

**LINWOOD COMMON COUNCIL
CAUCUS AGENDA
September 28, 2016
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 opposing casinos outside of Atlantic City
- B. Proclamation for Knock Out Opiate Abuse Day – October 6, 2016
4. Councilman Beinfest
- A. Neighborhood Services
5. Councilwoman DeDomenicis
- A. Public Works
6. Councilman Ford
- A. Planning & Development
7. Councilman Gordon
- A. Engineering
1. Resolutions authorizing Change Orders with Feriozzi Concrete with regard to the CDBG ADA Improvements to Memorial Park
8. Councilman Heun
- A. Public Safety
9. Councilman Matik
- A. Revenue & Finance
1. Best Practices Inventory
2. Resolution authorizing application to Local Finance Board with regard to tax appeals
10. Councilman Paolone
- A. Administration
1. Ordinance to amend Personnel & Policy Procedure Manual for compliance with the JIF – final reading
2. Resolution to affirm the City's Civil Rights Policy
11. Mr. Youngblood

**LINWOOD COMMON COUNCIL
AGENDA OF REGULAR MEETING
September 28, 2016**

CALL TO ORDER

FLAG SALUTE Councilman Elliot Beinfest

ROLL CALL

APPROVAL OF MINUTES WITHOUT FORMAL READING

ORDINANCES

5 OF 2016 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: September 14, 2016
PUBLICATION: September 19, 2016
PASSAGE: September 28, 2016

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.

- 143-2016** A Resolution to affirm the City of Linwood's Civil Rights Policy with respect to all Officials, Appointees, Employees, Prospective Employees, Volunteers, Independent Contractors, and members of the public that come into contact with Municipal Employees, Officials and Volunteers
- 144-2016** A Resolution approving a Change Order No. 1 with L. Feriozzi Concrete with regard to the CDBG ADA Improvements to Memorial Park in the City of Linwood
- 145-2016** A Resolution approving a Change Order No. 2 with L. Feriozzi Concrete with regard to the CDBG ADA Improvements to Memorial Park in the City of Linwood
- 146-2016** A Resolution of the City of Linwood, County of Atlantic, State of New Jersey, authorizing the making of an application to the Local Finance Board pursuant to N.J.S.A. 40A:2-51
- 147-2016** A Resolution opposing licensed casinos outside of Atlantic City, New Jersey

APPROVAL OF BILL LIST: \$1,124,898.45

MEETING OPEN TO THE PUBLIC

FINAL REMARKS BY MAYOR AND COUNCIL

ADJOURNMENT

Office of the Mayor



P

Proclamation

Knock Out Opiate Abuse Day
October 6, 2016

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

WHEREAS, the Partnership for a Drug-Free New Jersey has designated October 6, 2016 as Knock Out Opiate 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 outreach to physicians with 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 City of Linwood 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, 2016** as **Knock Out Opiate Abuse Day** in the City of Linwood.

DATED this 28th day of September 2016.

Richard L. DePamphilis, III, Mayor



ORDINANCE NO. 5, 2016

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 II, Employment and Termination, A. Employment, 1. Policy of Equal Employment Opportunity is hereby amended as follows:

a. Americans with Disabilities Act Policy/ New Jersey Pregnant Worker's Fairness Act:

In compliance with the Americans with Disabilities Act, the ADA Amendments Act and the New Jersey Law Against Discrimination as amended by the New Jersey Pregnant Worker's Fairness Act (LAD), the City of Linwood does not discriminate based on disability, pregnancy, pregnancy related medical condition or childbirth. The City of Linwood will endeavor to make every work environment handicap assessable and all future construction and renovation of facilities will be in accordance with applicable barrier-free Federal and State regulations and the Americans with Disabilities Act Accessibility Guidelines, as well as the ADA Amendments Act.

It is the policy of the City of Linwood to comply with all relevant and applicable provisions of the Americans with Disabilities Act, the ADA Amendments Act and LAD. We will not discriminate against any employee or job applicant with respect to any terms, conditions, or privileges of employment on the basis of a known or perceived disability, pregnancy, childbirth or pregnancy related medical condition. We will also make reasonable accommodations to known physical or mental limitations of all employees and applicants with disabilities or pregnant, provided that the individual is otherwise qualified to safely perform the essential functions of the job and also provided that the accommodation does not impose undue hardship on the City of Linwood.

The City Clerk shall engage in an interactive dialogue with disabled/pregnant employees and prospective disabled/pregnant employees to identify reasonable accommodations or their respective physician. All decisions with regard to reasonable accommodation shall be made by the City Clerk. Employees who are assigned to a new position as a reasonable accommodation will receive the salary for their new position. The Americans with Disabilities Act does not

require the City of Linwood to offer permanent “light duty”, relocate essential job functions, or provide personal use items such as eyeglasses, hearing aids, wheelchairs, etc.

Employees should also offer assistance, to the extent possible, to any member of the public who requests or needs an accommodation when visiting the City of Linwood facilities. Any questions concerning proper assistance should be directed to the City Clerk.

SECTION 2: Chapter 52, Personnel and Personnel Procedures, Employee Manual, Article II, Employment and Termination, A. Employment, is hereby amended as follows:

*** 6. Anti-Discrimination Policy:**

The City is committed to the principle of equal employment opportunity and anti-discrimination pursuant to Title VII of the 1964 Civil Rights Act as amended by the Equal Opportunity Act of 1972 and the New Jersey Law Against Discrimination as amended by the New Jersey Pregnant Worker’s Fairness Act (LAD). Under no circumstances will the City of Linwood discriminate on the basis of sex, race, creed, color, religion, national origin, ancestry, age, marital or political status, affectional or sexual orientation, domestic partnership status, civil union status, atypical heredity, cellular or blood trait, genetic information, disability (including AIDS or HIV infection), pregnancy (including pregnancy related medical condition), childbirth, liability for service in the United States armed forces, gender identity or expression, and/or any other characteristic protected by law. Decisions regarding the hiring, promotion, transfer, demotion or termination are based solely on the qualifications and performance of the employee or prospective employee. If any employee or prospective employee feels they have been treated unfairly, they have the right to address their concern with their supervisor, or if they prefer their Department Head, City Clerk, or Council Chair.

SECTION 3: Chapter 52, Personnel and Personnel Procedures, Employee Manual, is hereby amended to add the following Article:

Article XVI

Communication Media Policy:

The City of Linwood’s Communication Media are the property of the City of Linwood and, as such, are to be used for legitimate business purposes only. For purposes of this Communication Media Policy, “Communication Media” includes all electronic media forms provided by the City of Linwood, such as cell phones, smart phones, computers, electronic tablets, access to the internet, voicemail, email, and fax.

require the City of Linwood to offer permanent “light duty”, relocate essential job functions, or provide personal use items such as eyeglasses, hearing aids, wheelchairs, etc.

Employees should also offer assistance, to the extent possible, to any member of the public who requests or needs an accommodation when visiting the City of Linwood facilities. Any questions concerning proper assistance should be directed to the City Clerk.

SECTION 2: Chapter 52, Personnel and Personnel Procedures, Employee Manual, Article II, Employment and Termination, A. Employment, is hereby amended as follows:

6. Anti-Discrimination Policy:

The City is committed to the principle of equal employment opportunity and anti-discrimination pursuant to Title VII of the 1964 Civil Rights Act as amended by the Equal Opportunity Act of 1972 and the New Jersey Law Against Discrimination as amended by the New Jersey Pregnant Worker’s Fairness Act (LAD). Under no circumstances will the City of Linwood discriminate on the basis of sex, race, creed, color, religion, national origin, ancestry, age, marital or political status, affectional or sexual orientation, domestic partnership status, civil union status, atypical heredity, cellular or blood trait, genetic information, disability (including AIDS or HIV infection), pregnancy (including pregnancy related medical condition), childbirth, liability for service in the United States armed forces, gender identity or expression, and/or any other characteristic protected by law. Decisions regarding the hiring, promotion, transfer, demotion or termination are based solely on the qualifications and performance of the employee or prospective employee. If any employee or prospective employee feels they have been treated unfairly, they have the right to address their concern with their supervisor, or if they prefer their Department Head, City Clerk, or Council Chair.

SECTION 3: Chapter 52, Personnel and Personnel Procedures, Employee Manual, is hereby amended to add the following Article:

Article XVI

Communication Media Policy:

The City of Linwood’s Communication Media are the property of the City of Linwood and, as such, are to be used for legitimate business purposes only. For purposes of this Communication Media Policy, “Communication Media” includes all electronic media forms provided by the City of Linwood, such as cell phones, smart phones, computers, electronic tablets, access to the internet, voicemail, email, and fax.

All data stored on and/or transmitted through Communication Media is the property of the City of Linwood. For purposes of this policy, "Data" includes "electronically-stored files, programs, tables, data bases, audio and video objects, spreadsheets, reports and printed or microfiche materials which serve a City of Linwood business purpose, regardless of who creates, processes or maintains the data, or whether the data is processed manually or through any of the City of Linwood's mainframe, midrange or workstations; servers, routers, gateways, bridges, hubs, switches and other hardware components of the City of Linwood's local or wide-area networks."

The City of Linwood respects the individual privacy of its employees. However, employee communications transmitted by the City of Linwood's Communication Media are not private to the individual. **All Communication Media and all communications and stored information transmitted, received, or contained in or through such media may be monitored by the City of Linwood. The City of Linwood reserves the absolute right to access, review, audit and disclose all matters entered into, sent over, placed in storage in the City of Linwood's Communication Media.** By using the City of Linwood's equipment and/or Communication Media, employees consent to have such use monitored at any time, with or without notice, by City of Linwood personnel. The existence of passwords does not restrict or eliminate the City of Linwood's ability or right to access electronic communications. However, the City of Linwood cannot require the employee to provide its password to his/her personal account.

All email, voicemail and Internet messages (including any technology-based messaging) are official documents subject to the provisions of the Open Public Records Act (NJSA 47:1A-1). Employees of the City of Linwood are required to use the assigned municipal email account for ALL City of Linwood business and correspondence. The use of private email accounts for ANY City of Linwood business or during business hours is strictly prohibited.

Employees can only use the City of Linwood's Communication Media for legitimate business purposes. Employees may not use City of Linwood's Communication Media in any way that is defamatory, obscene, or harassing or in violation of any City of Linwood rules or policy. Examples of forbidden transmissions or downloads include sexually-explicit messages; unwelcome propositions; ethnic or racial slurs; or any other message that can be construed to be harassment or disparaging to others based on their actual or perceived age, race, religion, sex, sexual orientation, gender identity or expression, genetic information, disability, national origin, ethnicity, citizenship, marital status or any other legally recognized protected basis under federal, state or local laws, regulations or ordinances.

All employees who have been granted access to electronically-stored data, must use a logon ID assigned by City of Linwood. Certain data, or applications that process data, may require additional security measures as determined by the City of Linwood. Employees must not share their passwords; and each employee is responsible for all activity that occurs in connection with their passwords.

All employees may access only data for which the City of Linwood has given permission. All employees must take appropriate actions to ensure that City of Linwood data is protected from unauthorized access, use or distribution consistent with these policies. Employees may not access or retrieve any information technology resource and store information other than where authorized.

Employees must not disable anti-virus and other implemented security software for any reason, in order to minimize the risk of introducing computer viruses into the City of Linwood's computing environment.

Employees may not install *or Modify* ANY hardware device, software application, program code, either active or passive, or a portion thereof, without the express written permission from the City of Linwood. Employees may not upload, download, or otherwise transmit commercial software or any copyrighted materials belonging to parties outside of the City of Linwood, or licensed to the City of Linwood. Employees shall observe the copyright and licensing restrictions of all software applications and shall not copy software from internal or external sources unless legally authorized.

Social Media and its uses in government and daily life are expanding each year however, information posted on a website is available to the public; therefore, employees must adhere to the following guidelines for their participation in social media. Only those Employees directly authorized by the Department Head may engage in social media activity during work time through the use of the City of Linwood's Communication Media, as it directly relates to their work and it is in compliance with this policy.

Employees must not reveal or publicize confidential City of Linwood information. Confidential proprietary or sensitive information may be disseminated only to individuals with a need and a right to know, and where there is sufficient assurance that appropriate security of such information will be maintained. Such information includes, but is not limited to the transmittal of personnel information such as medical records or related information. In law enforcement operations, confidential, proprietary or sensitive information also includes criminal history information, confidential informant identification, and intelligence and tactical operations files.

No City of Linwood employee shall post internal working documents to social media sites. This includes, but is not limited to, screenshots of computer stations, pictures of monitors and/or actual documents themselves without the prior approval of the Department Head. In addition employees are prohibited from releasing or disclosing any photographs, pictures, digital images of any crime scenes, traffic crashes, arrestees, detainees, people or job related incident or occurrence taken with the City of Linwood's Communication Media to any person, entity, business or media or Internet outlet whether on or off duty without the express written permission of the Department Head. Except in "emergency situations," Employees are prohibited from taking digital images or photographs with media equipment not owned by the City of Linwood.

For purposes of this section, an “emergency situation” involves a sudden and unforeseen combination of circumstances or the resulting state that calls for immediate action, assistance or relief, and may include accidents, crimes and flights from accidents or crimes and the employee does not have access to the City of Linwood’s Communication Media. If such situation occurs, employee agrees that any images belong to the City of Linwood and agree to release the image to the City of Linwood and ensure its permanent deletion from media device upon direction from the City of Linwood.

No media advertisement, electronic bulletin board posting, or any other communication accessible via the Internet about the City of Linwood or on behalf of the City of Linwood, whether through the use of the City of Linwood’s Communication Media or otherwise, may be issued unless it has first been approved by the Department Head. Under no circumstances may information of a confidential, sensitive or otherwise proprietary nature be placed or posted on the Internet or otherwise disclosed to anyone outside the City of Linwood. Such unauthorized communications may result in disciplinary action.

Because (authorized) postings placed on the Internet through use of the City of Linwood’s Communication Media will display on the City of Linwood’s return address, any information posted on the Internet must reflect and adhere to all of the City of Linwood’s standards and policies.

All users are personally accountable for messages that they originate or forward using the City of Linwood’s Communication Media. Misrepresenting, obscuring, suppressing, or replacing a user’s identity on any Communication Media is prohibited. “Spoofing” (constructing electronic communications so that it appears to be from someone else without a legitimate authorized purpose and authorized by the Department Head is prohibited

Employees must respect the laws regarding copyrights, trademarks, rights of public City of Linwood and other third-party rights. Any use of the City of Linwood’s name, logos, service marks or trademarks outside the course of the employee’s employment, without the express consent of the City of Linwood, is strictly prohibited. To minimize the risk of a copyright violation, employees should provide references to the source(s) of information used and cite copyrighted works identified in online communications.

To the extent that employees use social media outside of their employment and in so doing employees identify themselves as City of Linwood’s employees, or if they discuss matters related to the City of Linwood on a social media site, employees must add a disclaimer on the front page, stating that it does not express the views of the City of Linwood, and the employee is expressing only their personal views. For example: “The views expressed on this website/web log are mine alone and do not necessarily reflect the views of my employer.” Place the disclaimer in a prominent position and repeat it for each posting that is expressing an opinion related to the City of Linwood or the City of Linwood’s business. Employees must keep in mind that, if they post information on a social media site that is in violation of City of Linwood policy and/or federal, state or local laws, the disclaimer will not shield them from disciplinary action.

RESOLUTION NO. 143, 2016

A RESOLUTION TO AFFIRM THE CITY OF LINWOOD'S CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTERS, INDEPENDENT CONTRACTORS, AND MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS

WHEREAS, it is the policy of the City of Linwood to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act; and

WHEREAS, the governing body of the City of Linwood has determined that certain procedures need to be established to accomplish this policy;

NOW, THEREFORE BE IT ADOPTED by the Common Council of the City of Linwood that:

Section 1: No official, employee, appointee or volunteer of the City of Linwood by whatever title known, or any entity that is in any way a part of the City of Linwood shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person's constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the City of Linwood's business or using the facilities or property of the City of Linwood.

Section 2: The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the City of Linwood to provide services that otherwise could be performed by the City of Linwood.

Section 3: Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.

Section 4: The City Clerk shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with

the alleged violator in the event the alleged violator would be the normal contact for such complaints.

Section 5: No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

Section 6: The City Clerk shall establish written procedures that require all officials, employees, appointees and volunteers of the City of Linwood as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.

Section 7: The City Clerk shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.

Section 8: At least annually, the City Clerk shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the City of Linwood. This communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the City of Linwood's web site.

Section 9: This resolution shall take effect immediately.

Section 10: A copy of this resolution shall be published in the official newspaper of the City of Linwood in order for the public to be made aware of this policy and the City of Linwood's commitment to the implementation and enforcement of this policy.

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 28th day of September, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 28th day of September, 2016.

LEIGH ANN NAPOLI, RMC, MUNICIPAL CLERK

RICHARD L. DEPAMPHILIS, III, MAYOR

APPROVED: _____

RESOLUTION NO. 144, 2016

A RESOLUTION APPROVING CHANGE ORDER NO. 1 WITH L. FERIOZZI CONCRETE WITH REGARD TO THE CDBG ADA IMPROVEMENTS TO MEMORIAL PARK IN THE CITY OF LINWOOD

WHEREAS, Change Order No. 1 with L. Feriozzi Concrete with regard to the CDBG ADA Improvements to Memorial Park has been submitted for review and approval; and

WHEREAS, recommendations have been made to authorize the Change Order which will result in an increase of the total contract price in the amount of \$4,938.00 in accordance with the attached Change Order incorporated herein and made part hereof;

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Linwood that Change Order No. 1 with L. Feriozzi Concrete regarding the CDBG ADA Improvements to Memorial Park be and is hereby authorized and approved;

BE IT FURTHER RESOLVED, by the Common Council of the City of Linwood that the Mayor be and is hereby authorized and directed to execute Change Order No. 1 with regard to the above referenced project.

BE IT FURTHER RESOLVED, that this Resolution is contingent upon a Certification of Availability of Funds from 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 28th day of September, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 28th day of September, 2016.

LEIGH ANN NAPOLI, RMC, MUNICIPAL CLERK

RICHARD L. DEPAMPHILIS, III, MAYOR

APPROVED: _____

Memo

To: Mayor and Members of Council
From: Anthony Strazzeri, CFO
CC: Leigh Ann Napoli, RMC, CMR, MPA, City Clerk
Date: 09-28-16
Re: Availability of Funds-ADA Improvements Memorial Park

Pursuant to 40A: 4-57, I hereby certify that sufficient funds in the amount of \$4,938.00 are available under the CDGB Grant for Change Order #1. Funds will be encumbered to L. Feriozzi Concrete Company 310 Sunset Ave. Atlantic City, NJ 08401.

CONTRACT CHANGE ORDER

CHANGE ORDER NO. 1

DATE September 14, 2016

CONTRACT NO. 10

PROJECT DESCRIPTION CDBG ADA Improvements Memorial Park

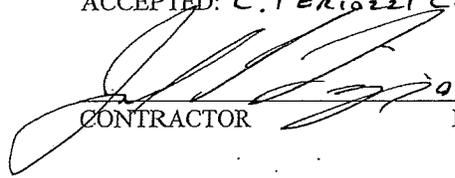
CONTRACT DATE July 27, 2016

CONTRACTOR L. Feriozzi Concrete

REASON FOR CHANGE ORDER: Adjusted Quantities - Base Bid

CON. ITEM NO.	QUANTITY	DESCRIPTION	UNIT PRICE	EXTENSION	
				Additions	Deletions
2	4 LF	Sawcutting	\$3.00		\$12.00
3	26 SY	Concrete Sidewalk, 4' Wide, Remove & Replace	\$55.00	\$1,430.00	
8	32 HR	Traffic Directors - Police	\$110.00	\$3,520.00	
Subtotal				\$4,950.00	\$12.00
Total				\$4,938.00	

ACCEPTED: L. FERIOZZI CONCRETE CO. CONTRACT AMOUNT \$ 81,705.00


 CONTRACTOR _____ DATE 09-18-16

PREVIOUS CHANGE ORDERS \$ 0.00

APPROVAL RECOMMENDED:


 POLISTINA & ASSOCIATES _____ DATE 9-15-16

THIS CHANGE ORDER No. 1 \$ 4,938.00

TOTAL CHANGE ORDERS TO DATE \$ 4,938.00

APPROVED:

OWNER _____ DATE _____

NOTE: All work under this Change Order to be done under applicable provisions of the contract. Change Order not valid unless properly authorized and approved.

RESOLUTION NO. 145, 2016

A RESOLUTION APPROVING CHANGE ORDER NO. 2 WITH L. FERIOZZI CONCRETE WITH REGARD TO THE CDBG ADA IMPROVEMENTS TO MEMORIAL PARK IN THE CITY OF LINWOOD

WHEREAS, Change Order No. 2 with L. Feriozzi Concrete with regard to the CDBG ADA Improvements to Memorial Park has been submitted for review and approval; and

WHEREAS, recommendations have been made to authorize the Change Order which will result in a decrease of the total contract price in the amount of \$10,553.00 in accordance with the attached Change Order incorporated herein and made part hereof;

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Linwood that Change Order No. 2 with L. Feriozzi Concrete regarding the CDBG ADA Improvements to Memorial Park be and is hereby authorized and approved;

BE IT FURTHER RESOLVED, by the Common Council of the City of Linwood that the Mayor be and is hereby authorized and directed to execute Change Order No. 2 with regard to the above referenced project.

BE IT FURTHER RESOLVED, that this Resolution is contingent upon a Certification of Availability of Funds from 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 28th day of September, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 28th day of September, 2016.

LEIGH ANN NAPOLI, RMC, MUNICIPAL CLERK

RICHARD L. DEPAMPHILIS, III, MAYOR

APPROVED: _____

CONTRACT CHANGE ORDER

CHANGE ORDER NO. 2

DATE September 14, 2016

CONTRACT NO. 10

PROJECT DESCRIPTION CDBG ADA Improvements Memorial Park

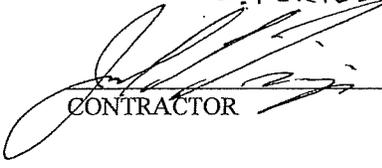
CONTRACT DATE July 27, 2016

CONTRACTOR L. Feriozzi Concrete

REASON FOR CHANGE ORDER: Adjusted Quantities - Alternate Bid

CON. ITEM NO.	QUANTITY	DESCRIPTION	UNIT PRICE	EXTENSION	
				Additions	Deletions
A1	90 LF	Sawcutting	\$3.00	\$270.00	
A2	160 SY	Dense Graded Aggregate, 6" Thick	\$8.00		\$1,280.00
A3	43.75 TON	HMA, 19M64 Base Course 4" Thick	\$180.00		\$7,875.00
A4	12.24 TON	HMA, 12.5M64 Surface Course, 2" Thick	\$200.00		\$2,448.00
A5	23 LF	Concrete Rocker Gutter, 3' Wide	\$30.00	\$690.00	
A6	200 LF	Traffic Stripes, Thermoplastic, 4" Wide, If & Where Directed	\$5.00		\$1,000.00
A7	200 SF	Traffic Stripes, Thermoplastic, If & Where Directed	\$5.00		\$1,000.00
A8	19 HR	Traffic Directors, Police	\$110.00	\$2,090.00	
			Subtotal	\$3,050.00	\$13,603.00
Total					\$10,553.00

ACCEPTED: L. FERIOZZI CONCRETE Co. CONTRACT AMOUNT \$ 81,705.00


 CONTRACTOR _____ DATE 09-14-16

PREVIOUS CHANGE ORDERS \$ 4,938.00

APPROVAL RECOMMENDED: THIS CHANGE ORDER No. 2 \$ (10,553.00)


 POLISTINA & ASSOCIATES DATE 9.15.16

TOTAL CHANGE ORDERS TO DATE \$ (5,615.00)

APPROVED:

OWNER _____ DATE _____

NOTE: All work under this Change Order to be done under applicable provisions of the contract. Change Order not valid unless properly authorized and approved.

RESOLUTION NO. 146, 2016

A RESOLUTION OF THE CITY OF LINWOOD, COUNTY OF ATLANTIC, STATE OF NEW JERSEY, AUTHORIZING THE MAKING OF AN APPLICATION TO THE LOCAL FINANCE BOARD PURSUANT TO N.J.S.A. 40A:2-51

WHEREAS, the City Council (the “**City Council**”) of the City of Linwood, in the County of Atlantic, State of New Jersey (the “**City**”) has determined that the municipal budget of the City will be unable to absorb revenue losses associated with numerous settled or adjudicated tax appeals for the year 2016; and

WHEREAS, the City desires to make application to the Local Finance Board for its review and/or approval of a proposed refunding bond ordinance authorizing the issuance of tax appeal refunding bonds or notes in an aggregate principal amount not to exceed \$_____ (the “**Tax Appeal Obligations**”) to allow the City to absorb the revenue losses associated with the property tax credits given to taxpayers in connection with settled and adjudicated real property tax appeals for 2016 reflecting overpayment of previous quarters in 2016 and to pay the cost of issuance of such Tax Appeal Obligations; and

WHEREAS, the Tax Appeal Obligations to be issued by the City will not exceed an amount equal to seventy-five (75%) percent of the property tax credits due to taxpayers as a result of overpayment of previous quarters in the year 2016, inclusive of the costs of issuance of such Tax Appeal Obligations; and

WHEREAS, N.J.S.A. 40A:2-51 allows for a municipality to issue such tax appeal refunding bonds and/or notes for overpayments in previous quarters of the current year upon adoption of a refunding bond ordinance and upon receipt of approval of the Local Finance Board in the Division of Local Government Services, Department of Community Affairs; and

WHEREAS, the City Council believes:

- (a) it is in the public interest to accomplish such refunding;
- (b) said refunding is for betterment of the inhabitants of the City;
- (c) the amounts to be expended for said refunding are not unreasonable or exorbitant;
- (d) the proposed refunding is an efficient and reasonable means of providing for the needs of the inhabitants of the City and such refunding will not materially impair the credit of the City or substantially reduce the City’s ability to pay punctually the principal of and interest on its debts and to supply other essential public improvements or services; and

- (e) the proposed refunding will not create an undue financial burden to be placed upon the City.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINWOOD, COUNTY OF ATLANTIC as follows:

Section 1. The application to the Local Finance Board is hereby approved, and the City’s Bond Counsel, Auditor and Financial Advisor, if any, along with other representatives of the City, are hereby authorized to prepare such application and to represent the City in matters pertaining thereto.

Section 2. The City Council hereby appoints (i) the law firm of Fleishman Daniels Law Offices, LLC to provide the specialized legal services necessary in connection with the issuance of the Tax Appeal Obligations and (ii) the accounting firm of Ford, Scott to render specialized accounting services required in connection with the issuance of the Tax Appeal Obligations. The Mayor and Chief Financial Officer are each hereby authorized and directed to execute and deliver such agreements as may be required to set forth the services to be provided by the aforesaid professionals in connection with the sale and issuance of the Tax Appeal Obligations and the costs associated therewith.

Section 4. The City Clerk is hereby directed to prepare and file a copy of the proposed Resolution with the Local Finance Board as part of such application.

Section 5. The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey Statute.

Section 6. This Resolution shall take effect immediately.

Recorded Vote

AYE NO ABSTAIN ABSENT

The foregoing is a true copy of a Resolution adopted by the City Council of the City of Linwood on September 28, 2016.

Leigh Ann Napoli, RMC, Municipal Clerk

Richard L. DePamphilis, III, Mayor

CERTIFICATE

I, Leigh Ann Napoli, RMC, Municipal Clerk of the City of Linwood, in the County of Atlantic, New Jersey, HEREBY CERTIFY, that the foregoing copy of the Resolution of the City Council duly adopted on September 28, 2016, has been compared by me with the original Resolution as officially recorded in my office in the Minutes Book of the governing body and is a true, complete and correct copy thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City this 28th day of September, 2016.

Leigh Ann Napoli, RMC, Municipal Clerk

[SEAL]

RESOLUTION NO. 147, 2016

A RESOLUTION OPPOSING LICENSED CASINOS OUTSIDE OF ATLANTIC CITY,
ATLANTIC COUNTY, NEW JERSEY

WHEREAS, the New Jersey State Legislature has voted in support of a constitutional amendment to permit casinos to operate in jurisdictions in Northern New Jersey, outside of Atlantic City; and

WHEREAS, this initiative, will increase the tax burden on Atlantic County residents; and

WHEREAS, this initiative will negatively impact the livelihoods of Linwood residents whose jobs and businesses depend on the Atlantic City casino industry; and

WHEREAS, this initiative will create downward pressure on Linwood's population growth and housing values as residents are forced to seek opportunities elsewhere; and

WHEREAS, any legislator representing any portion of Atlantic County who voted to support this constitutional amendment acted against the best interests of his or her constituents;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Linwood, Atlantic County, New Jersey, that it is OPPOSED to the above-described constitutional amendment in any form;

BE IT FURTHER RESOLVED, that all governing bodies in Southern New Jersey are invited to join Linwood in recognizing the negative impact Northern New Jersey casinos will have on our regional economy; and

BE IT FURTHER RESOLVED, that a copy of this resolution be distributed to all governing bodies in the counties of Burlington, Camden, Salem, Cumberland, Ocean, Atlantic and Cape May, together with copies to all state legislators representing all or a portion of those counties; and

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to Senator Dawn-Marie Addiego, with the hope that she will reconsider her previous vote in support of Northern New Jersey Casinos and join her Southern New Jersey colleagues in the legislature in opposing what constitutes bad policy for the entire State and particularly her own legislative district.

RESOLUTION NO. 147, 2016
PAGE 2

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 28th day of September, 2016.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 28th day of September, 2016.

LEIGH ANN NAPOLI, RMC, MUNICIPAL CLERK

RICHARD L. DEPAMPHILIS, III, MAYOR

APPROVED: _____