

**LINWOOD COMMON COUNCIL  
MINUTES OF REGULAR MEETING  
April 28, 2010**

**FLAG SALUTE:**

Councilman Alexander C. Marino led the flag salute.

**CALL TO ORDER**

Council President Taylor called the meeting to order at 6:49 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 Alex Marino; Councilman Ralph Paolone; Councilman Tim Tighe; and Council President Donna Taylor.

Absent: Councilman Elliot Beinfest.

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 April 14, 2010 regular meeting without formal reading. All present members of Council were in favor with abstentions from Councilman Marino and Council President Taylor. Motion was approved.

**PRESENTATION:**

Councilman Marino reviewed the proposed 2010 Budget, noting that Council is only voting to introduce tonight. Adoption is scheduled for May 26. He explained that Council will continue to work on lowering the proposed tax rate of 3.6 cents. The proposed municipal tax rate is .958. Last year's rate was .992. This would result in a \$36 increase per \$100,000, or \$93.60 increase on an averaged \$260,000 assessed home. They are using 57% of Fund Balance. The budget is under the appropriation cap at 1.75%. The City is allowed to go to 2.5%. The revenue cap is at 3.99%. The 2010 proposed budget total is \$12,798,737 and is a decrease over last year at \$14,023,529. However, there was a school note for \$1,300,000. With those figures adjusted, there is an increase of \$75,208.00 over last year's appropriation. This budget includes a 6.3% increase in PERS and 4% increase in PFRS contributions, a 5% increase in insurance, and a 3.7% for reserve in uncollected taxes. Councilman Marino discussed the three primary factors that this budget focuses on; declining revenues, maintaining services, and getting aggressive on debt. He explained that this is the hardest budget he has worked on as Chairman of the Revenue and Finance Committee. Discussions on the budget are not yet completed and will continue with the committee members, Councilmen Levinson and Paolone, with input from the Mayor.

**REPORT:**

Councilman Tighe motioned to suspend the Order of the Agenda, to allow a report from the City's Construction Official Jim Galantino. The motion was seconded by Councilman Marino. All present members of Council were in favor. Motion was approved. Mr. Galantino discussed the ongoing project at 801 Shore Road that began in 2004. The homeowner submitted plans for an addition, however, the structure was not built in conformity with the plans and permits. It included a deck that was not permitted and a business type salon, which is not a permitted use. The Construction Office issued a stop work order. After several years of going before the Zoning Board, the Construction Board of Appeals, and Municipal Court, the homeowner finally submitted new plans with a lower roof line and without the business. Mr. Galantino discussed the concern for the safety of the structure being exposed for so many years. However, the homeowner does have a letter from Klock Engineering LLC that the structure is in good structural condition. The homeowner also faces a penalty of \$57,000 in violations on the property and is due back in Court in May. Mr. Galantino would like construction to begin soon. He will keep the governing body posted, as the City gets a lot of calls concerning this project.

## RESOLUTIONS

**82-2010** A resolution introducing the 2010 Municipal Budget

The Clerk read Resolution No. 82 of 2010 by title only. Councilwoman DeDomenicis motioned, seconded by Councilman Marino to approve Resolution No. 82. A roll call vote was heard with six in the affirmative and Councilman Beinfest 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.

- 73-2010** A Resolution awarding the Contract to Curb Con, Inc. for the Wabash Avenue ADA Curb Ramp Improvements, Phase 3 in the City of Linwood
- 74-2010** A Resolution authorizing the Mayor to execute an application for Soil Erosion and Sediment Control Plan Certification from the Cape Atlantic Conservation District and the New Jersey Pollutant Discharge Elimination System Request for Authorization Form with regard to the Hemlock Avenue Drainage Improvements
- 75-2010** A Resolution approving a Change Order with South State, Inc. with regard to the 2008 State Aid Improvements to Central Avenue in the City of Linwood
- 76-2010** A Resolution authorizing the Mayor to submit a Release Statement From Agreement for Federal Aid to the New Jersey Department of Transportation
- 77-2010** A Resolution awarding the Contract to Constellation New Energy, Inc. for the Supply and Purchase of Electricity Services in the City of Linwood
- 78-2010** A Resolution authorizing the issuance of a Raffle License, #2010-03, to Seashore Gardens Foundation
- 79-2010** A Resolution confirming Mayor Appointments to the Linwood Board of Education
- 80-2010** A Resolution approving the installation of a temporary sign for the Cornerstone Commerce Center
- 81-2010** A Resolution authorizing the City of Linwood to Advertise for Bids for the Hemlock Drive Drainage Improvements in the City of Linwood

Council President Taylor asked if any member of Council would like to remove any items from consent. Nothing was removed. Councilman Paolone motioned, seconded by Councilwoman DeDomenicis, to approve Resolutions No. 73-81 of 2010. All present members of Council were in favor. Motion was approved.

## APPROVAL OF BILL LIST: \$1,933,764.76

Councilman Paolone motioned, seconded by Councilman Levinson, to approve the bills for payment. A roll call vote was heard with six in the affirmative, and Councilman Beinfest 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 congratulated Councilman Paolone for doing a great job with the Arboretum. The dedication was beautiful. He also thanked Councilman Marino for all his work on the budget. The Mayor reminded everyone that the Country Fair is scheduled for May 8 and the Hi Neighbor Hop is scheduled for June 11.

Councilman Marino – Councilman Marino thanked the Mayor for his comments, noting that the work on the budget is a team effort. He echoed the Mayor's comments on the Arboretum and thanked the volunteers for all their efforts there.

Councilman Paolone – Councilman Paolone thanked everyone for their comments.

Councilman Tighe – Councilman Tighe congratulated Councilman Paolone on a job well done with the Arboretum. He discussed how the property looked before the project and how beautiful it is now. It was certainly the right decision. Councilman Tighe commended Councilman Marino for his work on the budget, noting that the process is not over yet. It's a very difficult process because they are not just dealing with money, but people too.

Councilwoman DeDomenicis – Councilwoman DeDomenicis reported that the Seaview Avenue docks were installed today. She also reminded everyone that the City Auction is May 1 at 9:00 a.m. at the City garage.

**ADJOURNMENT**

With no further business to be addressed by Council, Councilman Marino motioned, seconded by Councilwoman DeDomenicis, to adjourn at 7:28 P.M.

Respectfully submitted,

Leigh Ann Napoli, RMC  
Municipal Clerk