

**LINWOOD COMMON COUNCIL
CAUCUS AGENDA
September 27, 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
1. Proclamation proclaiming October 6, 2017 as Knock Out Opioid Abuse Day
4. Councilman Beinfest
- A. Neighborhood Services
5. Councilwoman DeDomenicis
- A. Public Works
1. Resolution honoring Hank Kolakowski
6. Councilman Ford
- A. Planning & Development
1. Ordinance amending Chapter 119 UCC fees to add mechanical subcode fee -- first reading
7. Councilman Gordon
- A. Engineering
1. Resolutions approving requests for Hardship Exceptions from a Road Opening Moratorium for 5 E. Monroe Avenue and 104 Country Club Drive
2. Oak Avenue between Poplar Avenue and New Road
3. Resolutions authorizing the submission of grant applications to NJDOT for Bike Path Extension Phase 2 and the resurfacing of Bartlett, Van Sant, Maria and Richards Avenue
8. Councilman Heun
- A. Public Safety
9. Councilman Matik
- A. Revenue & Finance
1. Ordinance amending Chapter 251 Taxation to add an Article with regard to 100% disabled Veterans property tax refunds -- first reading
10. Council President Paolone
- A. Administration
1. Resolutions authorizing Raffle Licenses for Mainland Performing Arts Parent Organization
11. Mr. Youngblood
- A. Resolution authorizing the payment of the \$1,000 into a special escrow account for payment of special master fees and professional fees related to the Mount Laurel Litigation

Office of the Mayor

Proclamation

Knock Out Opioid Abuse Day

WHEREAS, New Jersey is in the midst of a life-threatening opioid abuse epidemic; and

WHEREAS, the Partnership for a Drug-Free New Jersey has designated October 6, 2017 as Knock Out Opioid Abuse Day – an initiative with a dual purpose: to educate families of the addictive qualities of opioid pain medicines and their link to heroin abuse rates in New Jersey, and communicate to physicians information on safer prescribing messages found in the Centers for Disease Control and Prevention guidelines for prescribing opiates, which include considering other therapies, setting realistic treatment goals with patients and discussing with patients the pros and cons of opioids; and

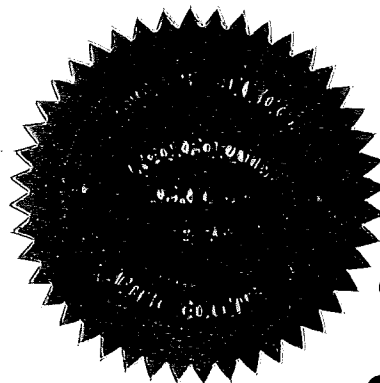
WHEREAS, the State Senate and General Assembly jointly resolved that October 6 shall be permanently designated as "Knock Out Opioid Abuse Day" in New Jersey in order to raise awareness about the dangers of, and the link between, opioid abuse and heroin addiction and to educate health care providers, community leaders, State lawmakers and members of the public about the opioid abuse epidemic and its effects throughout the State of New Jersey and across the country; and

WHEREAS, Join Together Atlantic County (JTAC) supports initiatives designed to raise awareness about opiate abuse in New Jersey and take steps to prevent addiction;

NOW, THEREFORE, I, Richard L. DePamphilis, III, Mayor of the City of Linwood, do hereby proclaim **October 6, 2017** be recognized as Knock Out Opioid Abuse Day in The City of Linwood.

DATED this 27th day of September 2017.

Richard L. DePamphilis III, Mayor



RESOLUTIONS WITHIN CONSENT AGENDA (continued)

- 157-2017** A Resolution approving the submission of a Grant Application and execute a Grant Contract with the New Jersey Department of Transportation for the Resurfacing of Bartlett, Van Sant, Marie and Richards Avenues project.
- 158-2017** A Resolution authorizing the payment of the sum of One Thousand Dollars into a Special Escrow Account for payment of Special Master Fees and Professional Fees related to the Mount Laurel Litigation
- 159-2017** A Resolution authorizing the issuance of a Raffle License, #2017-13, to Mainland Performing Arts Parent Organization
- 163-2017** A Resolution authorizing the issuance of a Raffle License, #2017-14, to Mainland Performing Arts Parent Organization

APPROVAL OF BILL LIST: \$

MEETING OPEN TO THE PUBLIC

FINAL REMARKS BY MAYOR AND COUNCIL

ADJOURNMENT

RESOLUTION No. 161, 2017

A RESOLUTION APPROVING A REQUEST FOR A HARDSHIP EXCEPTION FROM ROAD OPENING MORATORIUM FOR BLOCK 110, LOT 3.02 LOCATED AT 5 E. MONROE AVENUE IN THE CITY OF LINWOOD

WHEREAS, Michael Pepper submitted a Request for a Hardship Exception from Road Opening Moratorium for Block 110, Lot 3.02 located at 5 E. Monroe Avenue in the City of Linwood in accordance with the Code of the City of Linwood, Chapter 241, Section 11; and

WHEREAS, the Applicant is seeking the Exception so that utilities can be provided by way of road openings to a new single family residence to be constructed on said property; and

WHEREAS, the Request for a Hardship Exception has been considered by the Common Council of the City of Linwood at a Public Hearing held on September 27, 2017; and

WHEREAS, there will be two 2'x 4' openings, a driveway (estimated as a 20' wide curb cut), curbing (106' of curbing) and sidewalks; 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 the Request for a Hardship Exception from the Road Opening Moratorium for Block 110, Lot 3.02 located at 5 E. Monroe Avenue in the City of Linwood submitted by Michael Pepper is hereby approved.

BE IT FURTHER RESOLVED, that the Applicant shall comply with all provisions of the Code of the City of Linwood for the street opening, more specifically Chapter 241, Section 11(C) Roadway Restoration of the Code 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 27th day of September, 2017.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 27th day of September, 2017.

LEIGH ANN NAPOLI, RMC, MUNICIPAL CLERK

RICHARD L. DEPAMPHILIS, III, MAYOR

APPROVED: _____

Michael Pepper
5 E. Monroe Avenue
Linwood, New Jersey 08221

September 12, 2017

To Whom It May Concern;

PLEASE TAKE NOTICE: I, Michael Pepper currently have a home under construction at 5 E. Monroe Avenue, Linwood; Block 110 Lot 3.02. Monroe Avenue is currently under a moratorium which does not expire until 2021. I have requested a hardship opening of the street directly in front of my new home for the installation of utilities (estimated as 2 – 2' x 4' openings), a driveway (estimated as a 20' wide curb cut), curbing (106' of curbing) and sidewalks. The location of the proposed street opening is 5 E. Monroe Avenue, Linwood, New Jersey. This matter will be heard by the Linwood City Council on Wednesday, September 27, 2017 at 6:00pm in the Linwood City Hall, 400 Poplar Avenue, Linwood, New Jersey; at which time and place you may appear either in person or by agent or attorney to present any objections you may have to the granting of the relief sought in the application.

This notice is being sent to you by the applicant (Michael Pepper) by order of the Linwood City Council.



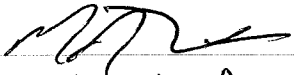
Michael Pepper

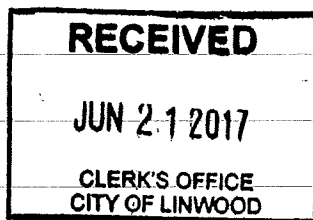
cc: Leigh Ann Napoli, Municipal Clerk

To whom it may concern

I am writing this letter to apply for a Hardship for street opening permit. We are building a new house at 5 East Monroe Ave and we need to connect to sewer water and gas connections.

Thank you


Michael Pepper
289-5794



RESOLUTION No. 162, 2017

A RESOLUTION APPROVING A REQUEST FOR A HARDSHIP EXCEPTION FROM ROAD OPENING MORATORIUM FOR BLOCK 182.02, LOT 16 LOCATED AT 104 COUNTRY CLUB DRIVE IN THE CITY OF LINWOOD

WHEREAS, Casey McAllister & Alexandra Gregory submitted a Request for a Hardship Exception from Road Opening Moratorium for Block 182.02, Lot 16 located at 104 Country Club Drive in the City of Linwood in accordance with the Code of the City of Linwood, Chapter 241, Section 11; and

WHEREAS, the Applicant is converting from oil heat to gas heat and is seeking the Exception so that gas can be provided by way of road openings to the home on said property; and

WHEREAS, the Request for a Hardship Exception has been considered by the Common Council of the City of Linwood at a Public Hearing held on September 27, 2017; and

WHEREAS, there will be two 2'x 2' openings completed and restored by the South Jersey Gas Company; 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 the Request for a Hardship Exception from the Road Opening Moratorium for Block 182.02, Lot 16 located at 104 Country Club Drive in the City of Linwood submitted by Casey McAllister & Alexandra Gregory is hereby approved.

BE IT FURTHER RESOLVED, that the Applicant shall comply with all provisions of the Code of the City of Linwood for the street opening, more specifically Chapter 241, Section 11(C) Roadway Restoration of the Code 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 27th day of September, 2017.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 27th day of September, 2017.

LEIGH ANN NAPOLI, RMC, MUNICIPAL CLERK

RICHARD L. DEPAMPHILIS, III, MAYOR

APPROVED: _____

Casey McAllister & Alexandra Gregory
104 Country Club Drive
Linwood NJ 08221
14 September 2017

Mr. & Mrs. _____
Address

Reference: **City of Linwood City Clerk Office**
Notice of Hearing on Application of Casey McAllister & Alexandra Gregory
Property: 104 Country Club Drive. Block 182.02. Lot 16, Linwood, NJ 08221

Dear Mr. & Mrs.,

PLEASE TAKE NOTICE

We are the owners of the above property. We have filed an application with the City of Linwood City Clerk for a street opening permit. Our property is currently fueled by oil heat. We are seeking to install a natural gas line to our home and remove the oil heating system. This would be an environmentally safe addition to our neighborhood in place of our current non-operating oil heating system. In order to accomplish this, we need to send a notice to you and all property owners within 200 feet of our property and have verification of having given notice to our neighbors within 10 days of the public meeting date.

We are requesting that South Jersey Gas be allowed to make an opening in the street to connect the gas main. South Jersey Gas will be opening two 2'x2' holes into the pavement in front of our property. South Jersey Gas will be responsible for making a quality repair to the blacktop and the City will require them to correct any deficiencies.

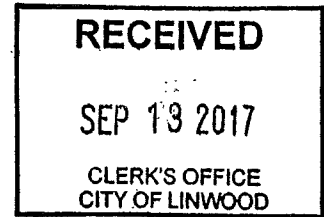
This notice is sent to you as an owner of property within 200 feet of our property, 104 Country Club Drive. A public hearing has been scheduled before the City of Linwood on Wednesday, September 27th at 6:00 pm within Linwood City Hall located on 400 W. Poplar Avenue in Linwood, NJ. If you wish to make any comment on this application, you may do so by advising the Linwood City Clerk in writing at least three days in advance of the public meeting date. The City shall consider the request at the public meeting and review all objections received, in writing, and formal approval or denial of request shall be through formal adoption of a resolution.

This notice is sent to you by the applicant, as required by the City of Linwood City Clerk Office.

Respectfully,

Casey McAllister & Alexandra Gregory

Casey McAllister & Alexandra Gregory
104 Country Club Drive
Linwood, NJ 08221
(609) 513-5682



13 September 2017
City of Linwood c/o the City Clerk
400 W. Poplar Avenue
Linwood, NJ 08221

Dear Mrs. Napolli,

We recently purchased this property and were aware that the heating system was at the end of its life and is now on borrowed time. This was reinforced when we applied for homeowners' insurance, who repeatedly made clear their issues with the condition of the system and suggested both the boiler and the oil tank were an insurance risk.

The 50+ year old heater is no longer operational. We are also concerned with the integrity of our outdoor oil tank and the potential environmental issues that go along with it. Our plan is to replace the heating system with a gas-fired unit. However, we are apparently the only home on the street that does not have gas service from the utility, as well as the only home with an unsightly oil tank on the side yard.

The gas utility has to open the street in order to provide our home with gas service. However, we understand that there is a moratorium on opening the street because of the relatively recent street paving. We are asking that City Council grant a variance due to the hardship created by both the inoperable heating system and the age of our tank.

We appreciate your time and consideration and would welcome the opportunity to answer any questions.

Sincerely,

Casey McAllister & Alexandra Gregory
alexandraleegregory@gmail.com
(609) 513-5682

A handwritten signature in black ink, consisting of several fluid, overlapping strokes that form a cursive-style name.

Resolution

City of Linwood, New Jersey

No. 160, 2017

A RESOLUTION HONORING HENRY KOLAKOWSKI

WHEREAS, HENRY (HANK) KOLAKOWSKI was hired as the Superintendent of the Linwood Public Works Department on August 2, 2004 and retired on July 31, 2017; and

WHEREAS, HANK ran the Department of Public Works very effectively and efficiently during his tenure while participating as a member on various boards and committees such as the Safety Committee, the Accident Review Panel, the Shade Tree Commission, the Planning Board, and the Green Team; and

WHEREAS, during HANK's tenure as Superintendent of Public Works, the department completed over 1000 days without a loss time accident thanks to their commitment to a safe work environment and to the reduction of risks throughout the community; and

WHEREAS, for the past thirteen years, HANK has served the City of Linwood and its residents with great distinction, devotion, and integrity;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Common Council of the City of Linwood, on behalf of all of the citizens of Linwood, thank, acknowledge and commend HENRY KOLAKOWSKI for his thirteen years of exemplary and dedicated service to the City of Linwood and its residents, and extend their best wishes and the best wishes of all the residents of the City of Linwood to HENRY KOLAKOWSKI upon his retirement.

I, Leigh Ann Napoli, RMC, Municipal Clerk of the City of Linwood, do hereby certify that the foregoing Resolution was unanimously adopted at a Regular Meeting of the Linwood City Council this 27th day of September 2017.

Richard L. DePamphilis, III, Mayor

Elliot C. Beinfest

Stacy DeDomenicis

Eric Ford

Todd Gordon

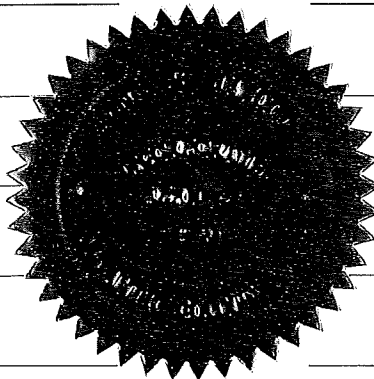
Brian Heun

Darren Matik

Ralph A. Paolone, Council President

Joseph L. Youngblood, Jr., City Solicitor

Leigh Ann Napoli, Municipal Clerk



ORDINANCE NO. 9, 2017

AN ORDINANCE AMENDING CHAPTER 119 CONSTRUCTION CODES, UNIFORM, SECTION 119-3 FEES 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 119 Construction Codes, Uniform, Section 119-3 Fees, is hereby amended to reflect the following revisions:

F. The mechanical subcode fee shall be for all heat conversions on existing R-3, R-4, and R-5 single family dwellings and for installation of mechanical equipment in existing R-3, R-4, and R-5 single family dwellings only. A flat fee shall be \$100.

G. In order to provide for the training, certificate and technical support programs required by the Uniform Construction Code Act and the regulations, the enforcing agency shall collect, in addition to the fees specified above, a surcharge fee of \$0.00371 per cubic foot of volume of new construction and a surcharge fee of \$1.90 per \$1,000 for alterations, repairs, minor work, renovations, etc. The minimum permit surcharge fee shall be \$1. Said surcharge fee shall be remitted to the Department of Community Affairs on the dates as set forth in the Uniform Construction Code.

H. The enforcing agency shall and is permitted by the Uniform Construction Code to collect a fifteen-percent surcharge on any permits that would involve an off-site or third-party inspection agency. The enforcing agency shall report annually the total surcharge fee collected.

I. All fees and charges will be rounded off to the nearest dollar as permitted by the Uniform Construction Code. For example: \$1.01 shall be rounded off to equal \$1, and \$1.51 shall be rounded off to equal \$2.

J. Waiving of construction permit and enforcing agency fees for work done to promote accessibility by disabled persons. In accordance with N.J.S.A. 52:27D-126e, no person shall be charged a construction permit surcharge fee or enforcing agency fee for any construction, reconstruction, alteration or improvement designed and undertaken solely to promote accessibility by disabled persons to an existing public or private structure or any of the facilities therein. Additionally, a disabled person, or a parent or sibling of a disabled person, shall not be required to pay any municipal fee or charge in order to secure a construction permit for any construction, reconstruction, alteration or improvement which promotes accessibility to his own living unit.

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>September 27, 2017</i>
<i>PUBLICATION:</i>	<i>October 2, 2017</i>
<i>PASSAGE:</i>	<i>October 11, 2017</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 27, 2017 and will be further considered for final passage after a public hearing thereon at a meeting of said Common Council on October 11, 2017.

LEIGH ANN NAPOLI, RMC, MUNICIPAL CLERK

RICHARD L. DEPAMPHILIS, III, MAYOR

ORDINANCE NO. 10, 2017

AN ORDINANCE SUPPLEMENTING AND AMENDING CHAPTER 251 OF THE CODE OF THE CITY OF LINWOOD, TAXATION, ADDING ARTICLE III "100% DISABLED VETERANS PROPERTY TAX REFUNDS; AND REPEALING ALL ORDINANCES HERETOFORE ADOPTED THE PROVISIONS OF WHICH ARE INCONSISTENT HEREWITH.

WHEREAS, pursuant to N.J.S.A. 54:4-3.30, the dwelling house and the lot whereupon the same is erected, of any citizen and resident of this State, honorable discharged or released under honorable circumstances, from active service, in time of war, in any branch of the Armed Forces of the United States, who has been or shall be declared by the United States Veterans Administration or its successor to have a service-connected disability declared by the United States Veterans Administration or its successor to be a total or 100 percent permanent disability, and not so evaluated solely because of hospitalization or surgery and recuperation, sustained through enemy actions, or accident, or resulting from disease contracted while in such active service, shall be exempt from taxation on proper claim made therefor; and

WHEREAS, pursuant to N.J.S.A. 54:4-3.31, upon review and approval of the required documentation by the municipal tax assessor, the assessor shall allow said exemption from taxation for the tax year in which the claim was filed; and

WHEREAS, pursuant to N.J.S.A. 54:4-3.32, the governing body of each municipality, by appropriate resolution, may return all taxes collected on property from prior years which would have been exempt had proper claim been timely made in writing; and

WHEREAS, the statutory intent to grant discretion to the governing body of every municipality has been affirmed by the New Jersey Superior Court in Del Priore v. Edison Township 2012 WL 2384250 (L. 2012), affirmed by New Jersey Superior Court, Appellate Division Docket No. A4447-11T3 (2013), that a municipality has discretion to grant or deny a taxpayer a retroactive refund of property taxes that has been paid from the effective date of the disability as determined by the United States Department of Veterans Affairs as set forth in N.J.S.A. 54:4-3.32; and

WHEREAS, the timing of the determination of Total Disability made by the United States Department of Veterans Affairs is outside the control of either the City or the disabled veteran; and

WHEREAS, retroactive refunds have a significantly adverse financial impact on the City and its taxpayers and are not reimbursed to the City by the State of New Jersey; and

WHEREAS, the Governing Body of the City of Linwood desires to establish a formal policy providing that a retroactive refund of property taxes as set forth in N.J.S.A. 54:4-3.32 shall be limited to the current year of the submission of a proper claim to the tax assessor as required by N.J.S.A. 54:4-3.30 and, if timely filed, the prior year, but in no event greater than a twenty-four month period in the aggregate.

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

SECTION 1. Amendment to chapter 251 of the Code of the City of Linwood

Chapter 251 of the Code of the City of Linwood "Taxation" is hereby amended and supplemented to add an Article III "100% Disabled Veteran Tax Refunds" which shall read as follows:

Article III. 100% DISABLED VETERAN TAX REFUNDS.

251-4 Retroactive Refund of Property Taxes

4.1 Timely Filing with the Tax Assessor.

For a veteran, or his or her surviving spouse or domestic partner, entitled to exemption under N.J.S.A. 54:4-3.30, after a formal written request for a retroactive refund of property taxes as set forth in N.J.S.A. 54:4-3, submitted to the Linwood Tax Assessor with all required documentation, and which shall have been timely filed within 120 calendar days after the date on the Total Disability Termination Letter issued by the United States Department of Veterans Affairs, the City Council, by appropriate resolution, shall refund taxes previously paid only for the calendar year in which the claim of the veteran, or his or her surviving spouse or domestic partner was submitted to the City Tax Assessor, and for such portion of the prior calendar year during which the total disability was in effect, but in no event greater than a twenty-four month period in the aggregate.

No further or additional refund of taxes shall be permitted, regardless of the date of the disability of the veteran as determined by the United States Department of Veterans Affairs.

4.2 Late Filing with the Tax Assessor.

In the event a veteran, or his or her surviving spouse or domestic partner, entitled to exemption under N.J.S.A. 54:4-3.30, shall submit a request to the Linwood Tax Assessor for refund of taxes at any time than 120 calendar days after the date on the Total Disability Termination Letter issued by the United States Department of Veterans Affairs, the City Council, by appropriate resolution, shall refund taxes previously paid only for the calendar year in which the claim of the veteran, or his or her surviving spouse or domestic partner was submitted to the City Tax Assessor.

No further or additional refund of taxes shall be permitted, regardless of the date of the disability of the veteran as determined by the United States Department of Veterans Affairs.

SECTION 2. Enforcement

The City Tax Assessor, together with all other appropriate officers and employees, are hereby authorized and directed to take any and all legal steps necessary to effectuate the purposes of this Ordinance.

SECTION 3. Repealer Clause

All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistencies. All other provisions of Chapter 251 which are not affected by this Article are ratified and confirmed and shall remain in full force and effect.

SECTION 4. Severability

If any portion of this Article is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not affect or invalidate the remainder of this article, but shall be confined in its effect to the provision directly involved in the controversy in which such judgment shall have been rendered.

SECTION 5. Effective Date

This Ordinance shall be effective immediately upon final reading and publication in accordance with New Jersey Law.

<i>FIRST READING:</i>	<i>September 27, 2017</i>
<i>PUBLICATION:</i>	<i>October 2, 2017</i>
<i>PASSAGE:</i>	<i>October 11, 2017</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 27, 2017 and will be further considered for final passage after a public hearing thereon at a meeting of said Common Council on October 11, 2017.

LEIGH ANN NAPOLI, RMC, MUNICIPAL CLERK

RICHARD L. DEPAMPHILIS, III, MAYOR

City of Linwood
Resolution No. 156, 2017

Resolution: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Linwood Bike Path Extension - Phase 2 project.

NOW, THEREFORE, BE IT RESOLVED that Council of the City of Linwood formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor/Council and Clerk are hereby authorized to submit an electronic grant application identified as BIKE-2018-Linwood City-00039 to the New Jersey Department of Transportation on behalf of City of Linwood.

BE IT FURTHER RESOLVED that Mayor/Council and Clerk are hereby authorized to sign the grant agreement on behalf of City of Linwood and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Certified as a true copy of the Resolution adopted by the Council
On this 27 day of September, 2017

Clerk

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL

(Clerk)

(Presiding Officer)

City of Linwood
Resolution No. 157, 2017

Resolution: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Resurfacing of Bartlett, Van Sant, Marie and Richards Avenues project.

NOW, THEREFORE, BE IT RESOLVED that Council of the City of Linwood formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor/Council and Clerk are hereby authorized to submit an electronic grant application identified as MA-2018-Linwood City-00420 to the New Jersey Department of Transportation on behalf of City of Linwood.

BE IT FURTHER RESOLVED that Mayor/Council and Clerk are hereby authorized to sign the grant agreement on behalf of City of Linwood and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Certified as a true copy of the Resolution adopted by the Council
On this 27 day of September, 2017

Clerk

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL

(Clerk)

(Presiding Officer)

RESOLUTION No. 158, 2017

A RESOLUTION AUTHORIZING THE PAYMENT OF THE SUM OF ONE THOUSAND DOLLARS INTO A SPECIAL ESCROW ACCOUNT FOR PAYMENT OF SPECIAL MASTER FEES AND PROFESSIONAL FEES RELATED TO THE MOUNT LAUREL LITIGATION

WHEREAS, a Case Management Order was entered in the Mount Laurel litigation on September 10, 2015 and subsequently on May 9, 2017 and September 18, 2017 by Judge Nelson C. Johnson, J.S.C.; and

WHEREAS, the aforesaid Orders required certain municipalities, inclusive of the City of Linwood, to pay the sum of One Thousand Dollars to be held in escrow by the firm of Fitzgerald & McGroarty, Mt. Laurel Litigation Escrow Account for payment of certain professional fees as directed and authorized by further Court Order; and

WHEREAS, the Common Council of the City of Linwood is desirous of complying with the terms and conditions of the aforesaid Orders;

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 issue a draft of the City of Linwood in the amount of One Thousand Dollars payable to Fitzgerald & McGroarty, Mt. Laurel Litigation Escrow Account in accordance with the terms and conditions of the Case Management Order entered by Judge Nelson C. Johnson, J.S.C. on September 10, 2015, May 9, 2017, and September 18, 2017.

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 27th day of September, 2017.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 27th day of September, 2017.

LEIGH ANN NAPOLI, RMC, MUNICIPAL CLERK

RICHARD L. DEPAMPHILIS, III, MAYOR

APPROVED: _____

FILED

SEP 18 2017

**ATLANTIC COUNTY
LAW DIVISION**

COURT INITIATED

IN RE:

City of Absecon ATL-L-2726-12
City of Northfield ATL-L-2050-14
Township of Egg Harbor ATL-L-3501-14
Township of Galloway ATL-L-1442-15
City of Brigantine ATL-L-1504-15
Township of Egg Harbor ATL-L-1506-15
Township of Hamilton ATL-L-1517-15
Borough of Buena ATL-L-1523-15
City of Corbin City ATL-L-1533-15
Township of Mullica ATL-L-1534-15
City of Somers Point ATL-L-1538-15
City of Linwood ATL-L-1539-15
Town of Hammonton ATL-L-1573-15
Township of Buena Vista ATL-L-1639-15
Borough of Cape May Point CPM-L-292-15
Borough of West Cape May CPM-L-302-15
Township of Upper CPM-L-303-15
Township of Sea Isle City CPM-L-304-15
City of Ocean City CPM-L-305-15
Borough of Avalon CPM-L-306-15
City of Cape May CPM-L-307-15
Borough of Wildwood Crest CPM-L-309-15
Borough of Woodbine CPM-L-310-15
Borough of Stone Harbor CPM-L-351-15

**SUPERIOR COURT OF
NEW JERSEY**

**LAW DIVISION
ATLANTIC COUNTY and
CAPE MAY COUNTY**

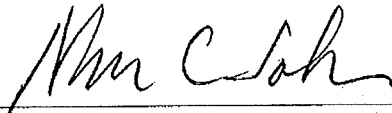
**ORDER DIRECTING
PAYMENT TO ESCROW**

THIS MATTER having initially come before the Court on September 10, 2015 for a Case Management Conference; and thereafter this Court having appointed the Honorable Steven P. Perskie, J.S.C. (Ret'd.) to serve as Special Master, together with Richard B. Reading to serve as Special Regional Master; and the Court having received Mr. Reading's "Report and Recommendations" dated August 10, 2017, as thereafter supplemented ("the Reading Report"); and the Reading Report being critical to the Court's future handling of this litigation; and there being a necessity to supplement the escrow fund maintained by Michael Fitzgerald, Esquire; and, notwithstanding the Court's hopes as expressed in its Order of May 9, 2017, there being a need for additional sums in the escrow; and all terms and conditions of the Court's Initial Case Management Order of September 28, 2015, being incorporated herein;

IT IS ON THIS 18th day of September, 2017, ORDERED, as follows:

1. Each of the municipalities remaining in "Category A" (to wit, Buena Boro only), "Category B" and "Category C" in Exhibit A shall, within sixty (60) days hereof, deposit into escrow the sum of \$1,000.00 with the "Fitzgerald & McGroarty, Mt. Laurel Litigation Escrow Account."
2. Pursuant to the terms of the Court's Order of May 9, 2017, the City of Brigantine, the Township of Mullica, Hamilton Township and Egg Harbor Township are exempt from this escrow payment;
3. Any and all disbursements of the funds paid into escrow shall be pursuant to this Court's Order(s) and shall be limited to the fees and expenses of the professionals to be appointed hereunder.
4. Any future assessments of the Plaintiff municipalities shall be made in an effort to equitably assign the financial burden, based upon population and resources devoted to concluding such municipalities' DJ action.

IT IS FURTHER ORDERED that a copy of this Order shall be served upon all parties within seven (7) days of its receipt.



NELSON C. JOHNSON, J.S.C.

EXHIBIT "A"

Category A

Municipalities previously granted "substantive certification" by COAH, plus, a period of immunity which this Court acknowledges and respects.

- Borough of Buena (12/20/15)
- Borough of Cape May Point (12/31/18)
- City of Cape May (12/31/18)
- Borough of Stone Harbor (12/31/18)
- West Cape May (9/10/18)

Category B

Municipalities which previously formally petitioned under the then existent guidelines, and filed a submission with COAH, but COAH failed to act on said petition, or they have been involved in litigation in which the Court entered an Order.

- City of Absecon
- Township of Galloway
- City of Northfield
- Linwood
- Buena Vista
- Upper Township
- Sea Isle City
- Ocean City
- Avalon

Category C

Municipalities which previously adopted a "Resolution of Participation" and took some action(s) towards certification, but didn't file a "complete submission."

- Somers Point
- Hammonton
- Woodbine
- Corbine City
- Wildwood Crest

RESOLUTION No. 159, 2017

A RESOLUTION AUTHORIZING THE ISSUANCE OF A RAFFLE LICENSE, #2017-13,
TO MAINLAND PERFORMING ARTS PARENT ORGANIZATION

WHEREAS, Mainland Performing Arts Parent Organization has applied for a Raffle License, to conduct games on November 17, 2017; and

WHEREAS, Mainland Performing Arts Parent Organization 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 349-5-41675;

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Linwood that a Raffle License be issued to Mainland Performing Arts Parent Organization 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 27th day of September, 2017.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 27th day of September, 2017.

LEIGH ANN NAPOLI, RMC, MUNICIPAL CLERK

RICHARD L. DEPAMPHILIS, III, MAYOR

APPROVED: _____

RESOLUTION No. 163, 2017

A RESOLUTION AUTHORIZING THE ISSUANCE OF A RAFFLE LICENSE, #2017-14,
TO MAINLAND PERFORMING ARTS PARENT ORGANIZATION

WHEREAS, Mainland Performing Arts Parent Organization has applied for a Raffle License, to conduct games on November 17, 2017; and

WHEREAS, Mainland Performing Arts Parent Organization 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 349-5-41675;

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Linwood that a Raffle License be issued to Mainland Performing Arts Parent Organization 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 27th day of September, 2017.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 27th day of September, 2017.

LEIGH ANN NAPOLI, RMC, MUNICIPAL CLERK

RICHARD L. DEPAMPHILIS, III, MAYOR

APPROVED: _____