

**LINWOOD COMMON COUNCIL
MINUTES OF REGULAR MEETING
August 12, 2020**

CALL TO ORDER

Council President Ralph Paolone called the meeting to order at 6:14 P.M., noting that the meeting had been advertised in compliance with the requirements of the Open Public Meetings Act and reiterated his statement from Caucus Meeting that in light of the Governor's issuance of Executive Order 107, tonight's City Council meeting is being live streamed through Zoom. A notice appeared in the Press of Atlantic City on August 6, 2020 advising the public that tonight's meeting would be live streamed and referred the public to the City's web site that includes information on how to attend the meeting on Zoom.

ROLL CALL

Present: Mayor Darren Matik; Councilwoman June Byrnes; Councilwoman Stacy DeDomenicis; Councilman Eric Ford; Councilman Todd Gordon (via live stream); Councilman Brian Heun; Councilman Matt Levinson (via live stream); and Council President Ralph Paolone.

Absent: None.

Also Present: Joseph L. Youngblood, Jr., City Solicitor (via live stream); Vince Polistina, City Engineer (via live stream); and Leigh Ann Napoli, Municipal Clerk.

APPROVAL OF MINUTES WITHOUT FORMAL READING

Councilman Ford motioned, seconded by Councilman Heun to approve the minutes of the July 8, 2020 Regular meeting without formal reading. All members of Council were in favor. Motion was approved.

ORDINANCES

6 OF 2020 AN ORDINANCE AMENDING CHAPTER 41 LAND USE PROCEDURES, ARTICLE IV APPLICATION REQUIREMENTS AND DEVELOPMENT PROCEDURES 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. 6 of 2020 by title only. Councilman Ford motioned, seconded by Councilman Gordon, to approve Ordinance No. 6 for final reading. Council President Paolone opened the floor for discussion on Ordinance No. 6. 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 seven in the affirmative. Motion was approved.

7 OF 2020 AN ORDINANCE AMENDING CHAPTER 277 ZONING, ARTICLE X USES AND SUPPLEMENTAL STANDARDS 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. 7 of 2020 by title only. Councilman Ford motioned, seconded by Councilman Levinson, to approve Ordinance No. 7 for final reading. Council President Paolone opened the floor for discussion on Ordinance No. 7. 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 seven in the affirmative. Motion was approved.

8 OF 2020 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.

The Clerk read Ordinance No. 8 of 2020 by title only. Councilman Heun motioned, seconded by Councilwoman Byrnes, to approve Ordinance No. 8 for final reading. Council President Paolone opened the floor for discussion on Ordinance No. 8. 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 seven in the affirmative. Motion was approved.

ORDINANCES (continued)

- 9 OF 2020** AN ORDINANCE AMENDING CHAPTER 263 VEHICLES AND TRAFFIC, ARTICLE I GENERAL REGULATIONS, SECTION 263-4, PROHIBITED PARKING; STOPPING OR STANDING; TIME LIMIT PARKING; SNOW EMERGENCIES; VIOLATIONS AND PENALTIES 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. 9 of 2020 by title only. Councilman Ford motioned, seconded by Councilwoman Byrnes, to approve Ordinance No. 9 for final reading. Council President Paolone opened the floor for discussion on Ordinance No. 9. 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 seven in the affirmative. Motion was approved.

- 10 OF 2020** AN ORDINANCE AMENDING CHAPTER 212 RENTAL PROPERTY 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. 10 of 2020 by title only. Councilwoman DeDomenicis motioned, seconded by Councilman Ford, to approve Ordinance No. 10. A roll call vote was heard with seven in the affirmative. Motion approved.

- 11 OF 2020** AN ORDINANCE AMENDING CHAPTER 263 VEHICLES AND TRAFFIC, ARTICLE I GENERAL REGULATIONS 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. 11 of 2020 by title only. Councilman Ford motioned, seconded by Councilman Todd, to approve Ordinance No. 11. A roll call vote was heard with seven in the affirmative. Motion 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.

- 137-2020** A Resolution authorizing the cancellation of 2020 Final/2021 preliminary taxes due to tax exempt status for Block 31 Lot 10 located at 103 E. Dawn Drive in the City of Linwood
- 138-2020** A Resolution authorizing the cancellation of 2020 Final/2021 preliminary taxes due to tax exempt status for Block 40 Lot 52 located at 208 East Drive in the City of Linwood
- 139-2020** A Resolution authorizing the cancellation of 2020 Final/2021 preliminary taxes due to tax exempt status for Block 150 Lot 2 C1313 located at 550 Central Avenue #M-13 in the City of Linwood
- 140-2020** A Resolution honoring Mary Todd
- 141-2020** A Resolution authorizing submission of a Grant extension for the Linwood Municipal Alliance Grant
- 142-2020** A Resolution authorizing the reappointment of Anthony Disciascio as a Special Law Enforcement Officer, Class III, for the City of Linwood
- 143-2020** A Resolution confirming the appointment of Adrien Levinson to the Linwood Library Board
- 144-2020** A Resolution confirming the promotion of Detective Sergeant Steve Cunningham to the position of Lieutenant in the Linwood Police Department
- 145-2020** A Resolution confirming the promotion of Patrolman John Moran to the position of Sergeant in the Linwood Police Department
- 146-2020** A Resolution awarding the Contract to EZ Docks South, Inc. for the purchase of four (4) EZ dock sections, one (1) gangway, and related material for the City of Linwood under the Sourcewell Cooperative #030117-LTS

RESOLUTIONS WITHIN CONSENT AGENDA (continued)

- 147-2020** A Resolution requesting Atlantic City Electric to install a streetlight on Grammercy Avenue in the City of Linwood
- 148-2020** A Resolution requesting Atlantic City Electric to install a streetlight on W Poplar Avenue in the City of Linwood
- 149-2020** A Resolution opposing a full vote-by-mail election in the November 2020 General Election
- 150-2020** A Resolution approving the application of Linwood CC License LLC for renewal of Plenary Retail Consumption License No. 0114-33-002-003 for 2020-2021
- 151-2020** A Resolution approving the application of Atlantic City Country Club 1 LLC for renewal of Plenary Retail Consumption License No. 0114-33-001-005 for 2020-2021
- 152-2020** A Resolution awarding the Contract to Charles Marandino LLC for the Wabash Avenue Widening Project

Council President Paolone asked if any member of Council would like to remove any items from consent. Resolution 143, 2020 was removed. Councilman Heun motioned, seconded by Councilman Levinson, to approve Resolution No. 137-142, 144-152 of 2020. All members of Council were in favor. Motion was approved.

The Clerk read Resolution No. 143, 2020 by title only. Councilman Heun motions, seconded by Councilman Ford to approve Resolution 143. A roll call vote was heard with six in the affirmative and one abstention by Councilman Levinson. Motion was approved.

APPROVAL OF BILL LIST: \$3,287,177.22

Councilwoman DeDomenicis motioned, seconded by Councilman Levinson, to approve the bills for payment. A roll call vote was heard with seven in the affirmative. 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.

Lisa Buonano, 921 Oak Grove Avenue, Linwood (via live stream) – Ms. Buonano discussed the Second Amendment Sanctuary and their request to have City Council adopt a Resolution opposing proposed gun laws. Ms. Buonano is concerned with the language in the Resolution they want passed and if Council passes it, they will be in full support of their efforts. She hopes Council does not pass such a Resolution. She has a petition of over one hundred signatures, with sixty-eight of them being Linwood residents, also opposing that Council pass the Resolution.

Caren Fitzpatrick, 2000 Woodlynne Boulevard, Linwood (via live stream) – Mrs. Fitzpatrick is an Atlantic County Freeholder. She indicated that the Second Amendment Sanctuary appeared before the Freeholders and requested they pass a Resolution. The Freeholders did pass the Resolution, but she voted no. She agrees with Ms. Buonano's comments. She believes the Sanctuary group are trying to do away with gun laws and she is not in favor of it. She also signed the petition and feels strongly against them. She wants to keep families safe.

Steve Scherzer, 303 Forest Drive, Linwood (via live stream) – Mr. Scherzer has lived in Linwood for thirty-five years. This is the first time he attended a meeting. He also agrees with Ms. Buonano and Mrs. Fitzpatrick. The concept of people carrying concealed weapons scares him. He urges City Council to vote no if that Resolution comes before them.

Janet Yunghans, Atlantic & Cape May Counties League of Moms Demand for Action – Ms. Yunghans read a prepared statement opposing support of the Resolution that the Second Amendment Sanctuary would like passed and read recent statistics on gun deaths in our Country. She asked Council to reject any Resolution from the group that might come before them.

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

Mayor Matik – The Mayor announced that the COVID numbers remain low in Linwood compared to other towns. Most of Linwood's cases are in the long-term care facility. He discussed the recent storm noting that Public Works and the three contractors did a great job cleaning up the City. He is glad they could help the residents.

Councilman Heun – Councilman Heun noted that as Chair of Public Safety, he thanked the Police and Fire Departments for their efforts during the storm. Public Works also did a great job. He has received very kind remarks of thanks from residents.

Councilman Ford – Councilman Ford commended the efforts of the members of the Public Works Department for the storm clean up. He expressed his disappointment with the back to school plan. He hopes that the Administration looks at what other school districts are doing. If other districts can provide four in class days, why can't Linwood. He is disappointed in both Linwood and Mainland's back to school plans.

Councilman Levinson – Councilman Levinson praised the efforts of Public Works and the Police Department with regard to the storm. He congratulated Lieutenant Cunningham and Sergeant Moran on their promotions. He is the only member of City Council with children in the Linwood school district. He is very disappointed in their reopening plan. The neighboring schools are doing more days in the classroom while Linwood only has two. He believes that will have a negative affect on the children. If Northfield can do four days why can't Linwood. He hopes the Linwood school district will look at other schools and reconsider so the children are not left behind.

Councilwoman Byrnes – Councilwoman Byrnes thanked the members of the public for attending the meeting. She also thanked Mary Todd for her over thirty years of service on the Library Board. She welcomed Adrien Levinson as a new member to the Board. She also thanked Public Works and the Police Department for their efforts with regard to the storm. They did a great job.

Councilman Gordon – Councilman Gordon thanked the Police, Public Works, and Fire for their efforts with regard to the storm. He also thanked the ACUA and the EHT Sewer Authority for maintaining the sewer system while the power was out. It is a significant task and they accomplished it with no interruptions. Councilman Gordon was without power for five days. The clean up from the storm was done very well by all. He also thanked Mary Todd for her thirty-six years of volunteer service on the Library Board. The volunteers are what helps make Linwood great. He congratulated Adrien Levinson on her appointment to the Library Board and congratulated the Police employees on their promotions.

Councilwoman DeDomenicis – Councilwoman DeDomenicis thanked the Mayor and Council and congratulated Public Works for their efforts not only on the day of the storm but also for the preparation of and clean up. Public Works will continue through the City picking up large debris and will schedule a street sweeper for the final clean up. They did a great job.

Council President Paolone – Council President Paolone commended the efforts of Public Works during and after the storm. He discussed how City Hall can be used in an emergency if residents are without power. The Mayor is the Emergency Management Coordinator and has been very pro-active. Council President Paolone provided the members of the public with the City Clerk's email address so they can submit the petition they spoke of. He advised that there is no business on Council's agenda with regard to the Second Amendment Sanctuary. That group came before City Council in February and asked Council to support their Resolution. After review of same, City Council declined to put it on their agenda. He does not foresee that being on a future agenda. The Mayor shared that COVID numbers are down. People are doing a good job and he reminded everyone to stay vigilant.

ADJOURNMENT

With no further business to be addressed by Council, Councilman Ford motioned, seconded by Councilwoman DeDomenicis, to adjourn at 6:56 P.M.

Respectfully submitted,

Leigh Ann Napoli, RMC
Municipal Clerk