

**LINWOOD COMMON COUNCIL
MINUTES OF REGULAR MEETING
February 24, 2010**

FLAG SALUTE:

Councilwoman Stacy DeDomenicis led the flag salute.

CALL TO ORDER

Council President Donna Taylor called the meeting to order at 7:07 P.M., noting that the meeting had been advertised in compliance with the requirements of the Open Public Meetings Act.

ROLL CALL

Present: Mayor Rick DePamphilis; Councilman Elliot Beinfest; Councilwoman Stacy DeDomenicis; Councilman Matt Levinson; Councilman Alex Marino; Councilman Ralph Paolone; Councilman Tim Tighe; and Council President Donna Taylor.

Absent: None.

Also Present: Joseph L. Youngblood, City Solicitor; Steve Mazur, Dixon Associates; and Leigh Ann Napoli, Municipal Clerk.

APPROVAL OF MINUTES WITHOUT FORMAL READING

Councilman Beinfest motioned, seconded by Councilwoman DeDomenicis, to approve the minutes of the January 27, 2010 regular meeting without formal reading. All members of Council were in favor. Motion was approved.

ORDINANCES

1 OF 2010 AN ORDINANCE PROVIDING FOR AND ESTABLISHING SALARIES, COMPENSATION AND SALARY RANGES OF OFFICERS AND EMPLOYEES OF THE CITY OF LINWOOD, AND REPEALING ALL ORDINANCES HERETOFORE ADOPTED, THE PROVISIONS OF WHICH ARE INCONSISTENT HEREWITH.

The Clerk read Ordinance No. 1 of 2010 by title only. Councilwoman DeDomenicis motioned, seconded by Councilman Marino to approve Ordinance No. 1 for final reading. Council President Taylor opened the floor for discussion on Ordinance No. 1. Councilman Marino questioned if the Ordinances were published again of February 17 because the February 10 Council meeting was cancelled due to the snow storm. Council President Taylor responded in the affirmative. Seeing and hearing no members of the public wishing to be heard, Council President Taylor closed the floor. A roll call vote was heard with six in the affirmative and Councilman Tighe absent. Motion was approved.

2 OF 2010 AN ORDINANCE AMENDING CHAPTER 238 STORMWATER MANAGEMENT OF THE CODE OF THE CITY OF LINWOOD AND REPEALING ALL ORDINANCES HERETOFORE ADOPTED THE PROVISIONS OF WHICH ARE INCONSISTENT HEREWITH.

The Clerk read Ordinance No. 2 of 2010 by title only. Councilman Marino motioned, seconded by Councilwoman DeDomenicis to approve Ordinance No. 2 for final reading. Council President Taylor opened the floor for discussion on Ordinance No. 2. Seeing and hearing no members of the public wishing to be heard, Council President Taylor closed the floor. A roll call vote was heard with six in the affirmative and Councilman Tighe absent. Motion was approved.

3 OF 2010 AN ORDINANCE AMENDING CHAPTER 140 FEES, ARTICLE III PUBLIC DEFENDER FEE OF THE CODE OF THE CITY OF LINWOOD AND REPEALING ALL ORDINANCES HERETOFORE ADOPTED THE PROVISIONS OF WHICH ARE INCONSISTENT HEREWITH.

The Clerk read Ordinance No. 3 of 2010 by title only. Councilman Beinfest motioned, seconded by Councilman Levinson to approve Ordinance No. 3 for final reading. Council President Taylor opened the floor for discussion on Ordinance No. 3. Seeing and hearing no members of the public wishing to be heard, Council President Taylor closed the floor. A roll call vote was heard with six in the affirmative and Councilman Tighe absent. Motion was approved.

4 OF 2010 AN ORDINANCE AMENDING CHAPTER 122 CURFEW, SECTION 1 LOITERING OF MINORS PROHIBITED OF THE CODE OF THE CITY OF LINWOOD AND REPEALING ALL ORDINANCES HERETOFORE ADOPTED THE PROVISIONS OF WHICH ARE INCONSISTENT HEREWITH.

The Clerk read Ordinance No. 4 of 2010 by title only. Councilman Marino motioned, seconded by Councilwoman DeDomenicis to approve Ordinance No. 4 for final reading. Council President Taylor opened the floor for discussion on Ordinance No. 4. Seeing and hearing no members of the public wishing to be heard, Council President Taylor closed the floor. A roll call vote was heard with six in the affirmative and Councilman Tighe absent. Motion was approved.

5 OF 2010 AN ORDINANCE AMENDING CHAPTER 119, CONSTRUCTION CODES, UNIFORM, 119-3, FEES; CHAPTER 172, LICENSED OCCUPATIONS, ARTICLE II, HOME RENOVATION AND ALTERATION MECHANICS, 172-9 LICENSE FEES, AND ARTICLE III, COMMERCIAL LANDSCAPERS, 172-13, LICENSE FEES; CHAPTER 216, SATELLITE EARTH STATION ANTENNAS, 216-12, PERMIT FEES; CHAPTER 241, STREETS AND SIDEWALKS, 241-3 APPLICATION FOR PERMIT; FEE AND 241-23, FEES AND DEPOSITS AND CHAPTER 247, SWIMMING POOLS, 247-3, APPLICATION; PERMIT FEES; INSPECTION FEES OF THE CODE OF THE CITY OF LINWOOD AND REPEALING ALL ORDINANCES HERETOFORE ADOPTED THE PROVISIONS OF WHICH ARE INCONSISTENT HEREWITH.

The Clerk read Ordinance No. 5 of 2010 by title only. Councilman Marino motioned, seconded by Councilman Levinson to approve Ordinance No. 5 for first reading. A roll call vote was heard with six in the affirmative and Councilman Tighe absent. Motion was approved.

6 OF 2010 AN ORDINANCE AMENDING CHAPTER 52 PERSONNEL AND PERSONNEL PROCEDURES, ARTICLE III, COMPENSATION OF THE CODE OF THE CITY OF LINWOOD AND REPEALING ALL ORDINANCES HERETOFORE ADOPTED, THE PROVISIONS OF WHICH ARE INCONSISTENT HEREWITH.

The Clerk read Ordinance No. 6 of 2010 by title only. Councilwoman DeDomenicis motioned, seconded by Councilman Paolone to approve Ordinance No. 6 for first reading. A roll call vote was heard with six in the affirmative and Councilman Tighe absent. Motion was approved.

7 OF 2010 AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK.

The Clerk read Ordinance No. 7 of 2010 by title only. Councilman Marino motioned, seconded by Councilman Levinson to approve Ordinance No. 7 for first reading. A roll call vote was heard with six in the affirmative and Councilman Tighe absent. Motion was approved.

RESOLUTIONS

47-2010 A Resolution approving the Temporary Budget for 2010

The Clerk read Resolution No. 47 of 2010 by title only. Councilman Marino motioned, seconded by Councilman Beinfest to approve Resolution No. 47. A roll call vote was heard with seven in the affirmative. Motion was approved.

RESOLUTIONS WITHIN CONSENT AGENDA

All matters listed under item, **Consent** Agenda, are considered to be routine by City Council, and will be enacted by one motion in the form listed. Any items requiring expenditure are supported by a Certification of Availability of Funds and any item requiring discussion will be removed from the Consent Agenda and discussed separately. All Consent Agenda items will be reflected in full in the minutes.

42-2010 A Resolution authorizing the Linwood Municipal Court Personnel to accept credit card payment by telephone

43-2010 A Resolution authorizing the execution of an Escrow Agreement for Housing Trust Fund with the Council on Affordable Housing and Cape Bank

44-2010 A Resolution authorizing the transfer of a payment from 2010 First Quarter Taxes to 2010 First Half Sewer Charges

- 45-2010** A Resolution authorizing the City of Linwood to participate in the Atlantic County Community Development Block Grant (CDBG) Program
- 46-2010** A Resolution for the City of Linwood to support and participate in the Volunteer Tuition Credit Program (P.L. 1998, c. 145)
- 48-2010** A Resolution awarding a Contract to Cintas Corporation for Public Works Department Uniforms
- 49-2010** A Resolution approving an Amendment to the Open Space Trust Financial Assistance Agreement with Atlantic County

Council President Taylor asked if any member of Council would like to remove any items from consent. Nothing was removed. Councilman Beinfest motioned, seconded by Councilman Levinson, to approve Resolutions No. 42-46, 48-49 of 2010. All members of Council were in favor. Motion was approved.

APPROVAL OF BILL LIST: \$1,312,553.97

Councilman Paolone motioned, seconded by Councilwoman DeDomenicis, to approve the bills for payment. A roll call vote was heard with seven in the affirmative. Motion was approved. (The bill list is attached as Exhibit A)

MEETING OPEN TO THE PUBLIC

Council President Taylor opened the floor to the public for discussion on any topic.

Bud Carelli 1828 Shore Road, Linwood

Mr. Carelli thanked and commended the work of the Linwood Police Department and Public Works Department on their efforts in the recent snow storms. He also thanked the volunteer firefighters that gave their time during the storms. He requested that Council generate a letter of thanks to the volunteers so that he can read it at their next meeting. Mr. Carelli presented a list of names of the volunteers that donated their time. Council President Taylor accepted the list and read the names as follows for the record; Captain David Appleyard, Lt. Wayne Dilks, Firefighter Justin Friedrich, Firefighter Mark Ginsburg, Firefighter Steve Kroger, Firefighter Richard Richmond. Seeing and hearing no other members from the public wishing to be heard, Council President Taylor closed the floor.

FINAL REMARKS BY MAYOR AND COUNCIL

Mayor DePamphilis – The Mayor indicated that Councilman Marino did a great job filling in for the Mayor while he was away. He agrees with Mr. Carelli that all the City departments did a great job during the storms. This is not the first time he has heard about the volunteers and thanked them for their efforts.

Councilwoman DeDomenicis – Councilwoman DeDomenicis commended the efforts of the Public Works Department employees during the snow storm and wished them luck with the next storm.

Councilman Marino – Councilman Marino echoed everyone's comments on the employees, noting that people are hired to do a job, but often go above and beyond the call of duty. He appreciates everyone's efforts, including the volunteers.

Councilman Paolone – Councilman Paolone acknowledged an email he received with the volunteer's hours during the storm. It is important to recognize and he will draft a letter of appreciation. Councilman Paolone announced that the dedication and ribbon cutting of the Linwood Arboretum at Belhaven is scheduled for April 24, 2010. The program will begin at 11:00 a.m. He invited everyone to attend.

Councilman Levinson – Councilman Levinson also echoed the comments regarding each department's efforts during the snow storms, especially Public Works. He heard a lot of positive feedback from the residents.

Councilman Tighe – Councilman Tighe also thanked Councilman Marino for his efforts. He wished Councilman Beinfest a Happy Birthday and thanked and commended the efforts of the Police, Fire and Public Works Departments.

Councilman Beinfest – Councilman Beinfest attended the Atlantic County League of Municipalities meeting last week. The Absecon Council President, Lynn Caterson, was sworn in as President of the League. They are encouraging better attendance from Linwood. Councilman Beinfest announced that the Linwood Historical Society sent out their membership renewals. Councilman Beinfest will be meeting with Dr. Allen Lacy to help establish a charitable organization for the Arboretum. He also thanked Mr. Carelli for his comments and the efforts of the volunteer fireman.

Council President Taylor – Council President Taylor thanked Councilman Marino for his efforts while the Mayor was out of town.

ADJOURNMENT

With no further business to be addressed by Council, Councilman Marino motioned, seconded by Councilwoman DeDomenicis, to adjourn at 7:25 P.M.

Respectfully submitted,

Leigh Ann Napoli, RMC
Municipal Clerk