

**LINWOOD COMMON COUNCIL
MINUTES OF REGULAR MEETING
September 11, 2013**

FLAG SALUTE:

Councilman Ralph Paolone led the flag salute. A Moment of Silence was held in memory of the victims and their families of 9-11.

CALL TO ORDER

Council President Taylor called the meeting to order at 6:35 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 Ralph Paolone; Councilman Tim Tighe; and Council President Donna Taylor.

Absent: Councilman Darren Matik.

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 August 14, 2013 Regular meeting without formal reading. All present members of Council were in favor. Motion was approved.

ORDINANCES

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 Beinfest motioned, seconded by Councilman Paolone to approve Ordinance No. 15 for final reading. Council President Taylor opened the floor for discussion on Ordinance No. 15. 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 Matik absent. Motion was approved.

16 OF 2013 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. 16 of 2013 by title only. Councilman Tighe motioned, seconded by Councilwoman DeDomenicis to approve Ordinance No. 16 for first reading. A roll call vote was heard with six in the affirmative and Councilman Matik absent. Motion was approved.

17 OF 2013 AN ORDINANCE AMENDING CHAPTER 273 WIND ENERGY CONVERSION SYSTEMS, 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. 17 of 2013 by title only. Councilman Tighe motioned, seconded by Councilwoman DeDomenicis to approve Ordinance No. 17 for first reading. A roll call vote was heard with six in the affirmative and Councilman Matik absent. Motion was approved.

18 OF 2013 AN ORDINANCE AMENDING CHAPTER 277 ZONING, ARTICLE X, USES AND SUPPLEMENTAL STANDARDS, HEIGHT OF STRUCTURES 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. 18 of 2013 by title only. Councilman Tighe motioned, seconded by Councilman Paolone to approve Ordinance No. 18 for first reading. A roll call vote was heard with six in the affirmative and Councilman Matik absent. Motion was approved.

19 OF 2013 AN ORDINANCE AMENDING CHAPTER 175 LITTERING 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. 19 of 2013 by title only. Councilman Tighe motioned, seconded by Councilman Paolone to approve Ordinance No. 19 for first reading. A roll call vote was heard with six in the affirmative and Councilman Matik 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.

- 115-2013** A Resolution authorizing an escrow refund with regard to a Linwood Road Opening Permit
- 116-2013** A Resolution authorizing an escrow refund with regard to a Linwood Road Opening Permit
- 117-2013** A Resolution authorizing an escrow refund with regard to a Linwood Road Opening Permit
- 118-2013** A Resolution authorizing the Mayor to execute a Memorandum of Understanding between the Atlantic County Office of Emergency Preparedness and the City of Linwood with regard to a Regional Mass Care Sheltering Plan
- 119-2013** A Resolution enabling the State of New Jersey Department of Environmental Protection Green Acres Program
- 120-2013** A Resolution approving the submission of a grant application and execution of a grant contract with the New Jersey Department of Transportation for the Wabash Avenue Roadway Improvements, Phase 4 project
- 121-2013** A Resolution approving the submission of a grant application and execution of a grant contract with the New Jersey Department of Transportation for the Patcong Avenue Pedestrian Safety Improvements project
- 122-2013** A Resolution approving the submission of a grant application and execution of a grant contract with the New Jersey Department of Transportation for the School House Drive Neighborhood Roadway Improvements project
- 123-2013** A Resolution designating James Galantino as the Community Rating System Coordinator for the City of Linwood
- 124-2013** A Resolution concerning Chapter 78 and Flexible Spending Accounts
- 125-2013** A Resolution authorizing the hiring of Guy W. Schlachter, Robert J. DeCarlo, and Carol A. Cox as Part Time Substitute Crossing Guards for the City of Linwood
- 126-2013** A Resolution approving Change Order No. 1 with Lafayette Utility Construction Company with regard to the Southwest Linwood Flood Control Drainage Improvements in the City of Linwood (PULLED)
- 127-2013** A Resolution approving Change Order No. 2 with Lafayette Utility Construction Company with regard to the Southwest Linwood Flood Control Drainage Improvements in the City of Linwood (PULLED)
- 128-2013** A Resolution approving Change Order No. 3 with Lafayette Utility Construction Company with regard to the Southwest Linwood Flood Control Drainage Improvements in the City of Linwood (PULLED)
- 129-2013** A Resolution authorizing the assignment of Tax Sale Certificate No. 10-00002 to the City of Linwood

Council President Taylor asked if any member of Council would like to remove any items from consent. Councilman Gordon motioned, seconded by Councilman Beinfest, to approve Resolutions No. 115-125 and 129 of 2013. All present members of Council were in favor. Motion was approved.

APPROVAL OF BILL LIST: \$3,357,722.23

Councilman Gordon requested to remove Purchase Order #30000626 in the amount of \$120,868.79 from the bill list. Councilman Gordon motioned, seconded by Councilman Paolone, to approve the bills for payment less Purchase Order #30000626. A roll call vote was heard with six in the affirmative and Councilman Matik 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.

Stayros Zambetoglou, 726 Brighton Drive, Linwood

Mr. Zambetoglou is not in favor of the revaluation process of granting access to the inside of his property. Council President Taylor and the Mayor advised that property owners do not have to allow the inspectors inside. However, it is a state law that items inside the property are part of the overall assessed value.

John Ott, 17 W. Edgewood Avenue, Linwood

Mr. Ott asked if the City could help ban the high school kids from driving to school.

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

Councilman Tighe – Councilman Tighe reminded everyone that school is back in session and asked drivers to watch for children crossing to and from school.

Council President Taylor – Council President Taylor wished the Mayor and Councilman Gordon Happy Birthday.

ADJOURNMENT

With no further business to be addressed by Council, Councilman Paolone motioned, seconded by Councilman Gordon, to adjourn at 6:54 P.M.

Respectfully submitted,

Leigh Ann Napoli, RMC
Municipal Clerk