

LINWOOD COMMON COUNCIL
CAUCUS AGENDA
September 11, 2024
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. Albright _____ Mrs. DeDomenicis _____
 Mr. Kelly _____ Mr. Levinson _____ Mr. Michael _____
 Mr. Walcoff _____ Mr. Ford _____

- Professionals: Mr. Youngblood _____ Mr. Polistina/Ms. Heller _____ Mrs. Napoli _____
 Chief Cunningham _____ Mr. Strazzeri _____

2. Approval of Minutes Without Formal Reading

3. Mayor's Report

4. Councilwoman Albright
 - A. Planning, Engineering, & Development
 1. An Ordinance authorizing the acceptance of an Easement at 110 Devonshire Avenue for stormwater infrastructure – first reading

5. Councilwoman DeDomenicis
 - A. Public Works
 1. Resolutions authorizing the placement of liens in accordance with Chapter 99, Section 3 of the City Code on 200 Haines Avenue, 506 Garfield Avenue, and 14 Wexford Lane

6. Councilman Kelly
 - A. Neighborhood Services

7. Councilman Levinson
 - A. Revenue & Finance
 1. Resolution for refund of taxes for Disabled Veteran at 10 Somers Avenue
 2. Resolution for refund of taxes for Disabled Veteran at 1418 Shore Road

8. Councilman Michael
 - A. Public Safety
 1. Resolution hiring Nicholas Campanale as a Substitute School Crossing Guard

9. Councilman Walcoff
 - A. Shared Services

10. Council President Ford
 - A. Administration

11. Solicitor's Report

**LINWOOD COMMON COUNCIL
AGENDA OF REGULAR MEETING
September 11, 2024**

CALL TO ORDER

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

FLAG SALUTE: Councilman Adam Walcoff

ROLL CALL

APPROVAL OF MINUTES WITHOUT FORMAL READING

ORDINANCES

8 OF 2024 AN ORDINANCE AUTHORIZING THE ACCEPTANCE BY THE CITY OF LINWOOD FROM ADAM SAAD, TRUSTEE OF ADAM SAAD 2002 REVOCABLE TRUST OF 110 DEVONSHIRE AVENUE AN EASEMENT FOR THE LOCATION, CONSTRUCTION, OPERATION AND MAINTENANCE OF STORMWATER INFRASTRUCTURE AND ITS APPURTENANCES UPON AND ACROSS THE AFORMENTIONED LANDS IN THE CITY OF LINWOOD AND REPEALING ALL ORDINANCES HERETOFORE ADOPTED THE PROVISIONS OF WHICH ARE INCONSISTENT HEREWITH.

FIRST READING:

September 11, 2024

PUBLICATION:

September 16, 2024

PASSAGE:

September 25, 2024

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.

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|-----------------|--|
| 143-2024 | A Resolution authorizing the refund of a Disabled Veteran Tax payment for Block 58 Lot 8 located at 10 Somers Avenue in the City of Linwood |
| 144-2024 | A Resolution authorizing the refund of a Disabled Veteran Tax payment for Block 60 Lot 6 located at 1418 Shore Road in the City of Linwood |
| 145-2024 | A Resolution authorizing the hiring of Nicholas J. Campanale as a Substitute School Crossing Guard for the City of Linwood |
| 146-2024 | A Resolution authorizing the placement of a Lien on Block 163, Lot 7 (200 Haines Avenue) in accordance with Chapter 99, Section 3 of the Code of the City of Linwood |
| 147-2024 | A Resolution authorizing the placement of a Lien on Block 19, Lot 1.04 (506 Garfield Avenue) in accordance with Chapter 99, Section 3 of the Code of the City of Linwood |
| 148-2024 | A Resolution authorizing the placement of a Lien on Block 148, Lot 15.07 (14 Wexford Lane) in accordance with Chapter 99, Section 3 of the Code of the City of Linwood |

APPROVAL OF BILL LIST: \$

MEETING OPEN TO THE PUBLIC

FINAL REMARKS BY MAYOR AND COUNCIL

ADJOURNMENT

ORDINANCE NO. 8, 2024

AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF AN EASEMENT BY THE CITY OF LINWOOD FROM ADAM SAAD, TRUSTEE OF ADAM SAAD 2002 REVOCABLE TRUST OF 110 DEVONSHIRE AVENUE FOR THE LOCATION, CONSTRUCTION, OPERATION AND MAINTENANCE OF STORMWATER INFRASTRUCTURE AND ITS APPURTENANCES UPON AND ACROSS THE AFOREMENTIONED LANDS IN 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: WHEREAS, the Common Council of the City of Linwood is desirous of accepting an easement from Adam Saad, Trustee of Adam Saad 2002 Revocable Trust on 110 Devonshire Avenue Block 76, Lot 5.01 for the location, construction, operation and maintenance of stormwater infrastructure and its appurtenances upon and across the aforementioned lands in the City of Linwood; and

WHEREAS, an appropriate easement for the location, construction, operation and maintenance of stormwater infrastructure and its appurtenances upon and across the aforementioned lands in the City of Linwood has been prepared and submitted to the City of Linwood; and

WHEREAS, it is the Common Council's desire to accept said Easement and to pay consideration in the sum of \$1.00 with regard to same;

The City of Linwood is hereby duly authorized, empowered and directed to pay the sum of \$1.00 to accept the Easement which is attached hereto as Exhibit "C" and made a part hereof for the purpose of accepting a Deed of Easement on behalf of the City of Linwood from Adam Saad, Trustee of Adam Saad 2002 Revocable Trust.

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

SECTION 3: Should any section, 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 3: This ordinance shall take effect upon its final passage and publication and adoption in the manner prescribed by law.

<i>FIRST READING:</i>	<i>September 11, 2024</i>
<i>PUBLICATION:</i>	<i>September 16, 2024</i>
<i>PASSAGE:</i>	<i>September 25, 2024</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, September 11, 2024 and will be further considered for final passage after a public hearing thereon at a meeting of said Common Council on September 25, 2024.

LEIGH ANN NAPOLI, RMC, MUNICIPAL CLERK

DARREN MATIK, MAYOR

DEED OF EASEMENT

This Indenture made this _____ day of September, 2024, by and between the ADAM SAAD, TRUSTEE OF ADAM SAAD 2002 REVOCABLE TRUST, of 110 Devonshire Avenue, City of Linwood, County of Atlantic, State of New Jersey, hereinafter referred to as "Grantor" and THE CITY OF LINWOOD, a Municipal Corporation of the State of New Jersey, hereinafter referred to as "Grantee".

WITNESSETH

That for and in consideration of the sum of One (\$1.00) Dollar, the receipt of which is hereby acknowledged, the Grantor being the owner of that certain tract of land or development known as Tax Block 76, Tax Lot 5.01 situate in the City of Linwood, County of Atlantic and State of New Jersey, hereby grants and conveys unto the Grantee, their successors and assigns, the right and easement to locate, construct, operate and maintain stormwater infrastructure and its appurtenances upon and across the aforementioned lands of the Grantor. Said stormwater infrastructure is to be located within the specified areas provided by the Grantor and more specifically in accordance with the plan as prepared by Polistina & Associates, LLC, entitled "110 Devonshire Avenue Stormwater Relocation" attached hereto and made a part hereof as Exhibit "A".

The Grantor does also hereby further grant and convey unto the Grantee, their successors and assigns, the right and easement to construct, erect, inspect, operate, replace, renew and maintain stormwater infrastructure and necessary appurtenances thereto across and upon said aforementioned lands of the Grantor in accordance with the plan attached hereto as Exhibit "A".

Grantor hereby warrants that they are the owner in fee simple, of the lands and premises herein, as of the date of this Easement Grant, and has complete right and power to execute this grant and as such will indemnify, hold harmless and defend Grantee, or its successors or assigns, from any and all

loss, costs, damages, claims, actions or liability on account of any and all defects in or lack of title, and disputes arising from or growing out of the grant made herein.

It is further understood and agreed that the Grantee shall at all times use reasonable care with regard to the Grantor's lands and improvements in connection with the rights herein granted. It is further understood and agreed that the Grantee will indemnify, hold harmless and defend Grantor, or their successors or assigns, from any and all loss, costs, damages, claims, actions or liability arising from or out of the use of the designated easement area.

The rights and easements herein contained whether express or implied shall be construed to be a covenant running with the land and shall be binding upon and inure to the benefit of any successor or assign of the parties hereto.

IN WITNESS WHEREOF, Grantors have signed and sealed this indenture the day and year first written above.

WITNESS:

ADAM SAAD, TRUSTEE OF ADAM SAAD 2002
REVOCABLE TRUST

STATE OF NEW JERSEY:

:ss

COUNTY OF ATLANTIC :

I certify that on the _____ day of September, 2024 ADAM SAAD, TRUSTEE OF ADAM SAAD 2002 REVOCABLE TRUST, personally came before me and stated to my satisfaction, that this person:

- (a) Was the maker of the attached Deed of Easement;
- (b) Executed this Deed of Easement as his own act and deed; and
- (c) Made this Deed of Easement for \$1.00, and certain promises not expressed in monetary value as the full and actual consideration paid or to be paid for the granting of said easement.

(Print Name and Title Below Signature)

RESOLUTION NO. 143, 2024

A RESOLUTION AUTHORIZING THE REFUND OF A DISABLED VETERAN TAX PAYMENT FOR BLOCK 58 LOT 8 LOCATED AT 10 SOMERS AVENUE IN THE CITY OF LINWOOD

WHEREAS, Andrew J. Nebl is the owner of Block 58 Lot 8 located at 10 Somers Avenue in the taxing district of the City of Linwood; and

WHEREAS, Andrew J. Nebl made application to the Tax Assessor, of the City of Linwood, for property tax exemption as a permanently disabled veteran and the Tax Assessor for the City of Linwood granted the exemption for Andrew J. Nebl as of March 28,2024; and

WHEREAS, Mr. Nebl's mortgage company has paid the 3RD quarter 2024 property taxes; and

WHEREAS, Andrew J. Nebl is entitled to a refund of payments made as of date of eligibility of August 31,2023;

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 Andrew J. Nebl, in the amount of \$3,323.23 which is the amount of the taxes to be refunded to said property owner.

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 11th day of September, 2024.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 11th day of September, 2024.

LEIGH ANN NAPOLI, RMC, MUNICIPAL CLERK

DARREN MATIK, MAYOR

APPROVED: _____

RESOLUTION NO. 144, 2024

A RESOLUTION AUTHORIZING THE REFUND OF A DISABLED VETERAN TAX PAYMENT FOR BLOCK 60 LOT 6 LOCATED AT 1418 SHORE ROAD IN THE CITY OF LINWOOD

WHEREAS, Nicholas Calvi is the owner of Block 60 Lot 6 located at 1418 Shore Road in the taxing district of the City of Linwood; and

WHEREAS, Nicholas Calvi made application to the Tax Assessor, of the City of Linwood, for property tax exemption as a permanently disabled veteran and the Tax Assessor for the City of Linwood granted the exemption for Calvi, Nicholas as of July 8, 2024; and

WHEREAS, Nicholas Calvi is entitled to retroactive refund of payment made as of date of eligibility of April 30, 2024, and

WHEREAS, Mr. Calvi has paid the 2024 3rd quarter taxes and

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 Nicholas Calvi in the amount of \$ 3,820.98 which is the amount of the taxes paid, to said property owner.

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 11th day of September, 2024.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 11th day of September, 2024.

LEIGH ANN NAPOLI, RMC, MUNICIPAL CLERK

DARREN MATIK, MAYOR

APPROVED: _____

RESOLUTION NO. 145, 2024

A RESOLUTION AUTHORIZING THE HIRING OF NICHOLAS J. CAMPANALE AS A
SUBSTITUTE SCHOOL CROSSING GUARD FOR THE CITY OF LINWOOD

WHEREAS, vacancies exist in the position of Substitute School
Crossing Guard in the City of Linwood; and

WHEREAS, the Common Council of the City of Linwood is desirous of
filling the aforesaid vacancies;

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City
of Linwood, County of Atlantic, that Nicholas J. Campanale is hereby
hired, effective immediately, as a Substitute School Crossing Guard at
a rate of \$40.67 per diem, in accordance with the Linwood Salary
Ordinance and all amendments thereto;

BE IT FURTHER RESOLVED, that this Resolution is contingent upon a
satisfactory completed background check on Nicholas J. Campanale.

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 11th day of
September, 2024.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal
this 11th day of September, 2024.

LEIGH ANN NAPOLI, RMC, MUNICIPAL CLERK

DARREN MATIK, MAYOR

APPROVED: _____

RESOLUTION NO. 146, 2024

A RESOLUTION AUTHORIZING THE PLACEMENT OF A LIEN ON BLOCK 163, Lot 7 (200 HAINES AVENUE) IN ACCORDANCE WITH CHAPTER 99, SECTION 3 OF THE CODE OF THE CITY OF LINWOOD

WHEREAS, Consistent with N.J.S.A. 40:48-2.14, Linwood City Code Chapter 99, Brush, Grass and Weeds, Section 3, Failure to comply; costs to become lien on property, provides that charges incurred by the City of Linwood in the removal and abatement of brush, grass and weeds on private property shall become a lien on the subject property; and

WHEREAS, the Linwood Code Enforcement Officer has placed the owner of Block 163, Lot 7 on notice with regard to certain conditions on the aforesaid property that constitute a nuisance in accordance with Chapter 99, Section 2 of the Linwood City Code and has formally required abatement of the nuisance; and

WHEREAS, the property owner failed to abate the condition within twenty days of the date of the notice; and

WHEREAS, the Linwood Lawn Maintenance Contractor has cleaned the property and abated the nuisance at the cost of \$175.00; and

WHEREAS, the Common Council of the City of Linwood wishes to place a lien on Block 163, Lot 7 located at 200 Haines Avenue in the amount of \$175.00 in accordance with the terms and conditions of Chapter 99, Section 3 of the Linwood City Code;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Linwood that the costs expended in the amount of \$175.00 shall be charged against the subject property and shall constitute a lien on Block 163, Lot 7, 200 Haines Avenue in the City of Linwood.

BE IT FURTHER RESOLVED, that this lien shall bear interest and shall be enforced and collected as provided for in the Linwood City Code.

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 11th day of September, 2024.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 11th day of September, 2024.

LEIGH ANN NAPOLI, RMC, MUNICIPAL CLERK

DARREN MATIK, MAYOR

APPROVED: _____

RESOLUTION NO. 147, 2024

A RESOLUTION AUTHORIZING THE PLACEMENT OF A LIEN ON BLOCK 19, Lot 1.04 (506 Garfield Avenue) IN ACCORDANCE WITH CHAPTER 99, SECTION 3 OF THE CODE OF THE CITY OF LINWOOD

WHEREAS, Consistent with N.J.S.A. 40:48-2.14, Linwood City Code Chapter 99, Brush, Grass and Weeds, Section 3, Failure to comply; costs to become lien on property, provides that charges incurred by the City of Linwood in the removal and abatement of brush, grass and weeds on private property shall become a lien on the subject property; and

WHEREAS, the Linwood Code Enforcement Officer has placed the owner of BLOCK 19, Lot 1.04 on notice with regard to certain conditions on the aforesaid property that constitute a nuisance in accordance with Chapter 99, Section 2 of the Linwood City Code and has formally required abatement of the nuisance; and

WHEREAS, the property owner failed to abate the condition within twenty days of the date of the notice; and

WHEREAS, the Linwood Lawn Maintenance Contractor has cleaned the property and abated the nuisance at the cost of \$410.00; and

WHEREAS, the Common Council of the City of Linwood wishes to place a lien on BLOCK 19, Lot 1.04 located at 506 Garfield Avenue in the amount of \$410.00 in accordance with the terms and conditions of Chapter 99, Section 3 of the Linwood City Code;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Linwood that the costs expended in the amount of \$410.00 shall be charged against the subject property and shall constitute a lien on BLOCK 19, Lot 1.04, 506 Garfield Avenue in the City of Linwood.

BE IT FURTHER RESOLVED, that this lien shall bear interest and shall be enforced and collected as provided for in the Linwood City Code.

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 11th day of September, 2024.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 11th day of September, 2024.

LEIGH ANN NAPOLI, RMC, MUNICIPAL CLERK

DARREN MATIK, MAYOR

APPROVED: _____

RESOLUTION NO. 148, 2024

A RESOLUTION AUTHORIZING THE PLACEMENT OF A LIEN ON BLOCK 148, LOT 15.07 (14 Wexford Lane) IN ACCORDANCE WITH CHAPTER 99, SECTION 3 OF THE CODE OF THE CITY OF LINWOOD

WHEREAS, Consistent with N.J.S.A. 40:48-2.14, Linwood City Code Chapter 99, Brush, Grass and Weeds, Section 3, Failure to comply; costs to become lien on property, provides that charges incurred by the City of Linwood in the removal and abatement of brush, grass and weeds on private property shall become a lien on the subject property; and

WHEREAS, the Linwood Code Enforcement Officer has placed the owner of BLOCK 148, Lot 15.07 on notice with regard to certain conditions on the aforesaid property that constitute a nuisance in accordance with Chapter 99, Section 2 of the Linwood City Code and has formally required abatement of the nuisance; and

WHEREAS, the property owner failed to abate the condition within twenty days of the date of the notice; and

WHEREAS, the Linwood Lawn Maintenance Contractor has cleaned the property and abated the nuisance at the cost of \$400.00; and

WHEREAS, the Common Council of the City of Linwood wishes to place a lien on Block 148, Lot 15.07 located at 14 Wexford Lane in the amount of \$400.00 in accordance with the terms and conditions of Chapter 99, Section 3 of the Linwood City Code;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Linwood that the costs expended in the amount of \$400.00 shall be charged against the subject property and shall constitute a lien on Block 148, Lot 15.07, 14 Wexford Lane in the City of Linwood.

BE IT FURTHER RESOLVED, that this lien shall bear interest and shall be enforced and collected as provided for in the Linwood City Code.

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 11th day of September, 2024.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 11th day of September, 2024.

LEIGH ANN NAPOLI, RMC, MUNICIPAL CLERK

DARREN MATIK, MAYOR

APPROVED: _____