

**LINWOOD COMMON COUNCIL
MINUTES OF REGULAR MEETING
March 10, 2010**

FLAG SALUTE:

Councilman Ralph Paolone led the flag salute.

CALL TO ORDER

Council President Donna Taylor called the meeting to order at 6:46 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; Councilwoman Stacy DeDomenicis; Councilman Matt Levinson; Councilman Ralph Paolone; Councilman Tim Tighe; and Council President Donna Taylor.

Absent: Councilman Elliot Beinfest; and Councilman Alex Marino.

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

APPROVAL OF MINUTES WITHOUT FORMAL READING

Councilman Paolone motioned, seconded by Councilwoman DeDomenicis, to approve the minutes of the February 24, 2010 regular meeting without formal reading. All present members of Council were in favor. Motion was approved.

ORDINANCES

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. Councilwoman DeDomenicis motioned, seconded by Councilman Tighe to approve Ordinance No. 5 for final reading. Council President Taylor opened the floor for discussion on Ordinance No. 5. 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 five in the affirmative and Councilmen Beinfest and Marino 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. Councilman Levinson motioned, seconded by Councilman Paolone to approve Ordinance No. 6 for final reading. Council President Taylor opened the floor for discussion on Ordinance No. 6. 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 five in the affirmative and Councilmen Beinfest and Marino 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 Paolone motioned, seconded by Councilman Tighe to approve Ordinance No. 7 for final reading. Council President Taylor opened the floor for discussion on Ordinance No. 7. 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 five in the affirmative and Councilmen Beinfest and Marino absent. Motion was approved.

8 OF 2010 A BOND ORDINANCE AUTHORIZING THE ISSUANCE OF UP TO TWO MILLION TEN THOUSAND DOLLARS (\$2,010,000), AGGREGATE PRINCIPAL AMOUNT, GENERAL OBLIGATION BONDS OR NOTES OF THE CITY OF LINWOOD, COUNTY OF ATLANTIC, NEW JERSEY FOR THE CONSTRUCTION OF A CLEAN WATER PROJECT WITHIN THE CITY OF LINWOOD, ATLANTIC COUNTY, NEW JERSEY.

The Clerk read Ordinance No. 8 of 2010 by title only. Councilman Levinson motioned, seconded by Councilwoman DeDomenicis to approve Ordinance No. 8 for first reading. A roll call vote was heard with five in the affirmative and Councilmen Beinfest and Marino absent. Motion was approved.

RESOLUTIONS

50-2010 A Resolution honoring Mayor Richard L. DePamphilis

The Clerk read Resolution No. 50 of 2010 by title only. Councilman Tighe motioned, seconded by Councilwoman DeDomenicis to approve Resolution No. 50. Council President Taylor read the Resolution into the record and explained that the Resolution was presented to the Mayor at the Linwood Education Foundation Gala for his honor by the Foundation. A roll call vote was heard with five in the affirmative and Councilmen Beinfest and Marino absent. Motion was approved.

58-2010 A Resolution approving a Temporary Capital Budget for 2010

The Clerk read Resolution No. 58 of 2010 by title only. Councilman Levinson motioned, seconded by Councilwoman DeDomenicis to approve Resolution No. 58. A roll call vote was heard with five in the affirmative and Councilmen Beinfest and Marino absent. 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.

51-2010 A Resolution awarding the Contract to American Asphalt Company, Inc. for the 2009 State Aide Improvements to Maple Avenue, Phase 1 in the City of Linwood

52-2010 A Resolution of the City of Linwood, County of Atlantic, State of New Jersey authorizing the making of an Application to the Local Finance Board pursuant to N.J.S.A. 40A:2-26, 40A:2-11(c) and 58:11B-9(a)

53-2010 A Resolution authorizing the submission of a Municipal Recycling Tonnage Grant Application

54-2010 A Resolution approving the Certification of Qualified Volunteers for LOSAP

55-2010 A Resolution authorizing the City of Linwood to release the Engineering Escrow with regard to Block 121 Lot 2, Barr Court, in the City of Linwood

56-2010 A Resolution authorizing entering into an Agreement with Atlantic County for Municipal Aerial Mosquito Control Spraying

57-2010 A Resolution authorizing the Mayor to sign a Division of Land use Regulation Application Form (LURP-2) under the New Jersey Department of Environmental Protection

Council President Taylor asked if any member of Council would like to remove any items from consent. Nothing was removed. Councilwoman DeDomenicis motioned, seconded by Councilman Levinson, to approve Resolutions No. 51-57 of 2010. All present members of Council were in favor. Motion was approved.

APPROVAL OF BILL LIST: \$320,875.51

Councilman Tighe requested to remove Purchase Order #09001758 in the amount of \$445. Councilman Paolone motioned, seconded by Councilwoman DeDomenicis, to approve the bills for payment less Purchase Order #09001758. A roll call vote was heard with five in the affirmative and Councilmen Beinfest and Marino absent. 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. Seeing and hearing no members from the public wishing to be heard, Council President Taylor closed the floor.

FINAL REMARKS BY MAYOR AND COUNCIL

Mayor DePamphilis – The Mayor thanked the members of Council for the honorary Resolution, noting that it is greatly appreciated by himself and his family.

Councilman Paolone – Councilman Paolone reminded everyone 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. He also reminded everyone that spring sports have begun and asked everyone to please drive carefully and watch kids crossing to the park. At the last Council meeting, Mr. Carelli requested that Council write a letter of appreciation to the Linwood Volunteer Firefighters that volunteered their time during the snow storms. Councilman Paolone drafted a letter and read it into the record. It will be sent to the firefighters on the list that Mr. Carelli provided with a copy to Chief Foster.

Councilman Levinson – Councilman Levinson congratulated the Mayor on his award from the Linwood Education Foundation. The Gala was a nice event and well attended. Councilman Levinson announced that the roadway improvements project will begin soon, which includes Van Sant Avenue.

Councilman Tighe – Councilman Tighe congratulated the Mayor as well as the Linwood Education Foundation, noting that the Gala was a first class event. He mirrored Councilman Paolone's comments about kids crossing to the parks and asked everyone to please obey the crosswalk laws.

Councilwoman DeDomenicis – Councilwoman DeDomenicis announced that the annual Rabies Clinic will be held this Saturday, March 13 from 10:00 a.m. to 12:00 p.m. at the Linwood Public Works Garage. She also commended Linwood employees upon receipt of the Gold Qualifier Award from the Atlantic County Municipal Joint Insurance Fund.

Council President Taylor – Council President Taylor congratulated the Mayor on his award, noting that he has always done a great job. He truly maintains the best interests of Linwood's children and its families.

ADJOURNMENT

With no further business to be addressed by Council, Councilwoman DeDomenicis motioned, seconded by Councilman Tighe, to adjourn at 7:04 P.M.

Respectfully submitted,

Leigh Ann Napoli, RMC
Municipal Clerk