

**LINWOOD COMMON COUNCIL
MINUTES OF REGULAR MEETING
July 11, 2018**

CALL TO ORDER

Council President Paolone called the meeting to order at 6:26 P.M., noting that the meeting had been advertised in compliance with the requirements of the Open Public Meetings Act.

FLAG SALUTE:

Councilwoman Stacy DeDomenicis led the flag salute.

ROLL CALL

Present: Mayor Rick DePamphilis; Councilman Elliot Beinfest; Councilwoman Stacy DeDomenicis; Councilman Eric Ford; Councilman Todd Gordon; Councilman Darren Matik; and Council President Ralph Paolone.

Absent: Councilman Brian Heun.

Also Present: Joseph L. Youngblood, Jr., City Solicitor; Jen Heller, Engineer's Office; and Leigh Ann Napoli, Municipal Clerk.

APPROVAL OF MINUTES WITHOUT FORMAL READING

Councilman Beinfest motioned, seconded by Councilman Ford, to approve the minutes of the June 12, 2018 Regular meeting without formal reading. All present members of Council were in favor. Motion was approved.

ORDINANCES

11 OF 2018 AN ORDINANCE SUPPLEMENTING AND AMENDING CHAPTER 56 OF THE CODE OF THE CITY OF LINWOOD, POLICE DEPARTMENT, ADDING ARTICLE VI "DIVISION OF CODE ENFORCEMENT"; AND REPEALING ALL ORDINANCES HERETOFORE ADOPTED THE PROVISIONS OF WHICH ARE INCONSISTENT HERewith.

The Clerk read Ordinance No. 11 of 2018 by title only. Councilwoman DeDomenicis motioned, seconded by Councilman Ford to approve Ordinance No. 11 for final reading. Council President Paolone opened the floor for discussion on Ordinance No. 11. Seeing and hearing no members of the public wishing to be heard, Council President Paolone closed the floor. A roll call vote was heard with six in the affirmative and Councilman Heun absent. Motion was approved.

12 OF 2018 AN ORDINANCE AMENDING, REVISING AND SUPPLEMENTING CHAPTER 277, ZONING OF THE CODE OF THE CITY OF LINWOOD TO CLASSIFY ACCESSORY APARTMENTS AS CONDITIONAL USES IN ALL RESIDENTIAL ZONES FOR THE PURPOSE OF THE CITY OF LINWOOD'S AFFORDABLE HOUSING OBLIGATION AND REPEALING ALL ORDINANCES HERETOFORE ADOPTED THE PROVISIONS OF WHICH ARE INCONSISTENT THEREWITH.

The Clerk read Ordinance No. 12 of 2018 by title only. Councilman Ford motioned, seconded by Councilman Beinfest to approve Ordinance No. 12. A roll call vote was heard with six in the affirmative and Councilman Heun absent. Motion was approved.

13 OF 2018 AN ORDINANCE AMENDING, REVISING AND SUPPLEMENTING CHAPTER 277, ZONING OF THE CODE OF THE CITY OF LINWOOD TO PROVIDE FOR A MINIMUM SET ASIDE OF AFFORDABLE HOUSING UNITS TO MEET THE CITY OF LINWOOD'S AFFORDABLE HOUSING OBLIGATION AND REPEALING ALL ORDINANCES HERETOFORE ADOPTED THE PROVISIONS OF WHICH ARE INCONSISTENT THEREWITH.

The Clerk read Ordinance No. 13 of 2018 by title only. Councilman Ford motioned, seconded by Councilman Matik to approve Ordinance No. 13. A roll call vote was heard with six in the affirmative and Councilman Heun absent. Motion was approved.

ORDINANCES (continued)

14 OF 2018 AN ORDINANCE REPLACING THE ENTIRE CONTENTS OF THE EXISTING AFFORDABLE HOUSING ORDINANCE OF THE CODE OF THE CITY OF LINWOOD TO ADDRESS THE REQUIREMENTS OF THE FAIR HOUSING ACT AND THE UNIFORM HOUSING AFFORDABILITY CONTROLS (UHAC) REGARDING COMPLIANCE WITH THE CITY'S AFFORDABLE HOUSING OBLIGATIONS AND REPEALING ALL ORDINANCES HERETOFORE ADOPTED, THE PROVISIONS OF WHICH ARE INCONSISTENT HEREWITH.

The Clerk read Ordinance No. 14 of 2018 by title only. Councilman Ford motioned, seconded by Councilman Matik to approve Ordinance No. 14. A roll call vote was heard with six in the affirmative and Councilman Heun absent. Motion was approved.

15 OF 2018 AN ORDINANCE AMENDING CHAPTER 277 ZONING OF THE CODE OF THE CITY OF LINWOOD AND CREATING AFFORDABLE HOUSING OVERLAY ZONES THROUGH MIXED USE ZONING AND MIXED USE/RESIDENTIAL ZONING AND AMENDING THE ZONING MAP OF THE CITY OF LINWOOD AND REPEALING ALL ORDINANCES HERETOFORE ADOPTED THE PROVISIONS OF WHICH ARE INCONSISTENT HEREWITH.

The Clerk read Ordinance No. 15 of 2018 by title only. Councilman Ford motioned, seconded by Councilman Matik to approve Ordinance No. 15. A roll call vote was heard with six in the affirmative and Councilman Heun absent. Motion was approved.

16 OF 2018 AN ORDINANCE AMENDING CHAPTER 152 FIRE PREVENTION, ARTICLE IV SMOKE AND HEAT DEVICES, SECTION 152-23 CERTIFICATE OF SMOKE DETECTOR COMPLIANCE, SECTION 152-24 INSTALLATION REQUIRED BEFORE SALE OR CHANGE OF DWELLING UNIT OR CHANGE IN RESIDENCE, SECTION 152-25 RESPONSIBILITY FOR MAINTENANCE, SECTION 152-26 FEES, OF THE CODE OF THE CITY OF LINWOOD AND REPEALING ALL ORDINANCES HERETOFORE ADOPTED, THE PROVISIONS OF WHICH ARE INCONSISTENT HEREWITH.

The Clerk read Ordinance No. 16 of 2018 by title only. Councilman Matik motioned, seconded by Councilman Ford to approve Ordinance No. 16. A roll call vote was heard with six in the affirmative and Councilman Heun absent. Motion was approved.

17 OF 2018 AN ORDINANCE AMENDING, REVISING AND SUPPLEMENTING CHAPTER 124, DEVELOPMENT FEES OF THE CODE OF THE CITY OF LINWOOD TO COMPLY WITH A SETTLEMENT AGREEMENT WITH FAIR SHARE HOUSING CORPORATION AND REPEALING ALL ORDINANCES HERETOFORE ADOPTED THE PROVISIONS OF WHICH ARE INCONSISTENT THEREWITH.

The Clerk read Ordinance No. 17 of 2018 by title only. Councilman Ford motioned, seconded by Councilman Gordon to approve Ordinance No. 17. A roll call vote was heard with six in the affirmative and Councilman Heun absent. Motion was approved.

RESOLUTIONS

141-2018 A Resolution approving the application of Atlantic City Country Club 1 LLC for renewal of Plenary Retail Consumption License No. 0114-33-001-005

The Clerk read Resolution No. 141 of 2018 by title only. Councilwoman DeDomenicis motioned, seconded by Councilman Gordon to approve Resolution No. 141. A roll call vote was heard with five in the affirmative, one abstention by Councilman Matik, and Councilman Heun absent. Motion was approved.

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.

- 123-2018** A Resolution awarding the Contract to Airpower International, Inc. for the furnishing and delivery of one Cascade System for the Linwood Fire Department
- 131-2018** a Resolution authorizing a refund to Tricia Anne Soule with regard to Traffic Control fees
- 132-2018** A Resolution authorizing the refund of unused escrow funds posted with regard to a dumpster permit at 1601 Shore Road
- 133-2018** A Resolution authorizing the refund of unused escrow funds posted with regard to a dumpster permit at 207 Alexander Drive
- 134-2018** A Resolution requesting permission for the Dedication by Rider for donations to the Police K-9 Program required by N.J.S.A. 40A:5-29
- 135-2018** A Resolution awarding the Contract to Command Fire Apparatus for the furnishing and delivery of one used Aerial Ladder for the Linwood Fire Department
- 136-2018** A Resolution authorizing the issuance of a Raffle License, #2018-16, to Our Lady of Sorrows Church
- 137-2018** A Resolution authorizing the issuance of a Raffle License, #2018-17, to A Place for Us, The Women's Center
- 138-2018** A Resolution approving temporary signage for the Alcove Center for Grieving Children and Families
- 139-2018** A Resolution awarding a Non-Competitive Contract for Professional Services to Triad Associates for Accessory Apartment Implementation Services for the City of Linwood
- 140-2018** A Resolution of the City of Linwood regarding any shortfalls associated with the provision of Affordable Housing as set forth in the City's adopted Housing Element and Fair Share Plan
- 142-2018** A Resolution awarding the Contract to American Pipe Cleaning, LLC for Contract No. 17 – 2018 Video Inspection and Main Cleaning
- 143-2018** A Resolution authorizing the issuance of a Raffle License, #2018-18, to Mainland Regional Football Boosters

Council President Paolone asked if any member of Council would like to remove any items from consent. Nothing was removed. Councilman Beinfest motioned, seconded by Councilwoman DeDomenicis, to approve Resolutions No. 123, 131-140, 142-143 of 2018. All present members of Council were in favor. Motion was approved.

APPROVAL OF BILL LIST: \$1,608,016.57

Councilwoman DeDomenicis motioned, seconded by Councilman Beinfest, to approve the bills for payment. A roll call vote was heard with six in the affirmative and Councilman Heun absent. Motion was approved. (The bill list is attached as Exhibit A)

MEETING OPEN TO THE PUBLIC

Council President Paolone opened the floor to the public for discussion on any topic.

Roger Steedle – Chairman Linwood Planning Board

Mr. Steedle advised that he attended tonight's meeting to listen to the discussion on the two Resolutions and five Ordinances on the agenda pertaining to the COAH settlement. He had previous discussions with Mr. Youngblood and Mr. Flower so that he can inform the board members of all the requirements of the Court Order. There will be a Planning Board meeting Monday night to discuss everything. They are concerned because they did not get much notice regarding the settlement and not a lot of time to read and discuss everything. However, he will do his best to make sure the board is as informed as they can be.

MEETING OPEN TO THE PUBLIC (continued)

John Heist – 2272 Burroughs Avenue, Linwood

Mr. Heist discussed a speeding problem on Burroughs Avenue and asked City Council for help.

Stavros Zambetoglou 726 Brighton Drive, Linwood

Mr. Zambetoglou indicated that he attended a meeting two months ago to thank City Council for fixing his curb and was told he was speaking at the wrong time. He was very embarrassed and believes the citizens should be treated better.

Seeing and hearing no other members from the public wishing to be heard, Council President Paolone closed the floor.

FINAL REMARKS BY MAYOR AND COUNCIL

Councilman Beinfest – Councilman Beinfest advised Mr. Heist that Council will look into the issue on Burroughs Avenue.

Councilman Matik – Councilman Matik also advised Mr. Heist that he will talk to the Chief about the issue on Burroughs. He ensured Mr. Steedle that Councilman Ford, Mr. Youngblood, and he spent countless hours on the COAH settlement options. They believe they go the best settlement possible. There are some things they couldn't help. He hopes the Planning Board understands it all.

Council President Paolone – Council President Paolone extended his condolences to Mrs. Napoli, the Municipal Clerk, on the passing of her Mother. He also advised that City Hall will be closed tomorrow morning until noon so that the employees can attend the funeral services.

ADJOURNMENT

With no further business to be addressed by Council, Councilman Gordon motioned, seconded by Councilwoman DeDomenicis, to adjourn at 6:44 P.M.

Respectfully submitted,

Leigh Ann Napoli, RMC
Municipal Clerk