

**LINWOOD COMMON COUNCIL
MINUTES OF REGULAR MEETING
October 8, 2014**

FLAG SALUTE:

Councilwoman Stacy DeDomenicis led the flag salute.

CALL TO ORDER

Council President Tighe called the meeting to order at 6:32 P.M., noting that the meeting had been advertised in compliance with the requirements of the Open Public Meetings Act.

ROLL CALL

Present: Mayor Rick DePamphilis; Councilman Elliot Beinfest; Councilwoman Stacy DeDomenicis; Councilman Todd Gordon; Councilman Brian Heun; Councilman Darren Matik; Councilman Ralph Paolone; and Council President Tim Tighe.

Absent: None.

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

APPROVAL OF MINUTES WITHOUT FORMAL READING

Councilman Beinfest motioned, seconded by Councilwoman DeDomenicis, to approve the minutes of the September 23, 2014 Regular meeting without formal reading. All members of Council were in favor. Motion was approved.

RESOLUTIONS/Swearing In

151-2014 A Resolution confirming the promotion of Detective Sergeant John Hamilton to the position of Lieutenant in the Linwood Police Department

The Clerk read Resolution No. 151 of 2014 by title only. Councilman Gordon motioned, seconded by Councilwoman DeDomenicis to approve Resolution No. 151. All members of Council were in favor. Motion was approved. The Mayor administered the Oath of Office to Lieutenant Hamilton.

152-2014 A Resolution confirming the promotion of Patrolman Timothy E. Devine to the position of Sergeant in the Linwood Police Department

The Clerk read Resolution No. 152 of 2014 by title only. Councilman Gordon motioned, seconded by Councilwoman DeDomenicis to approve Resolution No. 152. All members of Council were in favor. Motion was approved. The Mayor administered the Oath of Office to Sergeant Devine.

153-2014 A Resolution confirming the promotion of Detective James F. Norris to the position of Sergeant in the Linwood Police Department

The Clerk read Resolution No. 153 of 2014 by title only. Councilman Matik motioned, seconded by Councilwoman DeDomenicis to approve Resolution No. 153. All members of Council were in favor. Motion was approved. The Mayor administered the Oath of Office to Sergeant Norris.

154-2014 A Resolution confirming the promotion of Patrolman John M. Henchy, Jr. to the position of Sergeant in the Linwood Police Department

The Clerk read Resolution No. 154 of 2014 by title only. Councilwoman DeDomenicis motioned, seconded by Councilman Beinfest to approve Resolution No. 154. All members of Council were in favor. Motion was approved. The Mayor administered the Oath of Office to Sergeant Henchy.

155-2014 A Resolution authorizing the hiring of James C. Cohen to the position of Patrolman in the Linwood Police Department

The Clerk read Resolution No. 155 of 2014 by title only. Councilman Heun motioned, seconded by Councilman Gordon to approve Resolution No. 155. All members of Council were in favor. Motion was approved. The Mayor administered the Oath of Office to Patrolman Cohen.

ORDINANCES

- 18 OF 2014** 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. 18 of 2014 by title only. Councilman Paolone motioned, seconded by Councilman Gordon to approve Ordinance No. 18 for first reading. A roll call vote was heard with seven in the affirmative. Motion was approved.

- 19 OF 2014** AN ORDINANCE AMENDING CHAPTER 83 ALCOHOLIC BEVERAGES, ARTICLE II, RESTRICTIONS ON LOCATION AND OPERATION, SECTION 83-14, RESTRICTIONS ON LOCATION AND OPERATION, 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 2014 by title only. Councilman Paolone motioned, seconded by Councilman Beinfest to approve Ordinance No. 19 for first reading. A roll call vote was heard with six in the affirmative and one abstention by Councilman Matik. Motion was approved.

- 20 OF 2014** 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.

The Clerk read Ordinance No. 20 of 2014 by title only. Councilwoman DeDomenicis motioned, seconded by Councilman Beinfest to approve Ordinance No. 20 for first reading. A roll call vote was heard with seven in the affirmative. Motion was approved.

- 21 OF 2014** AN ORDINANCE GRANTING RENEWAL OF MUNICIPAL CONSENT TO COMCAST OF SOUTH JERSEY L. L. C. TO CONSTRUCT, CONNECT, OPERATE AND MAINTAIN A CABLE TELEVISION AND COMMUNICATIONS SYSTEM IN THE CITY OF LINWOOD, NEW JERSEY.

The Clerk read Ordinance No. 21 of 2014 by title only. Councilman Matik motioned, seconded by Councilman Heun to approve Ordinance No. 21 for first reading. A roll call vote was heard with seven in the affirmative. 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.

- 150-2014** A Resolution authorizing the hiring of Elizabeth Provenzano as the Drug Alliance Coordinator for the City of Linwood
- 156-2014** A Resolution authorizing approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Wabash Avenue Roadway Improvements project
- 157-2014** A Resolution authorizing approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Woodlynne Boulevard Roadway Improvements project
- 158-2014** A Resolution authorizing approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Patcong Avenue Pedestrian Safety Improvements project
- 159-2014** A Resolution confirming the appointment of Daniel J. Miller to the Linwood Board of Recreation

160-2014 A Resolution awarding a Non-Competitive Contract for Professional Services to Stanley L. Bergman, Jr., Esquire for Legal Services regarding the CCC Atlantic (Cornerstone Commerce Center) tax appeal

Council President Tighe 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. 150, 156-160 of 2014. All members of Council were in favor. Motion was approved.

APPROVAL OF BILL LIST: \$347,715.46

Councilman Paolone motioned, seconded by Councilman Gordon, 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 Tighe opened the floor to the public for discussion on any topic.

Tom Thanasoulis 220 W. Ocean Heights Ave, Linwood

Mr. Thanasoulis discussed the problems he is having from the bamboo planted by his neighbor. He is aware there are other homeowners experiencing similar problems. He asked City Council to adopt an Ordinance to address the issue. Mr. Thanasoulis presented pictures to Council of the bamboo.

Mike Portnoy

Mr. Portnoy asked what is going on with Cheltenham Avenue. Council President Tighe advised that the City is not giving up any street ends. Mr. Portnoy indicated that his client approached City Council for a street vacation and was rejected. He now has a driveway on a portion of a paper street. Council President Tighe indicated that his client will most likely have to open up access because what he built is not within compliance with the Zoning Board approval. Mr. Youngblood included that the Zoning Board has no jurisdiction on the use of public rights of way. Mr. Portnoy asked why the certificate of occupancy (CO) is being held up. Council President Tighe asked him when he applied for the CO, as it could take up to three days. Mr. Portnoy indicated that he applied today. Council President Tighe indicated that the Council meeting is not the proper forum to discuss this. Council President Tighe is still waiting to discuss this matter with the City Solicitor and Zoning Board Solicitor. He asked Mr. Portnoy to meet him after tonight's meeting to continue the discussion.

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

FINAL REMARKS BY MAYOR AND COUNCIL

Councilman Beinfest – Councilman Beinfest indicated that Linwood has some excellent police officers. He congratulated the members of the Police Department that were promoted and welcomed the new Patrolman.

Councilman Gordon – Councilman Gordon echoed the comments of Councilman Beinfest and extended his congratulations to the members of the Police Department. He also welcomed Dan Miller to the Recreation Board.

Councilman Paolone – Councilman Paolone welcomed Dan Miller to the Recreation Board.

Councilman Matik – Councilman Matik agrees with Council's remarks. He will look into adopting an Ordinance for bamboo.

Councilman Heun – Councilman Heun indicated that there is a lot of engineering projects ongoing in the City. He expressed his sincere appreciation to Mr. Polistina for doing an excellent job.

ADJOURNMENT

With no further business to be addressed by Council, Councilwoman DeDomenicis motioned, seconded by Councilman Heun, to adjourn at 7:13 P.M.

Respectfully submitted,

Leigh Ann Napoli, RMC
Municipal Clerk