

**LINWOOD COMMON COUNCIL**  
**CAUCUS MINUTES**  
**September 28, 2022**

Council President Ralph Paolone called the meeting to order at 6:05 P.M., noting that the meeting had been advertised in compliance with the requirements of the Open Public Meetings Act.

1. Roll Call

Present: Mayor Darren Matik; Councilwoman Blair Albright; Councilwoman June Byrnes; Councilman Eric Ford; Councilman Matt Levinson; Councilman Todd Michael; and Council President Ralph Paolone

Absent: Councilwoman Stacy DeDomenicis.

Also Present: Joseph L. Youngblood, Jr., City Solicitor; Jen Heller, Engineer's Office; Anthony Strazzeri, CFO; Chief Steve Cunningham, Police Department; Lieutenant Chester Brown, Police Department; and Leigh Ann Napoli, Municipal Clerk.

2. Approval of Minutes Without Formal Reading

Councilman Ford motioned, seconded by Councilwoman Albright, to approve the minutes of the September 14, 2022 Caucus meeting without formal reading. All present members of Council were in favor. Motion was approved.

3. Councilman Ford

A Planning, Engineering, & Development

1. Councilman Ford advised of an Ordinance on the agenda for final reading prohibiting parking on the North side of Poplar Avenue from Oak Avenue to Wabash Avenue and designating a stop intersection at Maple Avenue and Wabash Avenue. This was discussed at the last meeting. These actions are being done to improve safety.
2. Councilman Ford advised of an Ordinance on the agenda for final reading amending Chapter 212 Rental Property for Lead Based Paints. This is a new state law that the municipalities must comply with.
3. Councilman Ford advised of a Resolution on the agenda authorizing temporary signage for the MRHS Support Our Troops event.

4. Council President Paolone

A. Administration

1. Council President Paolone discussed an Ordinance on the agenda for final reading amending Chapter 52A Employee Manual for sick leave. Employees will not be permitted to use sick leave that has not yet been accrued.
2. Council President Paolone explained that it has been three years since Council permitted outside music for liquor license establishments. There had to be some changes due to the Pandemic. The City received complaints about the music at the Country Club and the Country Club was given a break because they could only have outside events due to the Pandemic. After the Pandemic, residents continued to complain about the music. Council reviewed the City's Noise Ordinance and made changes to help by adding language like "significantly audible" with time limits. It still isn't working. The Police continue to receive complaints. The Chief of Police has worked with the Country Club and has issued courtesy warnings. However, even this past weekend, the Country Club was warned but the music was turned back up after the Police left. The High School had a football game the same night and the Police were called there for several incidents plus other additional priority calls that they needed to respond to. The City tried to work with the Country Club so the neighbors and them could co-exist. Council President Paolone discussed the Clarksburg decision where the Noise Ordinance was upheld and the Court found that the ordinance is enforceable. When Linwood revised its Noise Ordinance a few years ago, Council decided they would revisit it if it was not working. Council and the Chief of Police believe it is not working. He

Council President Paolone

Administration (continued)

is proposing to change the wording in the City's ordinance from "significantly audible" to "clearly audible" at a distance of 100 feet of the source. This language has been upheld in the Appellate Division. He hopes if this ordinance passes, the Country Club will do something meaningful to help the residents that live on its borders. Chief Cunningham discussed the complaints they received, the video and recordings they have of the music, and how the music can be heard in the parking lot of the Police Department. He does not want to be in the position of constantly issuing summonses to the Country Club. He asked that the music just come down. Councilwoman Byrnes advised that she wants the Country Club to succeed. She doesn't believe that people will leave the Country Club if the music is turned down a little. She supports the Police Department and they are doing their best. They have given the Country Club warnings. She believes the 100 feet will cause other problems though. Councilman Michael agrees that the 100 feet is too close. The Country Club is the only commercial establishment in Linwood that is permitted to sell alcohol which makes them the only business this law will affect. Councilman Levinson also has a problem with the 100 feet. Councilman Ford discussed sections of the current ordinance that are not consistent, such as the time on Sundays and discussed the sound from the ice cream truck how that could be in violation. Discussion ensued on setting the sound at 100 feet or at the property line of the source. Council agreed to setting it at the property line of the source.

3. Council President Paolone advised of Resolutions on the agenda authorizing Raffle Licenses for Gilda's Club and the Linwood PTO.
4. Council President Paolone discussed a Resolution on the agenda authorizing an Alcoholic Beverage Permit to the Linwood PTO for the Linwood Board of Recreation Fall Festival.

At 6:43 P.M., Council President Paolone called a recess.

Respectfully submitted,

Leigh Ann Napoli, RMC  
Municipal Clerk