

**LINWOOD COMMON COUNCIL
MINUTES OF REGULAR MEETING
August 14, 2013**

FLAG SALUTE:

Councilman Todd Gordon led the flag salute.

CALL TO ORDER

Council President Taylor called the meeting to order at 6:25 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 Todd Gordon; Councilman Darren Matik; 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 Councilman Gordon, to approve the minutes of the July 10, 2013 Regular meeting without formal reading. All members of Council were in favor. Motion was approved.

ORDINANCES

12 OF 2013 AN ORDINANCE REGULATING THE REMOVAL OF HAZARDOUS, DAMAGED AND DISEASED TREES IN THE CITY OF LINWOOD AND REPEALING ALL ORDINANCES HERETOFORE ADOPTED, THE PROVISIONS OF WHICH ARE INCONSISTENT HEREWITH.

The Clerk read Ordinance No. 12 of 2013 by title only. Councilwoman DeDomenicis motioned, seconded by Councilman Tighe to approve Ordinance No. 12 for final reading. Council President Taylor opened the floor for discussion on Ordinance No. 12. 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 seven in the affirmative. Motion was approved.

13 OF 2013 AN ORDINANCE REGULATING TOWING OPERATORS WITHIN THE CITY OF LINWOOD AND REPEALING ALL ORDINANCES HERETOFORE ADOPTED THE PROVISIONS OF WHICH ARE INCONSISTENT HEREWITH.

The Clerk read Ordinance No. 13 of 2013 by title only. Councilman Matik motioned, seconded by Councilman Tighe to approve Ordinance No. 13 for final reading. Council President Taylor opened the floor for discussion on Ordinance No. 13. 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 seven in the affirmative. Motion was approved.

14 OF 2013 AN ORDINANCE AMENDING CHAPTER 119 CONSTRUCTION CODES, UNIFORM, SECTION 119-3 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. 14 of 2013 by title only. Councilman Tighe motioned, seconded by Councilman Matik to approve Ordinance No. 14 for final reading. Council President Taylor opened the floor for discussion on Ordinance No. 14. 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 seven in the affirmative. Motion was approved.

15 OF 2013 AN ORDINANCE ESTABLISHING AN ENERGY AND NATURAL GAS AGGREGATION PROGRAM.

The Clerk read Ordinance No. 15 of 2013 by title only. Councilman Matik motioned, seconded by Councilwoman DeDomenicis to approve Ordinance No. 15 for first reading. 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.

- 103-2013** A Resolution awarding a Contract to American Demolition Corp. for the Demolition and Disposal of a structure at Block 64, Lot 2 (110 E. Balfour Avenue) in the City of Linwood
- 104-2013** A Resolution authorizing the City of Linwood to release unused Planning Board Application Fees with regard to Block 161, Lot 1 in the City of Linwood
- 105-2013** A Resolution requesting the New Jersey Department of Transportation to authorize the combination of the FY 2012 and FY 2013 Municipal Aid Grant projects and requesting an extension to award the contract for construction
- 106-2013** A Resolution authorizing the cancellation and refund of property taxes for Block 150, Lot 2, Qualifier CH04, located at 550 Central Avenue, Unit H-4, in the City of Linwood
- 107-2013** A Resolution authorizing the refund of the 2013 1st and 2nd Quarter Property Taxes on Block 13, Lot 12, located at 10 W. Garfield Avenue, in the Tax District of the City of Linwood
- 108-2013** A Resolution authorizing the execution of a Settlement Agreement on behalf of the City of Linwood with the Mainland PBA Local No. 77 (Linwood Rank and File) with regard to a filed Grievance
- 109-2013** A Resolution authorizing the City of Linwood to advertise for bids for the Contract for General Repairs and Construction of Sanitary Sewer Facilities
- 110-2013** A resolution authorizing the refund of a 3rd Quarter 2013 Property Tax payment that was made in error for Block 109, lot 8, located at 10 W. Laurel Avenue, in the City of Linwood
- 112-2013** A Resolution awarding the Contract to Kasi Infrared Corporation for the Supply and Delivery of One 2013 Two Ton Infrared Machine
- 113-2013** A Resolution authorizing the refund of a 3rd Quarter 2013 Property Tax payment that was made in error for Block 25, Lot 16.01, located at 221 W. Forest Drive, in the City of Linwood
- 114-2013** A Resolution authorizing the refund of a 3rd Quarter 2013 Property Tax payment that was made in error for Block 16.03, Lot 19, located at 5 E. Berkley Street, in the City of Linwood

Council President Taylor asked if any member of Council would like to remove any items from consent. Resolution No. 108, 2013 was removed. Councilman Beinfest motioned, seconded by Councilman Tighe, to approve Resolutions No. 103-107, 109-110, 112-114 of 2013. All members of Council were in favor. Motion was approved.

The Clerk read Resolution No. 108 of 2013 by title only. Councilman Beinfest motioned, seconded by Councilman Gordon to approve Resolution No. 108. A roll call vote was heard with five in the affirmative and two abstentions by Councilmen Matik and Paolone. Motion was approved.

APPROVAL OF BILL LIST: \$2,381,847.05

Councilwoman DeDomenicis motioned, seconded by Councilman Matik, 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.

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 the Police Department on a very successful National Night Out. He asked Chief James to tell the Department how proud he was of the event.

Councilman Beinfest – Councilman Beinfest hopes everyone enjoys the rest of their summer.

Councilwoman DeDomenicis – Councilwoman DeDomenicis also commented on the huge success of National Night Out. She enjoyed the event and appreciates the entire Department's efforts.

Councilman Gordon – Councilman Gordon felt that National Night Out was a great event with a nice turnout. There were a lot of things to do for people of all ages.

Councilman Matik – Councilman Matik agreed that National Night Out was a very well done event. He asked that everyone take a look at the Community Section of The Press for the article on going back to school. It shows how Linwood schools are in comparison to others.

Councilman Tighe – Councilman Tighe advised that fall sports have begun and asked everyone to watch for pedestrians crossing to the parks.

Council President Taylor – Council President Taylor wished Councilwoman DeDomenicis a Happy Birthday. She, too, felt that National Night Out was a great event and very well attended.

ADJOURNMENT

With no further business to be addressed by Council, Councilman Tighe motioned, seconded by Councilwoman DeDomenicis, to adjourn at 6:34 P.M.

Respectfully submitted,

Leigh Ann Napoli, RMC
Municipal Clerk