

**LINWOOD COMMON COUNCIL  
MINUTES OF REGULAR MEETING  
September 12, 2018**

**CALL TO ORDER**

Council President Paolone called the meeting to order at 6:29 P.M., noting that the meeting had been advertised in compliance with the requirements of the Open Public Meetings Act.

**FLAG SALUTE:**

Councilman Darren Matik led the flag salute.

**ROLL CALL**

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

Absent: Councilman Elliot Beinfest.

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 Ford motioned, seconded by Councilwoman DeDomenicis, to approve the minutes of the August 22, 2018 Regular meeting without formal reading. All present members of Council were in favor. Motion was approved.

**RESOLUTIONS**

**168-2018** A Resolution honoring the Linwood 8 Year Old Allstar Baseball Team

The Clerk read Resolution 168, 2018 by title only. Councilman Ford motioned, seconded by Councilman Gordon to approve Resolution 168. All present members of Council were in favor. Motion was approved. Councilman Gordon read and presented the Resolution to the team.

**ORDINANCES**

**19 OF 2018** AN ORDINANCE AMENDING CHAPTER 83 ALCOHOLIC BEVERAGES, ARTICLE IV, CONSUMPTION IN PUBLIC, 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. 19 of 2018 by title only. Councilwoman DeDomenicis motioned, seconded by Councilman Ford to approve Ordinance No. 19. A roll call vote was heard with five in the affirmative, one abstention by Councilman Matik, and Councilman Beinfest absent. Motion was approved.

**20 OF 2018** AN ORDINANCE AMENDING THE CODE OF THE CITY OF LINWOOD TO ADD A NEW CHAPTER TO PROHIBIT SHORT TERM (30 DAYS OR LESS) RESIDENTIAL RENTALS AND REPEALING ALL ORDINANCES HERETOFORE ADOPTED, THE PROVISIONS OF WHICH ARE INCONSISTENT HEREWITH.

The Clerk read Ordinance No. 20 of 2018 by title only. Councilman Ford motioned, seconded by Councilman Heun to approve Ordinance No. 20 for final reading. Council President Paolone opened the floor for discussion on Ordinance No. 20. 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 Beinfest absent. Motion was approved.

**21 OF 2018** AN ORDINANCE AMENDING CHAPTER 183 NUISANCES, ARTICLE I PROHIBITIONS, SECTION 183-1, PROHIBITED USES, 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. 21 of 2018 by title only. Councilman Ford motioned, seconded by Councilwoman DeDomenicis to approve Ordinance No. 21. A roll call vote was heard with six in the affirmative and Councilman Beinfest absent. Motion was approved.

**ORDINANCES (continued)**

- 22 OF 2018** AN ORDINANCE AMENDING CHAPTER 263 VEHICLES AND TRAFFIC, ARTICLE I GENERAL REGULATIONS, SECTION 263-4, PROHIBITED PARKING; STOPPING OR STANDING; TIME LIMIT PARKING; 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. 22 of 2018 by title only. Councilman Matik motioned, seconded by Councilwoman DeDomenicis to approve Ordinance No. 22. A roll call vote was heard with six in the affirmative and Councilman Beinfest 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.

- 169-2018** A Resolution authorizing the issuance of a Raffle License, #2018-22, to Mainland Performing Arts Parent Organization
- 170-2018** A Resolution authorizing the issuance of a Raffle License, #2018-23, to Mainland Performing Arts Parent Organization
- 171-2018** A Resolution authorizing the refund of Construction Permit 2018-0178
- 172-2018** A Resolution authorizing the reappointment of Belford Rivera as a Special Law Enforcement Officer, Class III, for the City of Linwood
- 173-2018** A Resolution authorizing the cancellation and refund of a tax overpayment of the 3rd quarter 2018 tax payment for Block 163, Lot 27, located at 12 Crossing Drive in the City of Linwood
- 174-2018** A Resolution approving temporary signage for the Linwood Farmers Market
- 175-2018** A Resolution authorizing the refund of a tax overpayment of the 2018 3rd quarter tax payment made for Block 150 Lot 2 C1314 located at M-14 Constitution Court in the City of Linwood
- 176-2018** A Resolution authorizing the refund of a tax overpayment of the 2018 3rd quarter tax payment made for Block 122 Lot 6 located at 411 Danielle Drive in the City of Linwood
- 177-2018** A Resolution authorizing the issuance of a Raffle License, #2018-24, to Egg Harbor Township Youth Softball, Inc.
- 178-2018** A Resolution authorizing the issuance of a Raffle License, #2018-25, to Egg Harbor Township Youth Softball, Inc.
- 179-2018** A Resolution authorizing the issuance of a Bingo License, #2018-8, to Egg Harbor Township Youth Softball, Inc.
- 180-2018** A Resolution authorizing the issuance of a Raffle License, #2018-26, to Ruth Newman Shapiro Cancer Memorial Fund
- 181-2018** A Resolution authorizing the execution of a Separation Agreement with Pamela J. Kallen
- 182-2018** A Resolution amending Resolution No. 76 of 2018, a Resolution establishing salaries for non-contractual employees of the City of Linwood for 2018
- 183-2018** A Resolution rejecting the bids for FY2018 – Resurfacing of Bartlett, Van Sant, Marie and Richards in the City of Linwood

Council President Paolone advised that Resolution 184, 2018 rejecting the bids for the Baseball Building Renovations was added to the agenda during the Caucus Meeting. Council President Paolone asked if any member of Council would like to remove any items from consent. Councilman Ford removed Resolution 183, 2018. Councilman Heun motioned, seconded by Councilman Gordon, to approve Resolutions No. 169-182, 184 of 2018. All present members of Council were in favor. Motion was approved.

**APPROVAL OF BILL LIST: \$1,638,142.68**

Councilman Heun motioned, seconded by Councilwoman DeDomenicis, to approve the bills for payment. A roll call vote was heard with six in the affirmative and Councilman Beinfest 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.

Jack Verseput 306 Poplar Avenue, Linwood – Mr. Verseput indicated that the question of consumption of alcohol in public should be a question on the ballot, not rushed by Ordinance. He discussed the noise ordinance and believes it is being circumvented. He can hear music from the County Club at his house. He would like it to be more strict and enforced. Mr. Verseput discussed the poor condition of many of the properties in the City. He would like to see the property code enforced. He suggested that Council visit other dog parks prior to making any plans for one in Linwood to see the problems that exist.

Howard Levinsky 500 Cedarbrook Lane – Mr. Levinsky advised that he attended a prior Council meeting and complained about the Airbnb's in Linwood. He thanked City Council for their efforts in helping to enforce the laws against them. He also discussed the meeting notices of City Council meetings and how Code Enforcement is not strong in the City. He would like to see property codes enforced more often. He would like Council to come up with better ways to inform the public on matters. He asked them to consider the unintended consequences for the projects that are being proposed noting that there will be trouble with a skate park.

Maureen Duffy 104 Garfield Avenue, Linwood – Ms. Duffy is concerned about the proposed development of the South Jersey Industries property in her neighborhood. She asked that the residents in her neighborhood be informed before any work is done in the park. She is also collecting signatures of residents in her neighborhood that oppose any development of the park. She will submit the document at a later date that also includes suggestions for the park.

Kathleen Miller 311 Melody Lane, Linwood – Ms. Miller is against the development of a dog park and a skate park in the South Jersey Industries property. She believes they will bring problems and the Police will not enforce the laws there. In reference to the Noise Ordinance, she does not want to hear music from commercial establishments. She is not in favor of the bike path extension through the South Jersey Industries Park. She asked when Melody Lane will be paved. She also advised that the white crosswalk lines in the street along the bike path intersections are very slippery when wet. Ms. Miller is against any consumption of alcohol in public. She does not believe alcohol should be present at any public events that include children.

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**

Council President Paolone – Council President Paolone asked the public to get information off the City web site, not Face Book pages. He advised that there are no plans for a dog park or a skate park at the South Jersey Industries property at this time. They are only ideas that have been presented to Council. Prior to anything being done in that park, the City would need a hearing in accordance with Green Acres guidelines. He is happy to hear the concerns of the residents and welcomes them to continue to suggest ideas. He encourages more discussion on the property. He discussed the move of the Code Enforcement Office to the Police Department to assist Code Enforcement with more help in enforcing the codes throughout the City and discussed the work that has been done. He discussed the Ordinance amending the noise ordinance and explained that the language added will assist the Police with enforcement. He believes the extension of the bike path through the South Jersey Industries property is a great idea because it provides a safer route of bicycle and pedestrian access to the businesses there. It is much safer than them traveling on Route 9. He also advised that Council's meeting schedule is published in the Press of Atlantic City annually.

Mayor DePamphilis – The Mayor advised that the projects proposed for the South Jersey Industries property were not initiated by City Council, but rather by the Board of Recreation. City Council would not do anything of this magnitude without public input.

Councilman Matik – Councilman Matik explained that everything starts with ideas and that is how the proposed projects began, as ideas presented to the Board of Recreation. City Council would hold hearings before anything happens and welcomes public input. The site of the Arboretum was once proposed to be a soccer field. The new playground took three years to become a reality. Council wants to hear from the public prior to these types of projects. He discussed the amendment to the noise ordinance and the inclusion of commercial establishments. The establishments in Linwood should have a right to compete with other towns. The amendment now gives the Police the ability to enforce the law. The existing language was too vague. Councilman Matik addressed the Ordinance to allow for the consumption of alcohol on public property. It is only permitted for special municipal or municipal affiliated events and includes strict provisions for same.

Councilman Heun – Councilman Heun agrees with the comments by the Mayor and Council President Paolone and Councilman Matik. He thanked everyone for attending the meeting and expressing their concerns. He discussed the Ordinance on short term rentals advising that the Airbnb's are already prohibited in residential zones in the City. However, this Ordinance helps clarify the terms. He supports the Ordinance because it helps support the rights of surrounding property owners.

Councilman Ford – Councilman Ford encourages everyone to attend the meetings and become more involved. He sat on City boards, coached sports, and being involved helped him stay informed. He recommended that the public check the City web site for information. The sketch of the proposed projects at the South Jersey Industries property are just proposed ideas. He is glad Ms. Duffy is walking door to door and he looks forward to seeing the paperwork she is gathering. He agrees with his fellow Councilmembers and thanked everyone for their involvement. Councilman Ford discussed the responsiveness of Council using the Short Term Rental Ordinance and the new stop signs as examples. He also reiterated Council President Paolone's comments on Code Enforcement being move to the Police Department for assistance with enforcement.

Councilman Gordon – Councilman Gordon thanked the public for attending the meeting and providing input. He discussed the bike path and benefits of its existence as a main artery through Linwood. He explained that a few years ago, the City received a grant to create a pedestrian and bicycle plan for the City. Recommendations were to create safer pedestrian and bicycle routes. City Council's goal is to connect business centers to the bike path to promote riding and walking instead of driving. They want to connect the community in a safer way. Councilman Gordon also discussed the paving projects completed in the past few years. He explained that the City was able to get more roads paved due to the work done by the gas and water companies. Councilman Gordon indicated that there are a lot of new residents in the City and some things will change, but Council's goal is to maintain the character.

Councilwoman DeDomenicis – Councilwoman DeDomenicis appreciates the residents attending the meeting and sharing their concerns. She discussed the three words on the City seal; education, family, and recreation. That is City Council's main focus. The City is very lucky to have such a range of professionals serving the City and appreciates their efforts.

## **ADJOURNMENT**

With no further business to be addressed by Council, Councilman Ford motioned, seconded by Councilman Gordon, to adjourn at 7:37 P.M.

Respectfully submitted,

Leigh Ann Napoli, RMC  
Municipal Clerk