

**LINWOOD COMMON COUNCIL
CAUCUS AGENDA
July 8, 2020
6:00 P.M.**

**NOTICE OF THIS MEETING HAS BEEN PUBLISHED
IN ACCORDANCE WITH THE REQUIREMENTS OF
THE OPEN PUBLIC MEETINGS ACT.**

1. Roll Call Mayor Matik __ Mrs. Byrnes _____ Mrs. DeDomenicis _____
 Mr. Ford _____ Mr. Gordon _____ Mr. Heun _____
 Mr. Levinson _____ Mr. Paolone _____

- Professionals: Mr. Youngblood _____ Mr. Polistina _____ Mrs. Napoli _____

2. Approval of Minutes Without Formal Reading

3. Mayor's Report
 - A. COVID-19 update

4. Councilwoman Byrnes
 - A. Neighborhood Services
 1. Historical Society roof update
 2. Flag football
 3. Gilda's Club
 4. Library Board update

5. Councilwoman DeDomenicis
 - A. Public Works
 1. Resolution authorizing a contract to Trius Inc. to purchase two snow plows

6. Councilman Ford
 - A. Planning & Development
 1. Master Plan Re-examinations Ordinances – first reading
 2. Poplar Avenue Dock update
 3. Resolution authorizing temporary signage for Relax Massage Heaven

7. Councilman Gordon
 - A. Engineering
 1. Resolution adopting procedures for administration & inspection of Federal Aid Highway projects

8. Councilman Heun
 - A. Public Safety
 1. Ordinance amending Chapter 263 Vehicles & Traffic with regard to no parking on a portion of River Drive – first reading

9. Councilman Levinson
 - A. Revenue & Finance
 1. Ordinance amending the Employee Manual for non-union sick buy back – first reading
 2. Resolution authorizing an insertion of item revenue for a Clean Communities grant
 3. Resolution certifying review of the annual audit
 4. Resolution authorizing the refund of taxes paid and the cancellation of taxes for 550 Central Ave, M-13, due to tax exempt status
 5. Resolution authorizing the City's membership renewal in the Atlantic County JIF

10. Council President Paolone

A. Administration

1. Resolutions amending a Bingo and Raffle Licenses for Muckdogs, Inc.
2. Resolution authorizing the issuance of a Raffle License to Our Lady of Sorrows Church

11. Mr. Youngblood

**LINWOOD COMMON COUNCIL
AGENDA OF REGULAR MEETING
July 8, 2020**

CALL TO ORDER

**NOTICE OF THIS MEETING HAS BEEN
PUBLISHED IN ACCORDANCE WITH THE
REQUIREMENTS OF THE OPEN PUBLIC MEETINGS ACT.**

FLAG SALUTE: Councilman Todd Gordon

ROLL CALL

APPROVAL OF MINUTES WITHOUT FORMAL READING

PRESENTATION

Paul J. Miola, Executive Municipal JIF Strategist
Atlantic County Municipal Joint Insurance Fund

ORDINANCES

6 OF 2020 AN ORDINANCE AMENDING CHAPTER 41 LAND USE PROCEDURES, ARTICLE IV APPLICATION REQUIREMENTS AND DEVELOPMENT PROCEDURES OF THE CODE OF THE CITY OF LINWOOD AND REPEALING ALL ORDINANCES HERETOFORE ADOPTED, THE PROVISIONS OF WHICH ARE INCONSISTENT HEREWITH.

FIRST READING: *July 8, 2020*
PUBLICATION: *July 13, 2020*
PASSAGE: *August 12, 2020*

7 OF 2020 AN ORDINANCE AMENDING CHAPTER 277 ZONING, ARTICLE X USES AND SUPPLEMENTAL STANDARDS OF THE CODE OF THE CITY OF LINWOOD AND REPEALING ALL ORDINANCES HERETOFORE ADOPTED, THE PROVISIONS OF WHICH ARE INCONSISTENT HEREWITH.

FIRST READING: *July 8, 2020*
PUBLICATION: *July 13, 2020*
PASSAGE: *August 12, 2020*

8 OF 2020 AN ORDINANCE AMENDING CHAPTER 52 PERSONNEL AND PERSONNEL PROCEDURES, EMPLOYEE MANUAL, OF THE CODE OF THE CITY OF LINWOOD AND REPEALING ALL ORDINANCES HERETOFORE ADOPTED, THE PROVISIONS OF WHICH ARE INCONSISTENT HEREWITH.

FIRST READING: *July 8, 2020*
PUBLICATION: *July 13, 2020*
PASSAGE: *August 12, 2020*

9 OF 2020 AN ORDINANCE AMENDING CHAPTER 263 VEHICLES AND TRAFFIC, ARTICLE I GENERAL REGULATIONS, SECTION 263-4, PROHIBITED PARKING; STOPPING OR STANDING; TIME LIMIT PARKING; SNOW EMERGENCIES; VIOLATIONS AND PENALTIES OF THE CODE OF THE CITY OF LINWOOD AND REPEALING ALL ORDINANCES HERETOFORE ADOPTED, THE PROVISIONS OF WHICH ARE INCONSISTENT HEREWITH.

RESOLUTIONS

124-2020 A Resolution requesting approval of items of Revenue & Appropriation NJSA 40A: 4-87 with regard to a Clean Communities Grant

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.

- 125-2020** A Resolution approving an amendment to Bingo License No. 2020-04-A for Muckdogs, Inc.
- 126-2020** A Resolution approving an amendment to Raffle License No. 2020-10-A for Muckdogs, Inc.
- 127-2020** A Resolution approving an amendment to Raffle License No. 2020-11-A for Muckdogs, Inc.
- 128-2020** A Resolution approving an amendment to Raffle License No. 2020-12-A for Muckdogs, Inc.
- 129-2020** A Resolution to adopt procedures for Administration and Inspection of Federal Aid Highway Projects
- 130-2020** A Resolution certifying the review of the annual Audit by the Governing Body
- 131-2020** A Resolution authorizing the refund of taxes paid and the cancellation of 2020 taxes due to tax exempt status for Block 150 Lot 2 C1313 located at 550 Central Avenue #M-13 in the City of Linwood
- 132-2020** A Resolution authorizing the issuance of a Raffle License, #2020-22, to Our Lady of Sorrows church
- 133-2020** A Resolution authorizing the execution of a Contract renewing membership in the Atlantic County Municipal Joint Insurance Fund
- 134-2020** A Resolution awarding the contract to Trius Inc. for the purchase of two (2) Henke Road Warrior Snow Plows for the City of Linwood under the Sourcewell Cooperative #080818-HEN
- 135-2020** A Resolution approving temporary signage for Relax Massage Heaven

APPROVAL OF BILL LIST: \$

MEETING OPEN TO THE PUBLIC

FINAL REMARKS BY MAYOR AND COUNCIL

ADJOURNMENT

ORDINANCE NO. 6, 2020

AN ORDINANCE AMENDING CHAPTER 41 LAND USE PROCEDURES, ARTICLE IV APPLICATION REQUIREMENTS AND DEVELOPMENT PROCEDURES OF THE CODE OF THE CITY OF LINWOOD AND REPEALING ALL ORDINANCES HERETOFORE ADOPTED, THE PROVISIONS OF WHICH ARE INCONSISTENT HEREWITH.

BE IT ORDAINED, by the Common Council of the City of Linwood, County of Atlantic and State of New Jersey as follows:

SECTION 1: Chapter 41 Land Use Procedures, Article IV Application Requirements and Development Procedures is hereby amended to read as follows:

§ 41-40 Informal Review of Concept Plan / Administrative Review Procedures

A. Informal Review of Concept Plan

Applicants may request an informal review of a concept plan for a development for which the developer intends to prepare and submit an application for development. If an informal review is permitted by the Land Use Board, the amount of any fees for such an informal review shall be a credit toward fees for review of the application for development. The developer shall not be bound by any concept plan for which review is requested, and the Land Use Board shall not be bound by any such review.

B. Administrative Review

Applicants may request an administrative review for minor revisions and/or additions to an existing site plan. A request for an administrative review must be accompanied by a current survey or site plan along with the application for administrative review. The application shall be limited to the changes proposed and shall provide sufficient information to fully describe the changes proposed. No more than two administrative reviews shall be granted per applicant, provided that the Land Use Board Engineer determine that the cumulative effect of the changes does not significantly alter the plan as originally approved. The Land Use Board Engineer shall determine if an administrative remedy is appropriate for each particular case and shall be empowered to grant approval in lieu of Land Use Board action, if the application is one of the following and does not require any variances or waivers:

- (1) Building addition to a non-residential use of less than 500 square feet or 15% of the total existing floor area.
- (2) Signage which conforms to the requirements of the City Code.

- (3) Change in parking of 5 spaces or 5% of the existing parking area, whichever is less provided that the changes in parking do not affect site circulation patterns.
- (4) Changes to landscaping which conform to the City Code and enhance the aesthetic appeal of properties.
- (5) Modifications or improvements to stormwater systems provided the applicant demonstrates that there are not any existing stormwater issues at the site and that the proposed modifications will not result in any off-site stormwater impacts.
- (6) Phasing or staging of improvements related to an improved site plan.
- (7) A change in use, provided that the desired use is permitted in the zone.
- (8) Other changes to a project which are deemed sufficiently minor in nature by the Land Use Board Engineer and Zoning Officer so as to not require formal approval by the Land Use Board.

SECTION 2: All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.

SECTION 3: Should any sentence, clause, sentence, phrase or provision of this ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remaining portions of this ordinance.

SECTION 4: This ordinance shall take effect upon its final passage, publication and adoption in the manner prescribed by law.

<i>FIRST READING:</i>	<i>July 8, 2020</i>
<i>PUBLICATION:</i>	<i>July 13, 2020</i>
<i>PASSAGE:</i>	<i>August 12, 2020</i>

The within Ordinance was introduced at a meeting of the Common Council of the City of Linwood, County of Atlantic and State of New Jersey held on, July 8, 2020 and will be further considered for final passage after a public hearing thereon at a meeting of said Common Council on August 12, 2020.

LEIGH ANN NAPOLI, RMC, MUNICIPAL CLERK

DARREN MATIK, MAYOR

ORDINANCE NO. 7, 2020

AN ORDINANCE AMENDING CHAPTER 277 ZONING, ARTICLE X USES AND SUPPLEMENTAL STANDARDS OF THE CODE OF THE CITY OF LINWOOD AND REPEALING ALL ORDINANCES HERETOFORE ADOPTED, THE PROVISIONS OF WHICH ARE INCONSISTENT HEREWITH.

BE IT ORDAINED, by the Common Council of the City of Linwood, County of Atlantic and State of New Jersey as follows:

SECTION 1: Chapter 277 Zoning, Article X Uses and Supplemental Standards is hereby amended to read as follows:

§ 277-25 Dwelling R-20 Zone (single-family detached residential).

- A. Within any Dwelling R-20 Zone, the following principal and accessory uses are permitted:
- (1) Private single-family dwellings, municipal uses, parks, playgrounds and other public recreation use, swimming pools, spas/hot tubs, fences/walls, sheds, flagpoles, gazebos/garden houses, and tennis courts.
 - (2) Private garages and/or accessory buildings for uses incidental to the main residence, provided that all are on the same lot.
 - (3) Professional home offices subject to the following:
 - (a) The home office use must be conducted by a member of the household residing in the dwelling unit and up to one (1) non-household employee.
 - (b) The maximum size of the home office is 400 square feet.
 - (c) The home office must be within the principal structure on the property.
 - (d) No signage identifying the home office shall be permitted.
 - (e) No customer, client, supplier or other patron of a retail business shall be served in person at the home office, except for customary residential deliveries.
 - (f) No change in the architecture which would change the residential nature of the structure is permitted.
 - (g) All home offices must be properly registered with the City.

B. Prohibited uses.

- (1) Within any Dwelling R-20 Zone, the following uses are prohibited:
 - (a) Any business or commercial activity other than as specified in Section A.
 - (b) Any structure or land used in whole or in part for any industrial, manufacturing, commercial or trade purposes.
- (2) These restrictions apply equally to rental units.
- (3) The enumeration of prohibited uses is by way of example and not limitation. Any use not expressly permitted shall be considered prohibited.

C. Lot size, coverage and setbacks.

- (1) A lot within the Dwelling R-20 Zone shall have a width of at least 100 feet and a depth of at least 125 feet, with a minimum area of 20,000 square feet. Only those portions of the lot actually situate within the Dwelling R-20 Zone shall be utilized for purposes of satisfying the aforesaid bulk criteria.
- (2) Coverage.
 - (a) In a lot within the Dwelling R-20 Zone, principal building coverage shall not exceed 25% and total lot coverage shall not exceed 35%.
- (3) The main building or any permitted detached accessory buildings shall be set back at least 30 feet from the front property line. All accessory buildings must be set behind the building lines of the principal structure.
- (4) Setbacks.
 - (a) Minimum rear yard setback is 20 feet.
 - (b) Minimum side yard setback is 25 feet.

D. Street frontage. A lot within the Dwelling R-20 Zone shall have a minimum of 100 feet of frontage on an improved public street.

E. Height of structures.

- (1) The height of the primary structure may not exceed 35 feet from average grade along the foundation to the highest point or 33 feet from the base flood elevation if the structure is located in a flood hazard area (chimneys are excluded).

- (2) Primary structures may not exceed 2 1/2 stories.

F. Landscaping.

- (1) Front yard landscaping in the R-20 Zone shall be a minimum coverage of 60% pervious vegetation (grass, plants, shrubs, trees).
- (2) No street trees in the right-of-way shall be removed for the construction of any driveway or curb cut without the approval of the City Engineer.

§ 277-26 Dwelling R-15 Zone (single-family detached residential).

A. Within any Dwelling R-15 Zone, the following principal and accessory uses are permitted:

- (1) Private single-family dwellings, municipal uses, parks, playgrounds and other public recreation use, swimming pools, spas/hot tubs, fences/walls, sheds, flagpoles, gazebos/garden houses, and tennis courts.
- (2) Private garages and/or accessory buildings for uses incidental to the main residence, provided that all are on the same lot.
- (3) Professional home offices subject to the following:
 - (a) The home office use must be conducted by a member of the household residing in the dwelling unit and up to one (1) non-household employee.
 - (b) The maximum size of the home office is 400 square feet.
 - (c) The home office must be within the principal structure on the property.
 - (d) No signage identifying the home office shall be permitted.
 - (e) No customer, client, supplier or other patron of a retail business shall be served in person at the home office, except for customary residential deliveries.
 - (f) No change in the architecture which would change the residential nature of the structure is permitted.
 - (g) All home offices must be properly registered with the City

B. Prohibited uses.

- (1) Within any Dwelling R-15 Zone, the following uses are prohibited:

- (a) Any business or commercial activity other than as specified in Section A.
 - (b) Any structure or land used in whole or in part for any industrial, manufacturing, commercial or trade purposes.
 - (2) These restrictions apply equally to rental units.
 - (3) The enumeration of prohibited uses is by way of example and not limitation. Any use not expressly permitted shall be considered prohibited.
- C. Lot size, coverage and setbacks.
- (1) A lot within the Dwelling R-15 Zone shall have a width of at least 100 feet and a depth of at least 100 feet, with a minimum area of 15,000 square feet. Only those portions of the lot actually situate within the Dwelling R-15 Zone shall be utilized for purposes of satisfying the aforesaid bulk criteria.
 - (2) Coverage.
 - (a) In a lot within the Dwelling R-15 Zone, principal building coverage shall not exceed 30% and total lot coverage shall not exceed 40%.
 - (3) The main building or any permitted detached accessory buildings shall be set back at least 25 feet from the front property line. All accessory buildings must be set behind the building lines of the principal structure.
 - (4) Setbacks.
 - (a) Minimum rear yard setback is 20 feet.
 - (b) Minimum side yard setback is 15 feet.
- D. Street frontage. A lot within the Dwelling R-15 Zone shall have a minimum of 100 feet of frontage on an improved public street.
- E. Height of structure.
- (1) The height of the primary structure may not exceed 35 feet from average grade along the foundation to the highest point or 33 feet from the base flood elevation if the structure is located in a flood hazard area (chimneys are excluded). The height of the structure may not exceed 25 feet with an area 20 feet from the side property line.
 - (2) Primary structures may not exceed 2 1/2 stories.
- F. Landscaping.

- (1) Front yard landscaping in the R-15 Zone shall be a minimum coverage of 60% pervious vegetation (grass, plants, shrubs, trees).
- (2) No street trees in the right-of-way shall be removed for the construction of any driveway or curb cut without the approval of the City Engineer.

G. Conditional Uses.

- (1) Public utility buildings are permitted as conditional uses subject to the following conditions:
 - (a) The minimum lot area for the zone district in which the use is located shall be met.
 - (b) All yard and setback requirements of the zone district shall be met; provided, however, that no yard shall be less than the height of the facility.

§ 277-27 Dwelling R-10 Zone (single-family detached residential).

A. Within any Dwelling R-10 Zone, the following principal and accessory uses are permitted:

- (1) Private single-family dwellings, municipal uses, parks, playgrounds and other public recreation use, swimming pools, spas/hot tubs, fences/walls, sheds, flagpoles, gazebos/garden houses, and tennis courts.
- (2) Private garages and/or accessory buildings for uses incidental to the main residence, provided that all are on the same lot.
- (3) Professional home offices subject to the following:
 - (a) The home office use must be conducted by a member of the household residing in the dwelling unit and up to one (1) non-household employee.
 - (b) The maximum size of the home office is 400 square feet.
 - (c) The home office must be within the principal structure on the property.
 - (d) No signage identifying the home office shall be permitted.
 - (e) No customer, client, supplier or other patron of a retail business shall be served in person at the home office, except for customary residential deliveries.

- (f) No change in the architecture which would change the residential nature of the structure is permitted.
- (g) All home offices must be properly registered with the City.

B. Prohibited uses.

- (1) Within any Dwelling R-10 Zone, the following uses are prohibited:
 - (a) Any business or commercial activity other than as specified in Section A.
 - (b) Any structure or land used in whole or in part for any industrial, manufacturing, commercial or trade purposes.
- (2) These restrictions apply equally to rental units.
- (3) The enumeration of prohibited uses is by way of example and not limitation. Any use not expressly permitted shall be considered prohibited.

C. Lot size, coverage and setbacks.

- (1) A lot within the Dwelling R-10 Zone shall have a width of at least 100 feet and a depth of at least 100 feet, with a minimum area of 10,000 square feet. Only those portions of the lot actually situate within the Dwelling R-10 Zone shall be utilized for purposes of satisfying the aforesaid bulk criteria.
- (2) In a lot within the Dwelling R-10 Zone, principal building coverage shall not exceed 30% and total lot coverage shall not exceed 40%.
- (3) The main building or any permitted detached accessory buildings shall be set back at least 20 feet from the front property line. All accessory buildings must be set behind the building lines of the principal structure.
- (4) Setbacks.
 - (a) Minimum rear yard setback is 20 feet.
 - (b) Minimum side yard setback is 10 feet.

D. Street frontage. A lot within the Dwelling R-10 Zone shall have a minimum of 100 feet of frontage on an improved public street.

E. Height of structure.

- (a) The height of the primary structure may not exceed 35 feet from average grade along the foundation to the highest point or 33 feet from the base

flood elevation if the structure is located in a flood hazard area (chimneys are excluded). The height of the structure may not exceed 25 feet with an area 20 feet from the side property line.

- (b) Primary structures may not exceed 2 1/2 stories.

F. Landscaping.

- (1) Front yard landscaping in the R-10 Zone shall be a minimum coverage of 60% pervious vegetation (grass, plants, shrubs, trees).
- (2) No street trees in the right-of-way shall be removed for the construction of any driveway or curb cut without the approval of the City Engineer.

G. Conditional Uses.

- (1) Public utility buildings are permitted as conditional uses subject to the following conditions:
 - (a) The minimum lot area for the zone district in which the use is located shall be met.
 - (b) All yard and setback requirements of the zone district shall be met; provided, however, that no yard shall be less than the height of the facility.
- (2) Professional offices are permitted as conditional uses in accordance with the following conditions:
 - (a) The lot must have direct frontage on Shore Road.
 - (b) All lots must conform to all bulk standards of the R-SR zone.
 - (c) All professional offices must demonstrate adequate off-street parking on the lot along with adequate space for vehicles to turn around. In no case shall professional offices be permitted if vehicles are forced to back into a public street.
 - (d) Provisions for access in accordance with all Americans with Disability (ADA) must be provided including within parking areas and ingress / egress to buildings.
 - (e) The architecture of all professional offices must match that of a single family dwelling which conforms to all bulk criteria for the zone.

(f) No professional office located at the intersection of Shore Road with a local public street shall be permitted to have direct access to Shore Road. All access for these lots must be from the local public street.

(g) The maximum impervious coverage for lots with professional offices is 50%.

§ 277-28 Dwelling R10-PL Zone (single-family detached residential on private lane or drive).

A. Within any Dwelling R10-PL Zone, the following principal and accessory uses are permitted:

- (1) Private single-family dwellings, utilizing private lanes or drives to provide access to one or more lots.
- (2) Private garages and/or accessory buildings for uses incidental to the main residence, provided that all are on the same lot.

B. Prohibited uses.

- (1) Within any Dwelling R10-PL Zone, the following uses are prohibited:
 - (a) Any business or commercial activity.
 - (b) Any structure or land used in whole or in part for any industrial, manufacturing, commercial or trade purposes.
- (2) These restrictions apply equally to rental units.
- (3) The enumeration of prohibited uses is by way of example and not limitation. Any use not expressly permitted shall be considered prohibited.

C. Within the R10-PL Zone, the minimum lot size shall be 10,000 square feet.

D. Coverage and setbacks.

- (1) Maximum principal building coverage shall be 30%.
- (2) Maximum total lot coverage shall not exceed 40%.
- (3) Minimum front yard setback shall be 20 feet. All accessory structures must be located behind the building lines for the principal structure.
- (4) Minimum rear yard setback shall be 20 feet.
- (5) Minimum side yard setback shall be 10 feet.

- (6) Minimum lot depth shall be 100 feet.
- (7) Minimum road frontage shall be 75 feet.
- (8) Minimum width shall be 75 feet.
- (9) Maximum height of structure.
 - (a) The height of the primary structure may not exceed 35 feet from average grade along the foundation to the highest point or 33 feet from the base flood elevation if the structure is located in a flood hazard area (chimneys are excluded). The height of the structure may not exceed 25 feet with an area 20 feet from the side property line.
 - (c) Primary structures may not exceed 2 1/2 stories.
- (10) Lanes and/or private drives shall have a minimum width of 25 feet.
- (11) Not more than six residences or lots may be serviced by any single private lane.
 - (a) Private lanes and/or drives shall be constructed with a six-inch gravel base with two inches of FABC paving.
 - (b) Ownership of private lanes and/or drives shall be maintained jointly by those being serviced by the lane or private drive.
 - (c) Responsibility for the maintenance and/or improvements of the private lane or drive lays with the owners of said private lane or drive.
 - (d) Municipal services will be provided so long as there is adequate turnaround for City vehicles and so long as the lane or drive is properly maintained.
 - (e) All lanes and private drives (except those servicing one lot) shall have an adequate turnaround for emergency vehicles.
 - (f) Inspections.
 - [1] Periodic inspections of all private lanes and/or drives shall be conducted by the Engineer of the City of Linwood (or his/her designee) and recommendations shall be made by said Engineer to City Council regarding any necessary maintenance or improvements.

[2] The expense incurred by the City to perform any necessary maintenance, inspections, or improvements shall be assessed upon the owner(s) of the lane or private drive.

E. Landscaping.

- (1) Front yard landscaping in the R10-PL Zone shall be a minimum coverage of 60% pervious vegetation (grass, plants, shrubs, trees).
- (2) No street trees in the right-of-way shall be removed for the construction of any driveway or curb cut without the approval of the City Engineer.

§ 277-29 Dwelling R-SR Zone (single-family detached - shore road residential).

A. Within any Dwelling R-SR Zone, the following principal and accessory uses are permitted:

- (1) Private single-family dwellings, municipal uses, parks, playgrounds and other public recreation use, swimming pools, spas/hot tubs, fences/walls, sheds, flagpoles, gazebos/garden houses, and tennis courts.
- (2) Private garages and/or accessory buildings for uses incidental to the main residence, provided that all are on the same lot.

B. Prohibited uses.

- (1) Within any Dwelling R-SR Zone, the following uses are prohibited:
 - (a) Any business or commercial activity other than as specified in Section G.
 - (b) Any structure or land used in whole or in part for any industrial or manufacturing purposes.
- (2) These restrictions apply equally to rental units.
- (3) The enumeration of prohibited uses is by way of example and not limitation. Any use not expressly permitted shall be considered prohibited.

C. Lot size, coverage and setbacks.

- (1) A lot within the Dwelling R-SR Zone shall have a width of at least 100 feet and a depth of at least 125 feet, with a minimum area of 15,000 square feet. Only those portions of the lot actually situate within the Dwelling R-SR Zone shall be utilized for purposes of satisfying the aforesaid bulk criteria.
- (2) Coverage.

- (a) In a lot within the Dwelling R-SR Zone, principal building coverage shall not exceed 30% and total lot coverage shall not exceed 40% except as modified to account for additional impervious for professional home offices.
 - (3) The main building or any permitted detached accessory buildings shall be set back at least 30 feet from the front property line. All accessory buildings must be set behind the building lines of the principal structure.
 - (4) Setbacks.
 - (a) The main building shall have a minimum rear yard setback of 25 feet and the side yard setback shall be at least 15 feet.
 - (b) Nonconforming lots in the R-SR Zone of less than 10,500 square feet existing prior to the adoption of this subsection shall have a side yard setback of 10 feet on lots with a width of 100 feet or less and shall provide one foot of additional setback (on each side) for each four-foot increase in lot width up to a maximum requirement of a twenty-five-foot side yard setback.
- D. Street frontage. A lot within the Dwelling R-SR Zone shall have a minimum of 100 feet of frontage on an improved public street.
- E. Height of structure.
 - (1) The height of the primary structure may not exceed 35 feet from average grade along the foundation to the peak of the roof or 33 feet from the base flood elevation if the structure is located in a flood hazard area (chimneys are excluded).
 - (2) Primary structures may not exceed 2 1/2 stories.
- F. Landscaping.
 - (1) Front yard landscaping in the R-SR Zone shall be a minimum coverage of 60% pervious vegetation (grass, plants, shrubs, trees).
 - (2) No street trees in the right-of-way shall be removed for the construction of any driveway or curb cut without the approval of the City Engineer.
- G. Conditional Uses.
 - (1) Schools and houses of worship are permitted as conditional uses subject to the following conditions:

- (a) The property on which the structure or building is to be constructed or the activities conducted must contain a minimum of 20,000 square feet.
 - (b) No building shall be closer than 30 feet to the side or rear line of any adjacent property. These 15 feet shall be considered as a buffer strip and shall be landscaped.
 - (c) No building or structure shall be closer than 30 feet to any front street property line nor less than 30 feet from any other structure. Except as permitted in this article, no building or structure shall be higher than 2 1/2 stories and 35 feet above average grade.
 - (d) No parking shall be permitted between the front building line and the street right-of-way.
 - (e) Parking must be provided on site as required by this chapter.
- (2) Public utility buildings are permitted as conditional uses subject to the following conditions:
- (a) The minimum lot area for the zone district in which the use is located shall be met.
 - (b) All yard and setback requirements of the zone district shall be met; provided, however, that no yard shall be less than the height of the facility.
- (3) Professional offices are permitted as conditional uses in accordance with the following conditions:
- (a) The lot must have direct frontage on Shore Road.
 - (b) All lots must conform to all bulk standards of the R-SR zone.
 - (c) All professional offices must demonstrate adequate off-street parking on the lot along with adequate space for vehicles to turn around. In no case shall professional offices be permitted if vehicles are forced to back into a public street.
 - (d) Provisions for access in accordance with all Americans with Disability (ADA) must be provided including within parking areas and ingress / egress to buildings.

- (e) The architecture of all professional offices must match that of a single family dwelling which conforms to all bulk criteria for the zone.
- (f) No professional office located at the intersection of Shore Road with a local public street shall be permitted to have direct access to Shore Road. All access for these lots must be from the local public street.
- (g) The maximum impervious coverage for lots with professional offices is 50%.

§ 277-30 Dwelling RT Zone (multifamily residential).

A. Within any Dwelling RT Zone, the following uses are permitted:

- (1) Private single-family dwellings, multifamily dwellings, municipal uses, parks, playgrounds and other public recreation use, swimming pools, spas/hot tubs, fences/walls, sheds, flagpoles, gazebos/garden houses, and tennis courts.
 - (a) Single-family residences in the RT Zone shall comply with all of the bulk requirements of the R-10 Zone.
- (2) Townhome and/or duplex family residences.
- (3) Private garages and/or accessory buildings for uses incidental to the main residence, provided that all are on the same lot.

B. Prohibited uses.

- (1) Within any Dwelling RT Zone, the following uses are prohibited:
 - (a) Any business or commercial activity.
 - (b) Any structure or land used in whole or in part for any industrial, manufacturing, commercial or trade purposes.
- (2) These restrictions apply equally to rental units.
- (3) The enumeration of prohibited uses is by way of example and not limitation. Any use not expressly permitted shall be considered prohibited.

C. Townhomes and/or duplex family residences within the RT Zone shall comply with the following bulk requirements:

- (1) Minimum lot area shall be no less than 15,000 square feet.
- (2) Minimum front yard setback shall be 25 feet.

- (3) Minimum rear yard setback shall be 25 feet.
- (4) Minimum side yard setbacks shall be 15 feet.
- (5) Minimum road frontage shall be 100 feet.
- (6) Minimum lot depth shall be 100 feet.
- (7) Minimum lot width shall be 100 feet.
- (8) Maximum building coverage shall be 30%.
- (9) Maximum total lot coverage shall be 40%.
- (10) The height of the primary structure may not exceed 35 feet from average grade along the foundation to the peak of the roof or 33 feet from the base flood elevation if the structure is located in a flood hazard area (chimneys are excluded).
[Amended 9-25-2013 by Ord. No. 18-2013]
- (11) In the area between the minimum side yard setback and 20 feet from the side yard line, the maximum permissible height of the structure shall be 25 feet or 23 feet from the base flood elevation if the structure is located in a flood hazard area.
[Amended 9-25-2013 by Ord. No. 18-2013]
- (12) Primary structures may not exceed 2 1/2 stories.
- (13) Front yard landscaping shall be a minimum coverage of 60% pervious vegetation (grass, plants, shrubs, trees).

D. Conditional Uses.

- (1) Public utility buildings are permitted as conditional uses subject to the following conditions:
 - (a) The minimum lot area for the zone district in which the use is located shall be met.
 - (b) All yard and setback requirements of the zone district shall be met; provided, however, that no yard shall be less than the height of the facility.

§ 277-31 Business Zone.

The following shall apply to the Business Zone:

A. Permitted uses.

- (1) Within any Business Zone, no building, structure or land shall be used, and no building or structure shall be erected which is arranged, intended or designed for any use other than the following:
 - (a) Restaurants.
 - (b) A professional, business, bank, financial or brokerage office.
 - (c) Retail sale of goods and services, but not including the sale of motor fuels or auto service station.
 - (d) A personal service establishment, such as, but not limited to, a tailor shop, barbershop or beauty or nail salon.
 - (e) A medical or dental clinic.
 - (f) A studio, such as, but not limited to, art, dance, gymnastic, music; an art gallery.
 - (g) A theater or auditorium.
 - (h) A repair shop for common household and office items.
 - (i) A library; a church; a public service facility related to the function of a local, state or federal government.
 - (j) A day nursery.
 - (k) A pet shop, veterinary hospital or grooming establishment, provided that the entire facility is located within a fully enclosed air-conditioned and soundproof building and further provided that said use does not include boarding kennels.
 - (l) Nursing homes:
 - [1] Congregate care.
 - [2] Assisted living.
 - (m) Funeral homes.
- (2) Specifically excluded from any Business Zone is any residential use; any use for storage, industrial or manufacturing purposes, except as set forth herein; any gasoline filling station, garage or automotive repair shop.

- (3) Up to 50% of the floor area of any permitted building in the Business Zone may be used for storage of merchandise to be sold at retail.
- (4) A buffer area of not less than 30 feet in width shall be required within the front, rear and side yard setbacks. The front buffer area shall be used exclusively for landscaping, signs and access. Side and rear buffer areas shall be used exclusively for landscaping and screening.
- (5) Any principal building shall have a first floor area of at least 4,000 square feet, exclusive of related accessory structures.

B. Lot size, coverage and setbacks.

- (1) Minimum tract size: 40,000 square feet.
- (2) Minimum perimeter buffer: 30 feet to any residential zone or use.
- (3) Maximum building height: 40 feet.
- (4) Minimum setbacks: 30 feet.
- (5) Maximum building coverage: 35%.
- (6) Maximum total coverage: 70%.
- (7) Minimum Lot Width: 100 feet
- (8) Minimum Lot Depth: 100 feet

C. Within any Business Zone, no building structure or land shall be used, and no building or structure shall be erected which is arranged, intended or designed for the following:

- (1) All residential uses.
- (2) Tattoo sales and services.
- (3) Laundromat.

§ 277-32 Dwelling PRD Zone - planned residential development.

- A. Consistent with sound planning principles for larger planned residential developments, higher density, small lot development is permitted in the Planned Residential Development Zone only if the proposed development meets specific criteria dealing with site size, buffers and other standards.

B. Specific objectives of the Planned Residential Development Zone are the following:

- (1) To conserve larger parcels of land for future use.
- (2) To allow a wide range of uses and even a mixture of uses within the same development.
- (3) To encourage cohesive design of planned developments.
- (4) To assure quality development which respects the community environment, character and scale.

C. Principal permitted uses.

- (1) Private single-family dwellings, multifamily dwellings, municipal uses, parks, playgrounds and other public recreation use, swimming pools, spas/hot tubs, fences/walls, sheds, flagpoles, gazebos/garden houses, and tennis courts.
- (2) Townhome and/or duplex family residences.
- (3) Private garages and/or accessory buildings for uses incidental to the main residence, provided that all are on the same lot.

D. Lot size, coverage and setbacks.

- (1) Single family detached dwellings. All single family detached dwellings shall conform to the bulk standards for the R-10 Zone Regulations as specified in § 277-27.
- (2) Townhouse or duplex dwellings. All townhouse or duplex dwellings shall conform to the bulk standards for the RT Zone Regulations as specified in as specified in § 277-30.

E. Conditional Uses.

- (1) Public utility buildings are permitted as conditional uses subject to the following conditions:
 - (a) The minimum lot area for the zone district in which the use is located shall be met.
 - (b) All yard and setback requirements of the zone district shall be met; provided, however, that no yard shall be less than the height of the facility.

§ 277-33 Conservation Zone.

- A. In any zone in which there is application for development with respect to a lot partially located in the Conservation Zone, notwithstanding any other provision in the municipal land use ordinances to the contrary, for purposes of compliance with bulk requirements and setbacks, all calculations shall be based entirely upon portion of the lot which constitutes uplands, inclusive of redevelopment areas.
- B. This determination of the conservation line shall be as established by the Department of Environmental Protection of the State of New Jersey, to be confirmed by the Municipal Engineer.
- C. Permitted Uses.
 - (1) Government and publicly maintained recreational open space.
- D. Accessory Uses. All accessory uses must be utilized on the same lot as a principal use or a permitted residential use in an adjacent zoning district.
 - (1) Private Docks and Piers.
 - (2) Sheds.
- E. The maximum height of any structure in the Conservation Zone is 15 feet.

§ 277-34 Recreation ROP Zone — recreation open space.

The following shall apply in the Recreation ROP Zone:

- A. Use regulations. No building or structure shall be erected and no building, structure or land shall be used for any purpose other than the following:
 - (1) All those uses specifically permitted in the Conservation Zone.
 - (2) Publicly or privately maintained recreational open space facilities, such as golf courses, tennis, basketball and hockey courts, swimming pools, ball fields, woodland trails, bicycle trails, playgrounds and picnic areas.
- B. Objectives. It is the intention of this chapter to restrict the development of the Recreation Open Space Zone so as to prevent further deterioration, marring and/or destruction of these lands and to ensure the preservation of the recreational open space resources of the City of Linwood for the benefit and enjoyment of its citizens.
- C. Lot size, coverage and setbacks.
 - (1) Minimum tract size: 4 acres.
 - (2) Minimum perimeter buffer: 25 feet.

- (3) Maximum building height: 35 feet.
 - (4) Minimum building setbacks: 40 feet.
 - (5) Maximum building coverage: 35%.
 - (6) Maximum total coverage: 70%.
 - (7) Minimum Lot Width: 200 feet.
 - (8) Minimum Lot Depth: 200 feet.
 - (9) Minimum Street Frontage: 200 feet.
- D. Site plan review required. Before a construction permit or certificate of occupancy can be issued for any use, site plans for such use shall be submitted to the Linwood Land use Board, pursuant to N.J.S.A. 40:55D-76, for its approval in the same manner and according to the same requirements as contained in this chapter.

§ 277-35 Institutional I Zone.

The following shall apply to the Institutional I Zone:

- A. No building or structure shall be erected and no building, structure or land shall be used for any purpose other than the following:
- (1) All those uses specifically permitted in the Conservation Zone.
 - (2) All those uses specifically permitted in the Recreation Open Space Zone.
 - (3) Places of worship, parish houses, convents and cemeteries.
 - (4) Schools and institutions of higher learning.
 - (5) Public buildings of a governmental or cultural nature.
- B. Lot size, coverage and setbacks. The lot size, coverage and setback provisions of § 277-31 shall apply to any building or structure in the Institutional Zone.

§ 277-36 Redevelopment Zone.

Pursuant to the local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., as amended and supplemented, Linwood has undertaken a program for the redevelopment of certain property. The City has designated certain parcels as areas in need of redevelopment through the adoption of Resolution No. 197 of 2002 on August 14, 2002. Pursuant to a recommendation duly made by

the Planning Board on September 15, 2003, the governing body adopted Resolution No. 260 of 2003, declaring the parcels areas in need of redevelopment. On October 27, 2004, the governing body adopted Ordinance No. 20 of 2004, adopting the Redevelopment Plan, and thereafter on November 21, 2005, the governing body approved a Redevelopment Agreement by Ordinance No. 18 of 2005. The land use controls for the Redevelopment Zone are embodied in the Redevelopment Plan, the Redevelopment Agreement and the various ordinances pertaining to same as amended and supplemented from time to time.

§ 277-37 Off-street parking.

- A. Minimum required off-street parking schedule for nonresidential uses. The number of off-street parking spaces required for any nonresidential use shall be determined by reference to Parking Schedule I below.
 - (1) **Unscheduled uses.** Off-street parking requirements for uses not listed in Parking Schedule I shall be established by the Board, based upon accepted industry standards.
 - (2) **Combined uses.** In the case of a combination of uses, the off-street parking requirement shall consist of the sum of the spaces required for each individual use unless it can be demonstrated that staggered hours would permit modification.
 - (3) **Fractional spaces.** Whenever the application of Parking Schedule I standards results in the requirements of a major fraction of a space in excess of 0.5, a full space shall be required.

Parking Schedule I

Parking Requirements for Nonresidential Uses

Use	Required Parking Spaces
Banks and financial institutions	1 for each 300 square feet of building area or 5 per teller, whichever is greater
Offices	1 per 200 square feet of building area
Medical offices	1 per 150 square feet of building area
Outdoor recreation:	
Court games	4 per court
Other	1 per 150 square feet of assemblage space
Houses of worship, community buildings, social halls and places of indoor public assembly	1 for each 3 seats (60-inch pew). Where the specific amount of seating is undetermined, then 1 parking space shall be required for each 75 square feet of assemblage area.
Restaurant (Note: Take-out components of restaurants shall add one additional space for each 25 square feet of take-out service area.)	1 for each 2.5 seats
Retail uses not separately listed (Note: Retail	5 per 1,000 square feet of building area

Parking Schedule I

Parking Requirements for Nonresidential Uses

Use	Required Parking Spaces
uses such as delis, bakeries and coffee shops with on-site seating shall add one additional space for every three seats.)	
Educational facility:	
Elementary and intermediate school	1 per employee
Secondary school	1 per employee plus 1 per each 5 students in grades 11 and 12
Post-secondary and other educational facility	1 per employee plus 2 per each 3 full-time students and 1 for each 5 part-time students
Nursing homes	1 per bed

- B. Minimum required off-street parking schedule for residential uses. The number of off-street parking spaces required for residential uses shall be determined pursuant to N.J.A.C. 5:21, as amended, and by reference to Parking Schedule II below. Alternative parking standards to those shown in the schedule below shall be accepted if the applicant demonstrates these standards better reflect local conditions. Factors affecting minimum number of parking spaces include household characteristics, availability of mass transit, urban versus suburban location and available off-site parking sources.

Parking Schedule II (Note a)

Parking Requirements for Residential Land Uses

Housing Type/Size	Unit	Required Parking Spaces
Single-family detached:		
2-bedroom	1.5	
3-bedroom	2.0	
4-bedroom	2.5 (Note c)	
5-bedroom	3.0	
Garden apartment (Note b):		
1-bedroom	1.8	
2-bedroom	2.0 (Note c)	
3-bedroom	2.1	
Townhouse (Note b):		
1-bedroom	1.8	
2-bedroom	2.3 (Note c)	

Parking Schedule II (Note a)

Parking Requirements for Residential Land Uses

Housing Type/Size	Unit	Required Parking Spaces
3-bedroom		2.4
Retirement community		Values shall be commensurate with the most appropriate housing type and size noted above that the retirement community resembles
Assisted living		0.5 (Note d)

Notes:

- a. As amended from time to time.
 - b. Requirements for attached units (apartment/condominium/townhouse) include provisions for guest parking.
 - c. If applicant does not specify the number of bedrooms per unit, this parking requirement shall apply.
 - d. The Board may grant waivers and exceptions where appropriate.
-
- (1) A one-car garage and driveway combination shall count as two off-street parking spaces, provided the driveway measures a minimum of 18 feet in length between the face of the garage door and the right-of-way. A two-car garage and driveway combination shall count as 3.5 off-street parking spaces, provided a minimum parking area width of 20 feet is provided for a minimum length of 18 feet as specified for a one-car garage and driveway combination.
 - (2) When housing is included in mixed-use development, a shared parking approach to the provision of parking may be permitted.
 - (3) When, in the judgment of the Board, on-street parking is available, then only that proportion of the parking requirement which is not available on the street shall be provided in off-street parking facilities. A length of 23 feet per on-street parking space shall be used in calculating the number of available on-street parking spaces.
 - (4) For projects containing dwelling units required by the New Jersey Uniform Construction Code's Barrier Free Subcode (N.J.A.C. 5:23-7), to be accessible, parking spaces for people with disabilities shall be provided in accordance with the requirements of the Barrier Free Subcode and shall be considered part of the total number of required spaces.

§ 277-38 Nonconforming uses, structures and lots.

- A. Continuance of existing nonconforming uses and structures. Any nonconforming use or structure which lawfully existed at the time of the passage of this article may be continued, and any existing legally nonconforming building or structure may be

reconstructed or structurally altered, but only in accordance with the requirements of this article.

B. Alteration, extension or enlargement of nonconforming use or structure.

- (1) A nonconforming use of any building, structure or land shall not be increased, enlarged, extended or changed in any manner whatsoever.
- (2) No building in which a nonconforming use exists shall be enlarged, extended or structurally altered in any manner; provided, however, that:
 - (a) Nothing herein shall prevent the repair and maintenance of any building wherein there exists a nonconforming use, provided that such maintenance and repair does not in any way constitute or result in a further extension of a nonconforming use.
 - (b) Minor alterations and improvements which do not constitute or require structural changes may be made in or to a building wherein a nonconforming use exists, provided that such nonconforming use will not be increased, extended or enlarged thereby.
 - (c) Nothing herein shall prevent the strengthening or restoration to a safe and lawful condition of any part of any building which is nonconforming.
- (3) Structural alterations, internal rearrangements and renovations may be made in a building or structure which is nonconforming because it fails to comply with height, area, yard, off-street parking or other like requirements of this article, other than use, so long as the structural alteration or increase, internal rearrangement or renovation does not extend or enlarge the nonconformance of said building or structure.
- (4) A nonconforming use changed or altered to a conforming use may not thereafter be changed back to a nonconforming use.

C. Any nonconforming use, building or structure, other than a single-family detached dwelling on an undersized lot, which shall be more than 50% damaged by reason of windstorm, fire, explosion or other act of God or man shall be deemed completely destroyed and the use, building or structure may not be reestablished, rebuilt, restored or repaired except in conformity with this chapter. For single-family homes on undersized lots which shall be destroyed as described above, said structures may be reconstructed, provided that no aspect of the new or rebuilt structure increases any nonconformity of the original structure or causes any new nonconformity with this chapter.

D. Restoration of existing buildings or structures nonconforming for reasons other than use. Whenever a building is nonconforming because it fails to comply with any height, area, yard, off-street parking or requirements of this article, other than use, and such building is

partially destroyed, such building may be restored to its prior condition; provided, however, that such restoration shall not enlarge the previously existing nonconformance.

- E. Nonconforming improved lot. When an improved lot in a residential zone exists as a separate isolated lot under separate ownership and does not adjoin any vacant land or vacant lot of the same owner, and which said improved lot is nonconforming due to size, shape, area or setback, any existing residential building or structure on the lot may be further improved, provided that:
- (1) The number of dwelling units shall not be increased even if such increased number of dwelling units are allowed in the zone, unless approved by the Board of Adjustment.
 - (2) Any existing nonconforming setbacks from streets, side lot lines or rear lot lines shall not be made more nonconforming including any vertical additions of any type.
 - (3) Any existing and proposed improvement on the nonconforming improved lot shall not exceed the percentage of maximum building coverage set forth in Schedule B.[1]
[1] Editor's Note: Schedule B is included at the end of this chapter.
 - (4) Any existing and proposed improvement on the nonconforming improved lot shall conform to all other zone standards, including off-street parking.
- F. No nonconforming lot shall be made more nonconforming through subdivision, resubdivision or any such other action. Where two or more contiguous, nonconforming lots are in common ownership, these lots shall be considered combined for the purposes of meeting the requirements of this chapter. Such combined lots shall not be subdivided or resubdivided except in conformance with this chapter.

§ 277-39 Outside stairways.

Within any residential zone, no outside steps or outside stairway extending above the first or ground floor of any building or structure shall be constructed or permitted.

§ 277-40 Split-zoned lots.

A Conservation Zone has been established within the municipality so as to prevent deterioration, marring and/or destruction of wetlands and to ensure the preservation of this environmentally vital, ecologically sensitive natural resource. Those properties situate in the municipality which are partially within and partially outside of the wetlands (i.e., split-zoned lots) present particular and unique problems which must be addressed in order that development thereof will minimize damage to the wetlands and impairment of the Comprehensive Zoning Plan of the City of Linwood. Accordingly, it is the purpose of these regulations to maintain the integrity of the Zone Plan by preventing the creation of substandard lots with an irregularly shaped and undersized

effective building area, to minimize drainage problems and to prevent, as far as practicable and reasonable, damage to fragile wetlands. The municipality specifically recognizes and takes note of the fact that the wetlands are subject to comprehensive regulations by federal and state agencies and adopts this regulation to provide an appropriate transition from the uplands area by establishing additional standards and regulations applicable to lots presenting a split-zoned configuration. Therefore, in any zone in the City of Linwood in which there is application for development with respect to a lot partially situate in a Conservation Zone, notwithstanding any other provision in the municipal land use ordinances to the contrary, for purposes of compliance with bulk requirements and setbacks, all calculations shall be based entirely upon that portion of the lot which constitutes uplands.

SECTION 2: All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.

SECTION 3: Should any sentence, clause, sentence, phrase or provision of this ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remaining portions of this ordinance.

SECTION 4: This ordinance shall take effect upon its final passage, publication and adoption in the manner prescribed by law.

<i>FIRST READING:</i>	<i>July 8, 2020</i>
<i>PUBLICATION:</i>	<i>July 13, 2020</i>
<i>PASSAGE:</i>	<i>August 12, 2020</i>

The within Ordinance was introduced at a meeting of the Common Council of the City of Linwood, County of Atlantic and State of New Jersey held on, July 8, 2020 and will be further considered for final passage after a public hearing thereon at a meeting of said Common Council on August 12, 2020.

LEIGH ANN NAPOLI, RMC, MUNICIPAL CLERK

DARREN MATIK, MAYOR

**Zoning
Schedule B
Schedule of Standards**

	Minimum lot area (sq. ft.)	Minimum lot depth (ft.)	Minimum lot width (ft.)	Minimum Street Frontage (ft.)	Maximum principal building coverage	Maximum Lot coverage	Minimum front setback (ft.)	Minimum rear setback (ft.)	Minimum side setback (each) (ft.)	Maximum height (ft./stories)
R-20	20,000	125	100	100	25%	35%	30	20	25	35 2.5
R-15	15,000	100	100	100	30%	40%	25	20	15	35 2.5
R-10	10,000	100	100	100	30%	40% 50% (Prof Off)	20	20	10	35 2.5
R10-PL Private Lanes	10,000	100	75	75	30%	40%	20	20	10	35 2.5
R-SR (Shore Road Residential)	15,000	125	100	100	30%	40% 50% (Prof Off)	30	25	15	35 2.5
RT Multifamily (townhomes)	15,000 10,000 (SFD)	100	100	100	30%	40%	25 20 (SFD)	25 20 (SFD)	15 10 (SFD)	35 2.5
B5 Business	40,000	100	100	100	35%	70%	30	30	30	40
ROP Recreation Open Space	4 acres	200	200	200	35%	70%	40	40	40	35
I Institutional (school, churches, government)	40,000	100	100	100	35%	70%	30	30	30	40

Table Notes:

- (1) For convenient reference, the standards memorialized in chapter 277-1 et seq are summarized in tabular form in Schedule B. To the extent there is any discrepancy between the Schedule and the standards, the provisions of the standards shall prevail.
- (2) Only the portions of the lot actually situate within the zone shall be utilized for purposes of satisfying the aforesaid bulk criteria.

Front yard landscape requirements in residential zones: Not less than 65% of the front yard extending to the side property lines shall be landscaped with grass or other vegetative cover, shrubs and trees. This "landscaped" area shall not include parking, driveways, walkways, stones, wood, and any other non-vegetative cover or material.

Street trees: No street tree shall be removed for the construction of any driveway or curb cut without prior approval from the Linwood Shade Tree Commission.

Accessory Structures: Limited to three accessory buildings per lot, with a total aggregate square footage of all accessory buildings not to exceed 800 square feet.

Accessory building height limited to 17 1/2 feet high and the maximum square footage limited to 600 square feet.

Accessory buildings must be set behind the building lines for the principal structure.

ORDINANCE NO. 8, 2020

AN ORDINANCE AMENDING CHAPTER 52 PERSONNEL AND PERSONNEL PROCEDURES, EMPLOYEE MANUAL, OF THE CODE OF THE CITY OF LINWOOD AND REPEALING ALL ORDINANCES HERETOFORE ADOPTED, THE PROVISIONS OF WHICH ARE INCONSISTENT HEREWITH.

BE IT ORDAINED, by the Common Council of the City of Linwood, County of Atlantic and State of New Jersey as follows:

SECTION 1: Chapter 52, Personnel and Personnel Procedures, Employee Manual, Article IV, Absence from Employment, C. Sick Leave is hereby amended to add the following:

p. Non-Union Employee Sick Buy Back. At the option of any non-union full-time or part-time employee, the City shall buy back up to forty (40) hours of the employee's accumulated sick leave per calendar year. The employee shall make a written request to the Chief Financial Officer for payment. The rate of pay for this sick leave buy back shall be computed at the employee's hourly rate of pay at the time of the buy back for full time employees. For part time employee's rate of pay for this sick leave buy back shall be the employee's current hourly rate or \$20.00 per hour whichever is less. Payment shall be made in a lump sum within thirty (30) calendar days of the employee's written request.

SECTION 2: All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.

SECTION 3: Should any sentence, clause, sentence, phrase or provision of this ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remaining portions of this ordinance.

SECTION 4: This ordinance shall take effect upon its final passage, publication and adoption in the manner prescribed by law.

<i>FIRST READING:</i>	<i>July 8, 2020</i>
<i>PUBLICATION:</i>	<i>July 13, 2020</i>
<i>PASSAGE:</i>	<i>August 12, 2020</i>

The within Ordinance was introduced at a meeting of the Common Council of the City of Linwood, County of Atlantic and State of New Jersey held on, July 8, 2020 and will be further considered for final passage after a public hearing thereon at a meeting of said Common Council on August 12, 2020.

LEIGH ANN NAPOLI, RMC, MUNICIPAL CLERK

DARREN MATIK, MAYOR

ORDINANCE NO. 9, 2020

AN ORDINANCE AMENDING CHAPTER 263 VEHICLES AND TRAFFIC, ARTICLE I GENERAL REGULATIONS, SECTION 263-4, PROHIBITED PARKING; STOPPING OR STANDING; TIME LIMIT PARKING; SNOW EMERGENCIES; VIOLATIONS AND PENALTIES OF THE CODE OF THE CITY OF LINWOOD AND REPEALING ALL ORDINANCES HERETOFORE ADOPTED, THE PROVISIONS OF WHICH ARE INCONSISTENT HEREWITH.

BE IT ORDAINED, by the Common Council of the City of Linwood, County of Atlantic and State of New Jersey as follows:

SECTION 1: Chapter 263, Article I, Section 263-4 Prohibited parking; stopping or standing; time limit parking; snow emergencies; violations and penalties, Section A is hereby amended to add the following:

Name of Street	Side	Location
River Drive	West	From a point 67 feet north of Poplar Avenue to a point 128 feet

SECTION 2: All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.

SECTION 3: Should any sentence, clause, sentence, phrase or provision of this ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remaining portions of this ordinance.

SECTION 4: This ordinance shall take effect upon its final passage, publication and adoption in the manner prescribed by law.

FIRST READING: July 8, 2020
PUBLICATION: July 13, 2020
PASSAGE: August 12, 2020

The within Ordinance was introduced at a meeting of the Common Council of the City of Linwood, County of Atlantic and State of New Jersey held on, July 8, 2020 and will be further considered for final passage after a public hearing thereon at a meeting of said Common Council on August 12, 2020.

LEIGH ANN NAPOLI, RMC, MUNICIPAL CLERK

DARREN MATIK, MAYOR

RESOLUTION NO. 124, 2020

A RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION
NJSA 40A: 4-87

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for an equal amount;

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Linwood in the County of Atlantic, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2020 in the sum of \$17,088.00, which is now available from the 2020 Clean Communities Grant;

BE IT FURTHER RESOLVED, that the like sum of \$17,088.00 is hereby appropriated under the caption 2020 Clean Communities Grant;

BE IT FURTHER RESOLVED, that the above is the result of a grant received from the Clean Communities Program.

I, Leigh Ann Napoli, RMC, Municipal Clerk of the City of Linwood, do hereby certify that the foregoing resolution was duly adopted at a Regular Meeting of the City Council of Linwood, held this 8th day of July, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 8th day of July, 2020.

LEIGH ANN NAPOLI, RMC, MUNICIPAL CLERK

DARREN MATIK, MAYOR

APPROVED: _____

0114 Linwood City - County of Atlantic



Select your local Government unit by pressing the triangle

Budget Amendment Certification Form, Appropriations Offset by Revenue

Counties/Municipalities (NJS A 40A:4-87) or Fire Districts (NJS A 40A:14-78.5)

Resolution Date: 7/8/2020

Resolution # 124-2020

Muni Code 0114 Organization Name 0114 Linwood City - County of Atlantic

Fiscal Year 2020 Calendar Year State Fiscal Year Transitional year

Revenue Title NJDEP - Clean Communities Program Amount \$ 17,088.00

Description _____

Appropriation Title NJDEP - Clean Communities Program Amount \$ 17,088.00

Description _____

Local Match _____ Amount _____

Municipalities and Counties only	<u>Chapter 85 - Title and Text</u>	
Appropriation (From) Title	_____	Amount _____
Appropriation (To) Title	_____	Amount _____

By electronic transmittal of this form the County Clerk of the Board/Municipal Clerk/Fire District Executive Director certify that this resolution, reference above and included as an attachment with this form, is a true resolution and was properly adopted by the respective governing body

By electronic transmittal of this form the County/Municipality CFO or the Fire District Accountant certifies that this revenue has been realized and/or is in receipt of written notification from the funding source cited in the resolution and included as an attachment with this form and that the revenue/appropriation identified above meets all statutory requirements and that the Annual Operating Budget has been amended to include this item of revenue/appropriation.

By checking this box, I am swearing that the above statement is true. (The Email function will not work until you acknowledge the above statement as true)

Leigh Ann Napoli

Anthony Strazzeri

County Clerk of the Board, Municipal Clerk, or Fire District Director

County/Municipal CFO or Fire District Accountant

Clerk

Chief Financial Officer

Title of Certifying Officer

Title of Certifying Officer

lnapoli@linwoodcity.org

astrazzeri@linwoodcity.org

Email Address

Email Address

609-927-4108

609-926-7974

Telephone Number

Telephone Number

Approval is hereby given to the cited resolution adopted by the governing body pursuant to N.J.S.A.40A: 4-87

For Director, Division of Local Government Services by:

New

Approved Date: _____

Duly Appointed Designee

RESOLUTION No. 125, 2020

A RESOLUTION APPROVING AN AMENDMENT TO BINGO LICENSE NO. 2020-04-A FOR
MUCKDOGS INC

WHEREAS, Muckdogs Inc. was issued a Bingo License on February 11, 2020 by Resolution No. 40, 2020; and

WHEREAS, Muckdogs Inc. has requested to amend said license changing the date of the Bingo from May 16, 2020 to October 24, 2020; and

WHEREAS, it is the desire of the Common Council to approve said amendment;

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Linwood that the amendment to Bingo License No. 2020-04-A be and is hereby approved.

I, Leigh Ann Napoli, RMC, Municipal Clerk of the City of Linwood, do hereby certify that the foregoing resolution was duly adopted at a Regular Meeting of the City Council of Linwood, held this 8th day of July, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 8th day of July, 2020.

LEIGH ANN NAPOLI, RMC, MUNICIPAL CLERK

DARREN MATIK, MAYOR

APPROVED: _____

RESOLUTION No. 126, 2020

A RESOLUTION APPROVING AN AMENDMENT TO RAFFLE LICENSE NO. 2020-10-A
FOR MUCKDOGS INC

WHEREAS, Muckdogs Inc. was issued a Raffle License on February 11, 2020 by Resolution No. 41, 2020; and

WHEREAS, Muckdogs Inc. has requested to amend said license changing the date of the Raffle from May 16, 2020 to October 24, 2020; and

WHEREAS, it is the desire of the Common Council to approve said amendment;

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Linwood that the amendment to Raffle License No. 2020-10-A be and is hereby approved.

I, Leigh Ann Napoli, RMC, Municipal Clerk of the City of Linwood, do hereby certify that the foregoing resolution was duly adopted at a Regular Meeting of the City Council of Linwood, held this 8th day of July, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 8th day of July, 2020.

LEIGH ANN NAPOLI, RMC, MUNICIPAL CLERK

DARREN MATIK, MAYOR

APPROVED: _____

RESOLUTION No. 127, 2020

A RESOLUTION APPROVING AN AMENDMENT TO RAFFLE LICENSE NO. 2020-11-A
FOR MUCKDOGS INC

WHEREAS, Muckdogs Inc. was issued a Raffle License on February 11, 2020 by Resolution No. 42, 2020; and

WHEREAS, Muckdogs Inc. has requested to amend said license changing the date of the Raffle from May 16, 2020 to October 24, 2020; and

WHEREAS, it is the desire of the Common Council to approve said amendment;

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Linwood that the amendment to Raffle License No. 2020-11-A be and is hereby approved.

I, Leigh Ann Napoli, RMC, Municipal Clerk of the City of Linwood, do hereby certify that the foregoing resolution was duly adopted at a Regular Meeting of the City Council of Linwood, held this 8th day of July, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 8th day of July, 2020.

LEIGH ANN NAPOLI, RMC, MUNICIPAL CLERK

DARREN MATIK, MAYOR

APPROVED: _____

RESOLUTION No. 128, 2020

A RESOLUTION APPROVING AN AMENDMENT TO RAFFLE LICENSE NO. 2020-12-A
FOR MUCKDOGS INC

WHEREAS, Muckdogs Inc. was issued a Raffle License on February 11, 2020 by Resolution No. 43, 2020; and

WHEREAS, Muckdogs Inc. has requested to amend said license changing the date of the Raffle from May 16, 2020 to October 24, 2020; and

WHEREAS, it is the desire of the Common Council to approve said amendment;

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Linwood that the amendment to Raffle License No. 2020-12-A be and is hereby approved.

I, Leigh Ann Napoli, RMC, Municipal Clerk of the City of Linwood, do hereby certify that the foregoing resolution was duly adopted at a Regular Meeting of the City Council of Linwood, held this 8th day of July, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 8th day of July, 2020.

LEIGH ANN NAPOLI, RMC, MUNICIPAL CLERK

DARREN MATIK, MAYOR

APPROVED: _____

RESOLUTION No. 129, 2020

A RESOLUTION TO ADOPT PROCEDURES FOR ADMINISTRATION AND INSPECTION OF
FEDERAL AID HIGHWAY PROJECTS

WHEREAS, the Federal Highway Administration (FHWA) provides opportunities for Local Public Agencies (LPA), such as the City of Linwood, to receive Federal Aid Highway Program (FAHP or federal-aid) funds through New Jersey Department of Transportation (NJDOT); and

WHEREAS, the City of Linwood is presently the recipient of federal-aid funds through a project awarded under the NJDOT Transportation Alternatives Program (TAP); and

WHEREAS, the City of Linwood, as an LPA, is responsible for administering federal-aid funded projects in compliance with all federal-aid requirements established by the FHWA; and

WHEREAS, the NJDOT, through its Stewardship Agreement with FHWA, is responsible for ensuring that the City of Linwood is adequately staffed and suitably equipped to undertake federal-aid projects, and ensure that federal requirements are met; and

WHEREAS, the City of Linwood, as required by the NJDOT, has developed a Policy outlining the required procedures for the Administration of Federally Funded Transportation Projects administered through the NJDOT;

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Linwood, County of Atlantic, State of New Jersey, that the City of Linwood adopts the policy entitled, "City of Linwood Procedure for Administration and Inspection of Federal Aid Highway Projects" dated June 2020.

I, Leigh Ann Napoli, RMC, Municipal Clerk of the City of Linwood, do hereby certify that the foregoing resolution was duly adopted at a Regular Meeting of the City Council of Linwood, held this 8th day of July, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 8th day of July, 2020.

LEIGH ANN NAPOLI, RMC, MUNICIPAL CLERK

DARREN MATIK, MAYOR

APPROVED: _____

RESOLUTION No. 130, 2020

A RESOLUTION CERTIFYING THE REVIEW OF THE ANNUAL AUDIT BY THE
GOVERNING BODY

WHEREAS, N.J.S.A.40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2019 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations"; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations," as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the governing body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52 - "A local officer or member of the local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the Director (Director of Local Government Services) under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than One Thousand Dollars

(\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

NOW, THEREFORE BE IT RESOLVED, that the Common Council of the City of Linwood hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

I, Leigh Ann Napoli, RMC, Municipal Clerk of the City of Linwood, do hereby certify that the foregoing resolution was duly adopted at a Regular Meeting of the City Council of Linwood, held this 8th day of July, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 8th day of July, 2020.

LEIGH ANN NAPOLI, RMC, MUNICIPAL CLERK

DARREN MATIK, MAYOR

APPROVED: _____

RESOLUTION No. 131, 2020

A RESOLUTION AUTHORIZING THE REFUND OF TAXES PAID AND THE CANCELLATION OF 2020 TAXES DUE TO TAX EXEMPT STATUS FOR BLOCK 150 LOT 2 C1313 LOCATED AT 550 CENTRAL AVE #M-13 IN THE CITY OF LINWOOD

WHEREAS, Wayne Fairfield is the owner of Block 150 Lot 2 C1313 located at 550 Central Ave, unit #M-13 in the taxing district of the City of Linwood; and

WHEREAS, Wayne Fairfield made application to the Tax Assessor of the City of Linwood for Property tax Exemption due to his 100% Permanently Disabled Veteran status and the Tax Assessor for the City of Linwood granted the exemption for Wayne Fairfield as of May 9,2020; and

WHEREAS, Wayne Fairfield has requested to have the Property Tax Exemption made retroactive to March 13,2020; and

WHEREAS, Council is given the discretion to refund taxes previously paid for only the calendar year during which the claim was submitted to the City Tax Assessor; and

WHEREAS, it is Council's decision to approve the applicants request to be granted exemption retroactive to March 13,2020;

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Linwood that the Chief Financial Officer of the City of Linwood be and is hereby authorized, empowered and directed to execute and deliver a draft in favor of the owner Wayne Fairfield located at 550 Central Ave, unit #M-13 Linwood, NJ 08221, in the amount of \$1,270.15 which is the amount of the refund to said property owner.

BE IT FURTHER RESOLVED, by the Common Council of the City of Linwood, that the Tax Collector is hereby authorized, empowered and directed to cancel the 3rd quarter 2020 taxes for the property known as block 150 lot 2 C 1313 assessed in the name of Wayne Fairfield.

I, Leigh Ann Napoli, RMC, Municipal Clerk of the City of Linwood, do hereby certify that the foregoing resolution was duly adopted at a Regular Meeting of the City Council of Linwood, held this 8th day of July, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 8th day of July, 2020.

LEIGH ANN NAPOLI, RMC, MUNICIPAL CLERK

DARREN MATIK, MAYOR

APPROVED: _____

RESOLUTION NO. 132, 2020

A RESOLUTION AUTHORIZING THE ISSUANCE OF A RAFFLE LICENSE, #2020-22,
TO OUR LADY OF SORROWS CHURCH

WHEREAS, Our Lady of Sorrows Church has applied for a Raffle License, to conduct games on November 7, 2020; and

WHEREAS, Our Lady of Sorrows Church has fulfilled all of the requirements and met all qualifications for such a license, including but not limited to obtaining a Registration Identification Number, that number being 257-1-14250;

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Linwood that a Raffle License be issued to Our Lady of Sorrows Church and that the Clerk be authorized to sign any documentation deemed necessary or useful.

I, Leigh Ann Napoli, RMC, Municipal Clerk of the City of Linwood, do hereby certify that the foregoing resolution was duly adopted at a Regular Meeting of the City Council of Linwood, held this 8th day of July, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 8th day of July, 2020.

LEIGH ANN NAPOLI, RMC, MUNICIPAL CLERK

DARREN MATIK, MAYOR

APPROVED: _____

RESOLUTION No. 133, 2020

A RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT RENEWING MEMBERSHIP IN THE ATLANTIC COUNTY MUNICIPAL JOINT INSURANCE FUND

WHEREAS, the City of Linwood (hereinafter the "MUNICIPALITY") is a member of the Atlantic County Municipal Joint Insurance Fund (hereinafter the "FUND"); and

WHEREAS, the MUNICIPALITY'S membership terminates as of January 1, 2021 unless earlier renewed by a Contract between the MUNICIPALITY and the FUND; and

WHEREAS, N.J.S.A. 40A:11-5 (1) (m) provides that a Contract which exceeds the bid threshold may be negotiated and awarded by the governing body without public advertising for bids and bidding therefor, if the subject matter is for the purchase of insurance coverage and consultant services, provided that the award is in accordance with the requirements for extraordinary unspecifiable services; and

WHEREAS, N.J.S.A. 40A:11-6.1(b) provides that the MUNICIPALITY shall make a documented effort to secure competitive quotations; however, a Contract may be awarded upon a determination, in writing, that the solicitation of competitive quotations is impracticable; and

WHEREAS, in accordance with N.J.A.C. 5:34-2.3, a designated official of the MUNICIPALITY, has filed a certification with the governing body describing in detail, as set forth below in this Resolution, why this Contract meets the provisions of the statutes and the regulations and why the solicitation of competitive quotations is impracticable; and

WHEREAS, it has been determined that the purchase of insurance coverage and insurance consultant services by the MUNICIPALITY requires a unique knowledge and understanding of the municipal exposures and risks associated with the operation of a municipal entity, and many insurance professionals are not qualified to assess these risks and exposures based upon their inherent complexity; and

WHEREAS, insurance coverage for municipal entities can vary greatly in the type, limits, and exceptions to coverage, and therefore particularized expertise in determining and obtaining the appropriate coverage is required to protect the MUNICIPALITY; and

WHEREAS, it is the goal of the MUNICIPALITY to obtain a single integrated program to provide all types of insurance coverage with a plan to limit the MUNICIPALITIES exposure; and

WHEREAS, the FUND has provided comprehensive insurance coverage to member municipalities since 1987; and

WHEREAS, since 1987, the Fund has continually refined all of the types of coverage that it provides to its members so that it offers

comprehensive insurance coverage and limits to all members that is unique and cannot be purchased from a single entity in the commercial insurance market; and

WHEREAS, the FUND has also developed and made available to its members Safety, Risk Management and Litigation Management programs that address the specific exposures and risks associated with municipal entities; and

WHEREAS, the FUND provides the MUNICIPALITY with Fund Administration, Claims Review, Claims Processing, Claims Administration, Actuarial and Legal services; and

WHEREAS, the FUND is one of the most financially sound Municipal Joint Insurance Funds in New Jersey, and the FUND operates with strong fiscal controls, member oversight, and meets all of the requirements promulgated by the New Jersey Department of Community Affairs and the Department of Banking and Insurance; and

WHEREAS, as an existing member of the FUND, the MUNICIPALITY would be renewing its membership in an organization with experienced and dedicated FUND Professionals who provide specialized services to the members; and

WHEREAS, the membership of the FUND includes many neighboring municipalities that have uniquely similar exposures to the MUNICIPALITY, and with whom the MUNICIPALITY has existing inter-local arrangements; and

WHEREAS, all of the aforementioned factors categorize the award of this Contract as an "extraordinary, unspecifiable service" that cannot be duplicated, accounted for, accurately detailed, or described in a manner that truly depicts the value of the MUNICIPALITY'S membership in the FUND; and

WHEREAS, for all of the aforementioned reasons, it is impracticable for the MUNICIPALITY to seek competitive quotations for a Contract to provide the procurement of insurance coverage and consultant services; and

WHEREAS, the FUND has been organized pursuant to N.J.S.A. 40A:10-36 et seq., and as such is an agency of the municipalities that created it; and

WHEREAS, N.J.S.A. 40A:11-5(2) also provides that a Contract which exceeds the bid threshold may be negotiated and awarded by the governing body without public advertising for bids and bidding therefor, if the Contract is entered into with a municipality or any board, body, officer, agency or authority thereof; and

WHEREAS, the FUND meets the definition of an agency as set forth in N.J.S.A. 40A:11-5(2); and

WHEREAS, for all of the aforementioned reasons, the MUNICIPALITY desires to enter into a Contract to renew its membership with the FUND for a period of three (3) years, for insurance coverage and consultant services, as an exception to the public bidding requirements of the Local Public Contracts Law.

NOW THEREFORE, be it resolved by the governing body of the MUNICIPALITY as follows:

1. The MUNICIPALITY agrees to renew its membership in the FUND and to be subject to the Bylaws, Rules and Regulations, coverages, and operating procedures thereof as presently existing or as modified from time to time by lawful act of the FUND.
2. The Mayor and Clerk of the MUNICIPALITY shall be and hereby are authorized to execute the "Contract to Renew Membership" annexed hereto and made a part hereof and to deliver same to the FUND evidencing the MUNICIPALITY'S renewal of its membership.
3. In accordance with N.J.A.C. 5:34-2.3, the certificate of a designated official of the MUNICIPALITY, which details why the solicitation of competitive quotations is impracticable, is attached hereto and made a part of this Resolution.
4. The Clerk of the MUNICIPALITY is authorized and directed to place a notice of the adoption of this Resolution and the award of this Contract in the official newspaper of the MUNICIPALITY.

This Resolution agreed to this 8th day of July, 2020, by a vote of:

_____ Affirmative _____ Negative _____ Abstentions

I, Leigh Ann Napoli, RMC, Municipal Clerk of the City of Linwood, do hereby certify that the foregoing resolution was duly adopted at a Regular Meeting of the City Council of Linwood, held this 8th day of July, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 8th day of July, 2020.

LEIGH ANN NAPOLI, RMC, MUNICIPAL CLERK

DARREN MATIK, MAYOR

APPROVED: _____

CONTRACT TO RENEW MEMBERSHIP WITH THE ATLANTIC COUNTY MUNICIPAL JOINT INSURANCE FUND

WHEREAS, the Atlantic County Municipal Joint Insurance Fund (hereinafter the "FUND") is a duly chartered Municipal Joint Insurance Fund as authorized by NJSA 40A:10-36 et seq.; and

WHEREAS, the _____ of _____ (hereinafter the "MUNICIPALITY") is currently a member of said FUND; and

WHEREAS, effective January 1, 2021, said membership in the FUND will expire unless earlier renewed; and

WHEREAS, the Governing Body of the MUNICIPALITY has authorized the entry into this Contract to renew said membership through the adoption of a Resolution # 2020-___ which details the reasons for renewing said membership with the FUND; and

WHEREAS, the FUND has agreed to offer renewal of membership of the MUNICIPALITY in the FUND.

NOW, THEREFORE, it is hereby contracted and agreed between the FUND and the MUNICIPALITY as follows:

1. The MUNICIPALITY hereby renews its membership in the FUND for a three (3) year term commencing on January 1, 2021 and ending on January 1, 2024 as authorized by Resolution #2020-___.
2. The MUNICIPALITY hereby ratifies and reaffirms the Indemnity and Trust Agreement, the By-Laws and other organizational and operating documents of the FUND as are from time to time are amended and altered by the FUND and/or the Department of Banking and Insurance in accordance with the applicable statutes and administrative regulations as if each and every one of said documents were re-executed contemporaneously herewith.
3. The MUNICIPALITY shall be a participating member of the FUND for the three (3) year term of this Contract, and the MUNICIPALITY shall comply with all of the rules and regulations and obligations associated with said membership.
4. In consideration of the continuing membership of MUNICIPALITY in the FUND, the FUND has agreed to the continuing membership of the MUNICIPALITY subject to the continuing approval of the Commissioner of Banking and Insurance, to accept the renewal application of the MUNICIPALITY.

This Contract was executed on this ____ day of _____, 2020 as the lawful and binding act and deed of the MUNICIPALITY and the FUND, and the execution of this Contract has been duly authorized by Resolution # 2020-___ of the governing body of the MUNICIPALITY.

MUNICIPALITY

Attest: _____

CLERK

MAYOR

FUND

Attest: _____

SECRETARY

CHAIRPERSON

RESOLUTION NO. 134, 2020

A RESOLUTION AWARDING THE CONTRACT TO TRIUS INC. FOR THE PURCHASE OF TWO (2) HENKE ROAD WARRIOR SNOW PLOWS FOR THE CITY OF LINWOOD UNDER THE SOURCEWELL COOPERATIVE #080818-HEN

WHEREAS, there exists within the City of Linwood, New Jersey, the need for snow plows; and

WHEREAS, N.J.S.A. 52:34-6.2 et. seq. allows for purchases through the use of nationally recognized and accepted cooperative purchasing agreements;

WHEREAS, a quote has been obtained by Trius Inc. under the Sourcwell Cooperative #080818-HEN in the amount of \$20,392.00 for the purchase of two (2) Henke Road Warrior Snow Plows; and

WHEREAS, the quote submitted has been received, reviewed and recommendations have been made with regard to same;

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Linwood that the Contract for the purchase of two (2) Henke Road Warrior Snow Plows for the City of Linwood be and is hereby awarded to Trius Inc., 5049 Industrial Road, Farmingdale, NJ 07727, under the Sourcwell Cooperative #080818-HEN for and in the total amount of \$20,392.00, as set forth in the proposal submitted, which is attached hereto and incorporated herein;

BE IT FURTHER RESOLVED, that the Mayor and City Clerk be and are hereby duly authorized, empowered and directed to execute a Contract or Agreement with Trius Inc. in accordance with the terms and conditions set forth in the proposal submitted;

BE IT FURTHER RESOLVED, that this Resolution is contingent upon a Certification of Availability of Funds by the Chief Financial Officer of the City of Linwood.

I, Leigh Ann Napoli, RMC, Municipal Clerk of the City of Linwood, do hereby certify that the foregoing resolution was duly adopted at a Regular Meeting of the City Council of Linwood, held this 8th day of July, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 8th day of July, 2020.

LEIGH ANN NAPOLI, RMC, MUNICIPAL CLERK

DARREN MATIK, MAYOR

APPROVED: _____

Memo

To: Mayor and Members of Council
From: Anthony Strazzeri, CFO
CC: Leigh Ann Napoli, RMC, CMR, MPA, City Clerk
Date: 07-01-2020
Re: Availability of Funds – Snow Plows

Pursuant to 40A: 4-57, I hereby certify that sufficient funds in the amount of \$20,392.00 are available under the Capital Ordinance 3-2020D Public Works Vehicles and Equipment. Funds will be encumbered to Trius Inc. 5049 Industrial Road Farmingdale, NJ 07727.



TRIUS inc.

5049 Industrial Rd
 Farmingdale, NJ 07727
 732-751-9611 Fax: 732-751-9619



Date: 05/29/20

To: CITY OF LINWOOD
 ATTN: CHIP JONES

Quotation From: MIKE CANN
 Quotation #: MC042820-85LA1

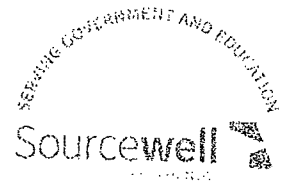
EMAIL linwoodpw@comcast.net
 P 609-926-7994 ext. 101
 F 609-926-5894

Terms: NET 30
 FOB: LINWOOD, NJ
 Delivery: APPROX 110 - 140 DAYS ARO

Quantity	EQUIPMENT SOLD THROUGH SOURCEWELL CONTRACT	Unit	Total
	#080818-HEN		
	FURNISHED & INSTALLED ON 2021 INT'L CHASSIS:		
2	Henke Road Warrior Snow Plow - 10' long x 36" high with 10 gauge grade 50 rolled plate moldboard and integral shield - A-frame all structural channel with heavy duty pivot pin & bushing QCP plow portion welded on A-frame - Trip device - External compression with (3) adj. layback positions - Henke chain style level lift with 3/8" chain links - Hydraulic power reverse with (2) 3" x 10" x 2" DA cylinders Reversing cylinders are located above the push-frame for protection against road debris and for ease of maintenance - Cushion valve to relieve plow power reversing cylinders mounted on A-frame. - Spring loaded steel wheels - 1.5" x 10" x 10' rubber cutting edge with steel backer - 8" curb guard, right & left - Rubber shield and rod markers - Painted Satin Black	\$8,884.00	\$17,768.00
2	Freight in from factory - for plows	\$900.00	\$1,800.00
2	Installation of plow	<u>\$250.00</u>	<u>\$500.00</u>
	TOTAL	\$10,034.00	\$20,068.00
	OPTION:		
2	Henke 11' x 36" Road Warrior Plow with all options included in 10' model <div style="text-align: right;">ADD EACH</div>	\$162.00	\$324.00

FORM E

CONTRACT ACCEPTANCE AND AWARD



(Top portion of this form will be completed by Sourcewell if the vendor is awarded a contract. The vendor should complete the vendor authorized signatures as part of the RFP response.)

Sourcewell Contract #: 080818-HEN

Proposer's full legal name: Henke Manufacturing

Based on Sourcewell's evaluation of your proposal, you have been awarded a contract. As an awarded vendor, you agree to provide the products and services contained in your proposal and to meet all of the terms and conditions set forth in this RFP, in any amendments to this RFP, and in any exceptions that are accepted by Sourcewell.

The effective date of the Contract will be October 29, 2018 and will expire on October 29, 2022 (no later than the later of four years from the expiration date of the currently awarded contract or four years from the date that the Sourcewell Chief Procurement Officer awards the Contract). This Contract may be extended for a fifth year at Sourcewell's discretion.

Sourcewell Authorized Signatures:

DocuSigned by:
Jeremy Schwartz
78144DB20E884E3...
SOURCEWELL DIRECTOR OF OPERATIONS AND
PROCUREMENT/CPO SIGNATURE

Jeremy Schwartz
(NAME PRINTED OR TYPED)

DocuSigned by:
Chad Coauette
3E75ED2BA54714E...
SOURCEWELL EXECUTIVE DIRECTOR/CEO SIGNATURE

Chad Coauette
(NAME PRINTED OR TYPED)

Awarded on October 22, 2018

Sourcewell Contract # 080818-HEN

Vendor Authorized Signatures:

The Vendor hereby accepts this Contract award, including all accepted exceptions and amendments.

Vendor Name Henke Manufacturing

Authorized Signatory's Title Contract Administrator

MJ Dubois
VENDOR AUTHORIZED SIGNATURE

M.J. DUBOIS
(NAME PRINTED OR TYPED)

Executed on October 22, 2018

Sourcewell Contract # 080818-HEN

RESOLUTION NO. 135, 2020

A RESOLUTION APPROVING TEMPORARY SIGNAGE FOR RELAX MASSAGE HEAVEN

WHEREAS, Relax Massage Heaven has requested permission for one temporary flag, 7.5' double sided, advertising the opening of their business; and

WHEREAS, the temporary flag is requested to be installed in the ground at Linwood Greene Plaza; and

WHEREAS, temporary signage needs approval by City Council; and

WHEREAS, the Common Council is desirous of approving said request;

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Linwood, that permission for the placement of one temporary flag, 7.5' double sided, advertising the opening of their business is hereby granted to the Relax Massage Heaven based on the following conditions;

- 1.) Sign shall not be internally illuminated or electrically activated.
- 2.) Sign shall not block any site triangle for access and egress points of travel.
- 3.) Sign shall be securely fastened.

BE IT FURTHER RESOLVED, that the banner shall be permitted for a period beginning on July 9, 2020 and ending on September 7, 2020.

I, Leigh Ann Napoli, RMC, Municipal Clerk of the City of Linwood, do hereby certify that the foregoing resolution was duly adopted at a Regular Meeting of the City Council of Linwood, held this 8th day of July, 2020.

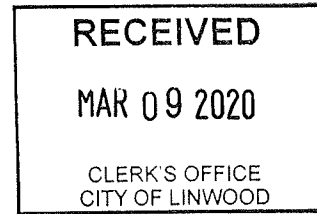
IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 8th day of July, 2020.

LEIGH ANN NAPOLI, RMC, MUNICIPAL CLERK

DARREN MATIK, MAYOR

APPROVED: _____

Relax Massage Heaven
210 New Road Unit 16
Linwood,NJ 08221



Linwood City Hall
400 Poplar Ave
Linwood NJ 08221

Dear Council Member:

I am writing to ask for your permission to put a 7.5' Flags-double-sided teardrop with poles and ground spike on the side walk of Linwood Greene Plaza for 60 days , We are just Grand Opening on Feb 21, 2020 , Thank you

Sincerely,

Charles Wang

Relax Massage Heaven

609-365-2330

wangcharles315424@gmail.com

