currently owned by Verizon; and

**WHEREAS**, Verizon requires the execution of a Pole Attachment Agreement; and

**WHEREAS**, the City Attorney has reviewed the Pole Attachment Agreement and finds same to be acceptable.

**NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL AND CITY OF LINDEN,  
COUNTY OF UNION STATE OF NEW JERSEY THAT:**

1. The City Council authorizes the Mayor and Clerk to enter into the Pole Attachment Agreement in the form attached hereto as Exhibit "A".

**RESOLUTION: 2021-209**

**RESOLUTION FOR STATE CONTRACT FOR PROVISION OF AN E-TICKETING TURNKEY SYSTEM FOR THE POLICE DEPT. FROM GOLD TYPE BUSINESS MACHINES FOR 2021**

**WHEREAS**, the City of Linden wishes to obtain services from an authorized vendor under the State of New Jersey Cooperative Purchasing Program 1-NJCP; police vehicles equipment and supplies from Gold Type Business Machines, an authorized vendor under the State of New Jersey Cooperative Purchasing Program 1-NJCP; and,

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

**WHEREAS**, Gold Type Business Machines, Gold, Inc., 351 Paterson Avenue, East Rutherford, New Jersey 07065, has been awarded New Jersey State Contract No. 17-FLEET-00716 for the provision of an E-Ticketing Turnkey System; 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 \$60,000.00 (subject to the 2021 budget); and,

**WHEREAS**, the Chief Finance Officer has certified the availability of funds for this contract, which will be charged to account number 1-01-25-240-160-201; and,

**NOW THEREFORE BE IT RESOLVED** by the City of Linden that GTBM, be awarded a contract for a term of one year starting May, 2021 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: 2021-210**

**RESOLUTION WAIVING FEES FOR A COMMUNITY WIDE GARAGE SALE TO BE HELD IN THE SIXTH WARD**

WHEREAS, the City Council has determined to allow a community wide garage sale in the Sixth Ward on June 12, 2021 and June 13, 2021; and

WHEREAS, the City Council has determined to allow a community wide garage sale in the Sixth Ward on June 12, 2021, and June 13, 2021; and

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

WHEREAS, the Sixth Ward garage sale shall not impact a resident's right to conduct up to two garage sales in a year; and

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

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

1. The City of Linden hereby waives fees for permits for a community wide garage sale in the Sixth Ward on June 12, 2021 and June 13, 2021.
2. The Sixth ward garage sale shall not impact a resident's right to conduct up to two garage sales in a year.
3. Chapter 4-3.6 shall still apply, limiting one singled faced sign containing not more than four square feet in total area to be placed upon the premises where the sale is being conducted, and further prohibiting any other signs and either public or private property.
4. This Resolution shall take effect pursuant to law.

**RESOLUTION: 2021-211**

**RESOLUTION APPROVING A CONTRACT WITH KEY-TECH LABORATORIES FOR TESTING AND INSPECTION OF MATERIALS FOR ANNUAL CONSTRUCTION PROJECTS**

**WHEREAS**, there exists a need for the testing and inspection of materials, under the supervision of a professional engineer, relative to the City of Linden's annual construction projects; 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**, Key-Tech Laboratories submitted a qualification to the City and has qualified for the aforesaid services for 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 No. C-04-55-901-703-919; 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** that a contract for Professional Services be and hereby is awarded to Key-Tech Laboratories, 210 Maple Place, P.O. Box 48, Keyport, New Jersey 07735, at a fee not to exceed \$10,000.00, in accordance with their proposal dated October 26, 2020; and

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

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

**RESOLUTION: 2021-212**

**A RESOLUTION AUTHORIZING THE REDEVELOPMENT AGREEMENT BETWEEN THE CITY OF LINDEN ("CITY") AND CENTERPOINT LINDEN PLAZA URBAN RENEWAL LLC FOR PROPERTY IDENTIFIED ON THE OFFICIAL TAX MAP OF THE CITY OF LINDEN BLOCK 580, LOTS 13 AND 14 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**, pursuant to the resolution adopted on March 22, 2017, the municipal council of the City (the "**City Council**") authorized the Planning Board of the City ( the "**Planning Board**") to investigate whether those properties commonly known as Block 580, Lots 13 and 14 on the tax map of the City should be designated as an area in need of redevelopment pursuant to the Redevelopment Law; and

**WHEREAS**, on May 9, 2017, the Planning Board held a hearing and recommended to the City Council that Block 580, Lots 13 and 14 on the tax maps of the City be designated as an area in need of redevelopment pursuant to the Redevelopment Law; and

**WHEREAS**, on May 17, 2017, the City Council adopted Resolution 2017-222 designating Block 580, Lots 13 and 14 on the tax maps of the City as an area in need of redevelopment (the "**Redevelopment Area**"); and

**WHEREAS**, the Redeveloper submitted to the City a proposal to undertake the construction of a 321,875 square feet warehouse/distribution building and related improvements (the "**Project**"); 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 CENTERPOINT LINDEN PLAZA 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 CENTERPOINT LINDEN PLAZA URBAN RENEWAL LLC.

**Resolution: 2021-213**

**RESOLUTION AMENDMENT RESOLUTION 2021-46 AWARDING A CONTRACT TO COMMUNITIES IN COOPERATION, INC.**

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

**WHEREAS**, on January 19, 2021 Council adopted Resolution 2021-46 awarding a contract to Communities in Cooperation, Inc. in the amount of \$10,000.00; and

**WHEREAS**, there exists a need to amend such contract in an amount of \$20,000.00; and

**WHEREAS**, the total value of said contact, inclusive of the amended amount will be \$30,000.00; 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

**NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LINDEN**, amending the contract for professional services be and hereby awarded to Communities In Cooperation, Inc., 9-11 Crawford Street, Suite #3, Newark, NJ 07102 be amended by a fee not to exceed \$20,000.00 for a total value of \$30,000.00; and

**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: 2021-214**

**RESOLUTION AUTHORIZING THE LINDEN BASEBALL ASSOCIATION TO PLACE BANNERS ON THE VARSITY FIELD FENCES**

**WHEREAS**, City of Linden is the owner of the Baseball Varsity fields; and;

**WHEREAS**, the Linden Baseball Association has requested to place banners on the fences of the Varsity baseball field; and

**WHEREAS**, the Linden Baseball Association will charge for the placement of banners on the fences of the Varsity baseball field, with the funds raised going to support the City of Linden high school baseball players and activities in connection with baseball.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF LINDEN** that the City of Linden authorizes the Linden Baseball Association to place banners on the fences of the Varsity baseball filed

**RESOLUTION: 2021-215**

**RESOLUTION WAIVING FEES FOR A COMMUNITY WIDE GARAGE SALE TO BE HELD IN THE NINTH AND TENTH WARDS**

**WHEREAS**, the City Council has determined to allow a community wide garage sale in the Ninth and Tenth Wards on June 5, 2021 and June 6, 2021; and

**WHEREAS**, the City Council has determined to allow a community wide garage sale in the Ninth and Tenth Wards on June 5, 2021 and June 6, 2021; and

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

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

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

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

1. The City of Linden hereby waives fees for permits for a community wide garage sale in the Ninth and Tenth Wards on June 5, 2021 and June 6, 2021.
2. The Ninth and Tenth Wards garage sale shall not impact a resident's right to conduct up to two garage sales in a year.
3. Chapter 4-3.6 shall still apply, limiting one singled faced sign containing not more than four square feet in total area to be placed upon the premises where the sale is being conducted, and further prohibiting any other signs and either public or private property.
4. This Resolution shall take effect pursuant to law.

**RESOLUTION: 2021-216**

**RESOLUTION URGING SUPPORT OF A-5450/S-3827  
CLARIFYING TELECOMMUNICATIONS INDUSTRY CORPORATE TAX RESPONSIBILITIES TO  
MUNICIPALITIES**

**WHEREAS**, A-5450/S-3827 seeks to clarify telecommunications industry corporate tax responsibilities and shield taxpayers from the costs of endless tax court litigation, and

**WHEREAS**, a misinterpretation of P.L. 1997,c.162 (C.54:10A-3 et al.) has resulted in municipalities facing the cost of litigating Verizon's tax appeals filed for every tax year subsequent to 2009, up to and including the current year, and

**WHEREAS**, tax court litigation in one municipality took ten years to ensure that Verizon would pay its 2008 business personal property taxes (BPPT), and further litigation will be needed to secure BPPT payments for each subsequent year in which the exemption was claimed, and

**WHEREAS**, every municipality faces the same prospect of costly annual tax court filings and appeals, adding to taxpayers burden, and

**WHEREAS**, A-5450/S-3827 would clarify the intent to permanently apply the business personal property tax on local exchange telephone companies that were subject to the BPPT tax as of April 1, 1997.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF LINDEN**

1. That is Mayor and Council of the City of Linden do hereby support A-5450/S-3827, which will clarify the telecommunications industry corporate tax responsibilities; and
2. That a copy of this resolution be sent to the Office of the Governor, our State Legislators, and the New Jersey League of Municipalities.

Mr. Strano moved for approval of resolutions 2021-194 to Resolution 2021-216. The motion was seconded by Mr. Blaine. President Yamakaitis call for discussion. Mr. Strano noted that the dates were missing in resolution 2021-210, and the dates should be June 12<sup>th</sup> and June 13<sup>th</sup>. Mr. Roman noted that he had pulled resolution 2021-210 for discussion. He spoke to the residents of the Sixth Ward, explaining that resolution was waiving the fees for a Community wide garage sale in the Sixth Ward.

Upon a roll call vote the above were approved with all voting in favor, except Ms. Cosby and Mr. Medina who were absent, and Mrs. Ormon who abstained on 2021-195 dd, Mrs. Caldwell who abstained on 2021-195 ee, Mr. Mohammed who abstained on 2021-195-dd, Mr. Roman who abstained on 2021-195ff, Mr. Blaine and Mrs. Hickey who abstained on 2021-195 and President Yamakaitis who abstained on 195-cc.

Mrs. Ormon moved to amend Mr. Mohammed motion on the release of the Calcagni Knefski Report. The amend was to clarify the original motion, that the release of the report only be to the attorney's defending individuals named in the law suite filed by Mr. Scutari against them. The motion was seconded by Mr. Strano and was approved, with all voting in favor except Mr. Roman and Mrs. Hickey who abstained. Ms. Cosby and Mr. Medina were absent.

### **ORDINANCE ON INTRODUCTION**

#### **Ordinance**

#65-25 An ordinance to provide for the amendment of Chapter 31 Zoning Regulations of the revised general ordinances of the City of Linden with the addition of a new section entitled "Telecommunications Facilities in the Public "Right-of-Way."

Ordinance #65-25 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 unanimously ordered approved by a roll call vote. (Ms. Cosby and Mr. Medina were excused from the meeting)

#### **Ordinance**

#65-26 An ordinance to amend an ordinance entitled, "An Ordinance Establishing a Schedule of Titles, Salary Ranges and Regulations for Maintaining the Classification and Salary Standardization Plan of all Employees of the City of Linden," passed August 15, 1995 and approved August 16, 1995.

**ADDING SCHEDULE:**  
4-PP-4

Ordinance #65-26 was introduced by Mr. Strano and was read on first reading by the Deputy Clerk.

On motion of Mr. Strano seconded by Mrs. Caldwell the foregoing Ordinance was unanimously ordered approved by a roll call vote. (Ms. Cosby and Mr. Medina were excused from the meeting)

#### **Ordinance**

65-27 Ordinance approving the application for a long-term tax exemption and authorizing the City of Linden to enter into a financial agreement with Centerpoint Linden Plaza Urban Renewal, LLC for property identified on the official tax Map of the City of Linden as Block 580, Lots 13 and 14.

Ordinance #65-27 was introduced by Mrs. Ormon and was read on first reading by the Deputy Clerk.

On motion of Mrs. Ormon seconded by Mr. Javick the foregoing Ordinance was unanimously ordered approved by a roll call vote. (Ms. Cosby and Mr. Medina were excused from the meeting)

### **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.**

Diane Wilverding – 150 Morris Ave. Ms. Wilverding spoke about the Linden train station and the need for beautification. She suggested that the individuals who had worked on the library grounds be used to work on the train station grounds. She noted the truck traffic on Carteret Street, spoke about the SID programs and asked for clarification on what the street of the week program was about. Chief Hart explained the street of the week program. Ms. Wilverding asked when the council would be returning to in-purpose meetings in the Council chambers. Ms. Wilverding requested that Mr. Roman have a tree planted by her home.

President Yamakaitis noted the work that had to be done, in the Council Chambers, from the fire, before council can resume meeting there. She also responded to the request for beautification of the train station.

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

President Yamakaitis recognized Mr. Antonelli. Mr. Antonelli spoke about the motion to release the Calcagni report, and asked for clarification if it was to be released just to the attorneys representing Council members in the litigation, or to anyone that request a copy.

Mr. Mohammed responded that it would be released to me and my attorney that was representing him. I will receive it and give it to my attorney.

Mr. Antonelli repeated that it was to be released just to the attorneys, and not to the general public.

Mr. Roman questioned the original motion, and asked if I had allowed the report to be released to the public can be it changed by a clarification.

Mr. Attorney suggested amending the resolution to allow the release of the Calcagni report to the attorney involved only.

Mr. Mohammed stated that he waived his attorney client privileges, it could be released.

Mr. Antonelli the issue is not the attorney client privilege. He noted that the motion was to release it to the public, and then there were some follow-up comments regarding releasing it to the attorneys in the litigation. We need some clarification. The original motion was to release it to the public. If that was not the intent, then someone could make a motion that it be released to the attorneys in the litigation.

Mr. Mohammed on the advice of my attorney I have no comment.

Mrs. Hickey stated that she was confused by what was going on, the comment that we are in jeopardy of losing our homes and asked if she needed to get an attorney.

Mr. Antonelli, in response, noted those who are named as defendants in Mr. Scutrari's lawsuit.

Mrs. Hickey thanked Mr. Antonelli for making it clear.

Mr. Strano stated that he would like to note that the suit also names various Jane and John Doe's. If the report is released to Mr. Mohammed's attorney then any other of the defendant's attorneys should also get the report. This should be done on a case by case basis, and not by a blanket release.

Mr. Roman spoke about the original motion, and its releasing the report to the general public. He noted that releasing the report should be only to the attorney

President Yamakaitis asked Mr. Mohammed to read the motion he had previously had made.

Mr. Mohammed responded that he did the motion from memory and did not have anything written. He stated that he wanted it released to his attorney.

Mrs. Ormon stated that she was under the impression that the report would only be released to the attorneys, and not to the general public. Mrs. Ormon made a motion to amend Mr. Mohammed's previous motion and authorize the release of the Calcagni Report to only the attorneys of those named as defendants in the litigation. The motion was seconded by Mr. Strano. Mr. Roman asked if members of the Council can release the report, or does another vote have to happen for it to be released to the public. Mr. Antonelli noted council had agreed that no one had the report except for himself and the Mayor. Mrs. Ormon's motion amends that so that it can only be released to the attorneys. Mr. Mohammed has retained counsel. There are discussions with the others named about individual counsel. The Clerk has denied several OPRA request, rightly, for the document. The motion was ordered approved by a roll call vote, with all voting in favor except for Mr. Roman and Mrs. Hickey who abstained on it. (Ms. Cosby and Mr. Medina were absent).

#### **COMMENTS BY MEMBERS OF THE GOVERNING BODY**

Mr. Strano wished all a pleasant and happy Memorial Day. He noted the wreath laying ceremony that the American Legion was holding.

Mr. Javick offered his congratulation to the Chrobak family. He spoke about Memorial Day.

Mrs. Caldwell wished all a happy Memorial Day and said to stay safe.

Mr. Roman spoke about standing before Council for ten years, before being elected, and what he was told about listening to certain people. It is obvious who is being led.

Mr. Blaine informed all that a senior grab and go food program was available at the JTG center. He wished all a happy Memorial Day.

Mrs. Ormond wished all a happy and safe Memorial Day holiday. She stated that none of us are perfect and that we all make mistakes. Those named are entitled to the report in order to protect their assets.

Mayor Armstead wished all a happy Memorial Day. He noted that all should have the opportunity to buy property and raise children.

#### **ANNOUNCEMENTS**

President Yamakaitis made the following announcements:

**\*Council Conference meeting, Monday, June 14, 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, June 15, 2021 at 6:00 pm in the Council Conference Room, City Hall, 301 N. Wood Ave.  
(Meeting to be held virtually)**

**\*Council Meeting: Tuesday, June 15, 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.gov](http://Linden-nj.gov) for directions on how to participate electronically in these meetings and for copies of the agenda.**

There being no further business to come before the Governing Body, Mr. Strano moved to adjourn the meeting. The motion was seconded by Mr. Javick and was unanimously ordered approved by a roll call vote.

The meeting was adjourned at 9:48 pm.

Respectfully submitted,

Joseph C. Bodek  
City Clerk