

**LINWOOD COMMON COUNCIL**  
**CAUCUS AGENDA**  
**May 10, 2017**  
**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 DePamphilis \_\_\_ Mr. Beinfest \_\_\_\_\_ Mrs. DeDomenicis \_\_\_\_\_  
   Mr. Ford \_\_\_\_\_ Mr. Gordon \_\_\_\_\_ Mr. Heun \_\_\_\_\_  
   Mr. Matik \_\_\_\_\_ Mr. Paolone \_\_\_\_\_

Also Present:              Mr. Youngblood \_\_\_ Mrs. Napoli \_\_\_ Mr. Polistina \_\_\_

2. Approval of Minutes Without Formal Reading
3. Mayor's Report
  - A. Resolution confirming an appointment to the Economic Development Committee
  - B. Swearing in of Patrolman
4. Councilman Beinfest
  - A. Neighborhood Services
5. Councilwoman DeDomenicis
  - A. Public Works
6. Councilman Ford
  - A. Planning & Development
7. Councilman Gordon
  - A. Engineering
8. Councilman Heun
  - A. Public Safety
9. Councilman Matik
  - A. Revenue & Finance
    1. Resolution certifying review of the Audit Report
    2. Resolution adopting security procedures of OceanFirst Bank
10. Council President Paolone
  - A. Administration
    1. Resolution authorizing Raffle & Bingo License to Child Federation of Atlantic City
11. Mr. Youngblood

**LINWOOD COMMON COUNCIL  
AGENDA OF REGULAR MEETING  
May 10, 2017**

**CALL TO ORDER**

**FLAG SALUTE**      Councilman Brian Heun

**ROLL CALL**

**APPROVAL OF MINUTES WITHOUT FORMAL READING**

**SWEARING IN**

Patrolman Mac Mancuso

**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.

- |                 |   |
|-----------------|---|
| <b>100-2017</b> | A Resolution certifying the review of the annual Audit by the Governing Body                              |
| <b>101-2017</b> | A Resolution confirming a Mayoral appointment to the Linwood Economic Development Committee               |
| <b>102-2017</b> | A Resolution authorizing the issuance of a Raffle License, #2017-08, to Child Federation of Atlantic City |
| <b>103-2017</b> | A Resolution authorizing the issuance of a Bingo License, #2017-03, to Child Federation of Atlantic City  |
| <b>104-2017</b> | A Resolution adopting the security procedures of OceanFirst Bank, the depository for the City of Linwood  |

**APPROVAL OF BILL LIST: \$**

**MEETING OPEN TO THE PUBLIC**

**FINAL REMARKS BY MAYOR AND COUNCIL**

**ADJOURNMENT**

**RESOLUTION NO. 100, 2017**

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 2016 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

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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 10th day of May, 2017.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 10th day of May, 2017.

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LEIGH ANN NAPOLI, RMC, MUNICIPAL CLERK

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RICHARD L. DEPAMPHILIS, III, MAYOR

APPROVED: \_\_\_\_\_

**RESOLUTION NO. 101, 2017**

A RESOLUTION CONFIRMING A MAYORAL APPOINTMENT TO THE LINWOOD ECONOMIC DEVELOPMENT COMMITTEE

**WHEREAS**, the Mayor has appointed Brett Matik of 1001 Woodlynne Boulevard to the Linwood Economic Development Committee; and

**WHEREAS**, the Common Council is desirous of concurring in said appointment;

**NOW, THEREFORE, BE IT RESOLVED** by the Common Council of the City of Linwood that the Mayor's appointment of Brett Matik to the Linwood Economic Development Committee be and is hereby endorsed and the Common Council concurs in said appointment.

**BE IT FURTHER RESOLVED**, that said appointment expires on December 31, 2018.

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 10th day of May, 2017.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 10th day of May, 2017.

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LEIGH ANN NAPOLI, RMC, MUNICIPAL CLERK

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RICHARD L. DEPAMPHILIS, III, MAYOR

APPROVED: \_\_\_\_\_

**RESOLUTION No. 102, 2017**

A RESOLUTION AUTHORIZING THE ISSUANCE OF A RAFFLE LICENSE, #2017-08,  
TO CHILD FEDERATION OF ATLANTIC CITY

**WHEREAS**, Child Federation of Atlantic City has applied for a Raffle License, to conduct games on June 28, 2017; and

**WHEREAS**, Child Federation of Atlantic City 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 398-4-30207;

**NOW, THEREFORE, BE IT RESOLVED**, by the Common Council of the City of Linwood that a Raffle License be issued to Child Federation of Atlantic City 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 10th day of May, 2017.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 10th day of May, 2017.

\_\_\_\_\_  
LEIGH ANN NAPOLI, RMC, MUNICIPAL CLERK

\_\_\_\_\_  
RICHARD L. DEPAMPHILIS, III, MAYOR

APPROVED: \_\_\_\_\_

**RESOLUTION No. 103, 2017**

A RESOLUTION AUTHORIZING THE ISSUANCE OF A BINGO LICENSE, #2017-03, TO  
CHILD FEDERATION OF ATLANTIC CITY

**WHEREAS**, Child Federation of Atlantic City has applied for a  
Bingo License, to conduct games on June 28, 2017; and

**WHEREAS**, Child Federation of Atlantic City 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 398-4-30207;

**NOW, THEREFORE, BE IT RESOLVED**, by the Common Council of the City  
of Linwood that a Bingo License be issued to Child Federation of  
Atlantic City 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 10th day of  
May, 2017.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal  
this 10th day of May, 2017.

\_\_\_\_\_  
LEIGH ANN NAPOLI, RMC, MUNICIPAL CLERK

\_\_\_\_\_  
RICHARD L. DEPAMPHILIS, III, MAYOR

APPROVED: \_\_\_\_\_

**RESOLUTION No. 104, 2017**

A RESOLUTION ADOPTING THE SECURITY PROCEDURES OF OCEANFIRST BANK, THE DEPOSITORY FOR THE CITY OF LINWOOD

**WHEREAS**, the City of Linwood acknowledges that in compliance with UCC Article 4A-202, OceanFirst Bank has recommended and offered its security procedures, including but not limited to dual control for initiation of ACH and wire fund transfers, to the City of Linwood for the purpose of verifying that a payment order or communication amending or canceling a payment order is that of the City of Linwood; and

**WHEREAS**, the City of Linwood wishes to decline dual control security procedures offered by OceanFirst Bank for initiation of ACH and/or wire fund transfers; and

**WHEREAS**, the City of Linwood is aware that by declining such dual control it increases the City's risk of loss resulting from unauthorized or fraudulent funds transfers, but wishes to knowingly accept such risk and allow OceanFirst Bank to provide such services without its recommended security procedures; and

**WHEREAS**, OceanFirst Bank is willing to provide such ACH and wire transfer services without the recommended security procedures upon receipt of the attached indemnification agreement providing for OceanFirst Bank's indemnification and exculpation;

**NOW, THEREFORE, BE IT RESOLVED**, by the Common Council of the City of Linwood that the Indemnification Agreement attached hereto as Exhibit A is hereby approved and adopted by the City of Linwood, and that the Mayor and/or City Clerk are authorized to execute such agreement on behalf of the City of Linwood and deliver it to OceanFirst Bank.

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 10th day of May, 2017.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 10th day of May, 2017.

\_\_\_\_\_  
LEIGH ANN NAPOLI, RMC, MUNICIPAL CLERK

\_\_\_\_\_  
RICHARD L. DEPAMPHILIS, III, MAYOR

APPROVED: \_\_\_\_\_



INDEMNIFICATION AGREEMENT  
Entity Declines to Use Dual Control Security Procedures for  
ACH and/or Wire Transfers of Funds

1. The Entity acknowledges that in compliance with UCC Article 4A-202, OceanFirst Bank has recommended and offered its security procedures, including but not limited to dual control for initiation of ACH and wire fund transfers, to the Entity for the purpose of verifying that a payment order or communication amending or canceling a payment order is that of the Entity.
2. The Entity acknowledges it has declined dual control security procedures offered by OceanFirst Bank for initiation of ACH and/or wire fund transfers.
3. The Entity acknowledges that by declining such dual control it increases the Entity's risk of loss resulting from unauthorized or fraudulent funds transfers.
4. The Entity agrees to be bound by any payment order whether or not authorized, issued in its name and accepted by OceanFirst Bank in compliance with the security procedure chosen by the Entity.
5. In addition to the above referenced acknowledgements, the Entity further acknowledges liability for loss from unauthorized or fraudulent ACH and wire fund transfers, and agrees to indemnify, defend and hold OceanFirst Bank harmless from and against any and all claims, judgments, awards, damages, penalties, injuries, including court costs, attorneys fees and other expenses of litigation arising out of any unauthorized or fraudulent ACH or wire fund transfers.
6. The Entity acknowledges that OceanFirst Bank is relying on this Agreement and that this Agreement is being given to induce OceanFirst Bank to provide the requested ACH and wire transfer services without OceanFirst Bank's recommended security procedures.

Acknowledged and agreed to this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
(Entity Name)

By: \_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Title)