

AGENDA
COUNCIL MEETING
July 28, 2021

1. Call Meeting to Order

2. Sunshine Law - Notice of this meeting has been duly advertised in compliance with the provisions of the open public meetings law. Please be advised that this meeting will be recorded for possible later playback.

3. Flag Salute

4. Roll Call

5. Resolution 2021:127 Executive Session

BE IT RESOLVED by the Mayor and Council of the Borough of Lindenwold that the Mayor and Council are now going into closed session to discuss Legal Updates, Personnel, and Insurance Updates

6. Approval of Minutes: Council Meeting and Executive Session for June 9, 2021
Council Meeting and Executive Session for June 23, 2021

7. Payment of Bills

8. The following reports have been filed and are available in the respective offices for review and will be included in the minutes: A. Tax Collector's Report B. Sewer Report C. Treasurer's Report

9. **Second Reading Ordinance 2021-08**

Ordinance 2021-08

An Ordinance Amending Chapter 365 Zoning, Article VI, Section 20 Permitted uses of the Borough of Lindenwold Codes for Sheds

10. **Second Reading Ordinance 2021-09**

Ordinance 2021-09

An Ordinance Amending Chapter 276 Solid Waste and Recycling for the addition of Vegetation Collection and Container

11. **Second Reading Ordinance 2021-10**

Ordinance 2021-10

Non-Contractual Salary Ordinance

12. **First Reading Ordinance 2021-11** By Title Only for Chapter 150-35 Borough Fee Schedule Container Fees

13: **First Reading Ordinance 2021-12** By Title Only for Borough Property to Lindenwold Fire Commission

14. CONSENT AGENDA: The items listed below are considered routine by the Borough of Lindenwold and will be enacted by one motion. There will be no formal discussion of these items. If discussion is desired, this item will be removed from the Consent Agenda and will be considered separately.

Resolution 2021:128-138

Resolution 2021:128 Renew Liquor License

Be It Resolved, by the Mayor and Borough Council of the Borough of Lindenwold that the following liquor licenses are hereby approved for the year 2021-2022:
POCKET LICENSE: Topica LLC 0422-33-009-005

Resolution 2021:129 Authorize Purchase under Shared Service

A resolution of the Borough of Lindenwold, in the County of Camden and the state of New Jersey, authorizing the purchase of (1) 2021 Polaris Low Speed Vehicle - Model GEM eM1400 LSV with all necessary attachments, through Sourcewell Contract # 051717-PSI

Whereas, the Borough of Lindenwold, pursuant to N.J.S.A. 52:34-6.2 (B) (3) may, by Resolution and without advertising for bids, purchase any goods or services through Sourcewell; and

Whereas, the Borough of Lindenwold desires to purchase of (1) 2021 Polaris Low Speed Vehicle - Model: GEM eM1400 LSV with all necessary attachments through Sourcewell Contract # 051717-PSI; and

Whereas, Polaris (Eastern Lift Truck) has been awarded the contract for one Low Speed Vehicle - Model GEM eM1400 LSV with all necessary attachments; and

Whereas, the Mayor and Council of the Borough of Lindenwold recommend the utilization of this contract on the grounds as the best means available to obtain the equipment; and

Whereas, of (1) 2021 Polaris Low Speed Vehicle - Model GEM eM1400 LSV with all necessary attachments shall not exceed the amount of \$18,000; and

Whereas, funding for this resolution is available from the Borough of Lindenwold Public Works Department, normal operating expense; and

Now, Therefore, Be It Resolved by the mayor and the Borough of Lindenwold, County of Camden and State of New Jersey as follows:

1. The Borough of Lindenwold hereby authorizes the purchase of (1) 2021 Polaris Low Speed Vehicle - Model GEM eM1400 LSV with all necessary attachments from Polaris (Eastern Lift Truck) through Sourcewell Contract #: 051717-PSI
2. The total fee also authorized for this contract shall not exceed \$18,000 without prior written approval from the Borough Council.
3. The Mayor, Borough Clerk and/or such other officials as is necessary and proper are hereby authorized to execute documents necessary to implement this resolution.
4. A copy of this resolution shall be provided to the Borough Treasurer and Polaris (Eastern Lift Truck) for their information and guidance.

Resolution 2021:130 Teamsters Contract

Whereas, a new contract was negotiated between the Borough of Lindenwold and Teamsters, and

Whereas, the Borough of Lindenwold has agreed to this new contract and the terms set forth for the term of five years, and

Whereas, the Mayor is hereby authorized to sign the contract for the contract between the Borough of Lindenwold and Teamsters.

Now, Therefore, Be It Resolved by the Mayor and Borough Council of
The Borough of Lindenwold accepts the contract for Teamsters and hereby authorizes the Mayor's signature.

Resolution 2021:131 Proposal for Engineering and Construction Pump St. #6

Whereas, an emergency has arisen with respect to the wet/well can style pump system at Sewer Pump Station #6 on Whittier Avenue has experienced a catastrophic failure as the existing electrical and mechanical components have

completely deteriorated. This situation is jeopardizing the pump station function and the health, safety, and welfare of our residents under Resolution 2021:124, and

Whereas, Environmental Resolutions, Inc. have observed the existing electrical and mechanical components of Sewer Pump Station #6 and determined that the deterioration is beyond repair. Thus, they are declaring this catastrophic failure an emergency, and

Whereas, the Borough of Lindenwold has received a proposal from Environmental Resolutions, Inc. for the engineering design and construction management for the emergency repair of Pump Station #6, and

Whereas, the cost for this proposal is a not to exceed amount of \$39,500.00.

Now, Therefore, Be It Resolved, that the Mayor and Borough Council of the Borough of Lindenwold hereby approving engineering design and construction management for the said emergency that has arisen at Sewer Pump Station #6 and the proposal from Environmental Resolutions, Inc. with a not to exceed amount of \$39,500.

Resolution 2021:132

Purchase of Sewer Equipment through Sourcewell Cooperative Purchasing (#: RFP #062320)

Whereas, the Borough of Lindenwold, pursuant to N.J.S.A. 52:34-6.2 (B) (3) may, by Resolution and without advertising for bids, purchase any goods or services through Sourcewell Cooperative Purchasing; and

Whereas, the Borough of Lindenwold desires to purchase of (1) (Used) 2011 BakerCorp 6" Bypass Pump Model Number BP66LS-GD66AT Serial #: 1R9AA12140G296446 with all necessary attachments, piping and warranty through Sourcewell Cooperative Purchasing Solicitation #: RFP #062320; and

Whereas, Sourcewell Cooperative Purchasing has been awarded the contract of (1) (Used) 2011 BakerCorp 6" Bypass Pump Model Number BP66LS-GD66AT Serial #: 1R9AA12140G296446 with all necessary attachments, piping and warranty; and

Whereas, the Mayor and Council of the Borough of Lindenwold recommend the utilization of this contract on the grounds as the best means available to obtain the equipment; and

Whereas, of (1) (Used) 2011 BakerCorp 6" Bypass Pump Model Number BP66LS-GD66AT Serial #: 1R9AA12140G296446 with all necessary attachments, piping and warranty shall not exceed the amount of \$30,000 ; and

Whereas, funding for this resolution is available from the Borough of Lindenwold Sewer Department Sewer Capital Account; and
Now, Therefore, Be It Resolved by the mayor and the Borough of Lindenwold, County of Camden and State of New Jersey as follows:

1. The borough of Lindenwold hereby authorizes the purchase of (1) (Used) 2011 BakerCorp 6" Bypass Pump Model Number BP66LS-GD66AT Serial #: 1R9AA12140G296446 with all necessary attachments, piping and warranty through Sourcewell Cooperative Purchasing Solicitation #: RFP #062320
2. The total fee also authorized for this contract shall not exceed \$30,000 without prior written approval from the Borough Council.
3. The Mayor, Borough Clerk and/or such other officials as is necessary and proper are hereby authorized to execute documents necessary to implement this resolution.
4. A copy of this resolution shall be provided to the Borough Treasurer and Sourcewell Cooperative Purchasing for their information and guidance.

Resolution 2021:133

Authorizing A Credit Against Project Costs To Aw Urban Renewal, LLC

Whereas, by Ordinance 2017-15, the Borough Council of the Borough of Lindenwold, adopted on August 9, 2017, the Redevelopment Plan as recommended and approved by the Borough of Lindenwold Joint Land Use Board, providing for Redevelopment of those areas of land within the Borough of Lindenwold, as more particularly described as Block 243, Lots 7.01, 7.02, and 7.04, and all Qualifiers thereto on the Official Tax Map of the Borough of Lindenwold, and designated said lands and properties as an "area in need of redevelopment" and designated as a "Condemnation Redevelopment Area" pursuant to N.J.S.A 40A:12A-6; and

Whereas, the Borough and AW Urban Renewal, LLC (hereafter Redeveloper) entered into a Redevelopment Agreement for the Arborwood Redevelopment Area dated August 8, 2018, as amended, (as amended, the "Redevelopment Agreement") whereby the Borough designated Redeveloper as the redeveloper under the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. for the purpose of redeveloping certain real property within the Borough of Lindenwold designated as the Arborwood Redevelopment Area and more particularly described in the Redevelopment Agreement (collectively, the "Property"); and

Whereas, Paragraph 2, Sub-paragraph c of the Redevelopment Agreement providesthat the Redeveloper shall be responsible to reimburse the Borough for Project Costs (as defined in the Redevelopment Agreement), including but not limited to attorneys' fees, professional services, expert fees, inspections, appraisals, environmental investigations, and the costs associated with the relocation of existing owners, occupants, and tenants under N.J.S.A. 20:4-1; and

Whereas, Redeveloper has requested a concession from the Borough, with respect to Project Costs, as a result of unforeseen expenses including, but not limited to, unanticipated costs resulting from litigation with former owners of the Arborwood Properties, the providing of which the Borough has determined will be in the best interests of furthering the completion of the Project, and in bringing the Project to a timely conclusion.

Now, Therefore, Be It Resolved, by the Mayor and Council of the Borough of Lindenwold, that the Borough of Lindenwold authorizes a credit of \$60,000.00 against AW Urban Renewal, LLC's obligation to reimburse Project Costs as delineated in the Arborwood Redevelopment Agreement

Resolution 2021: 134

Appointment - Sanitary Code License Inspector

Whereas, the Borough of Lindenwold recognizes the need to appoint a Sanitary Code License Inspector, and

Whereas, the position of Sanitary Code Inspector will require the appointed employee to handle additional responsibilities to inspect sanitary code licenses to ensure compliance with State and local regulations, and

Whereas, the Borough Council, after review of the matter, has determined that Nadeen Randall possess all necessary training and skills to perform the responsibilities of Sanitary Code License Inspector, and

Now, Therefore, Be It Resolved, by the Mayor and Borough Council of the Borough of Lindenwold that Nadeen Randall is appointed to the position of Sanitary Code License Inspector.

Resolution 2021: 135

Appointment – Community Outreach Coordinator

Whereas, the Borough of Lindenwold wishes to begin reinstating public events with the conclusion of the Covid-19 pandemic; and

Whereas, the Borough of Lindenwold recognizes the need to fill the position of Community Outreach Coordinator to assist in reinstating public events; and

Whereas, the Community Outreach Coordinator shall be charged with accepting additional duties and responsibilities in regards to the planning and oversight of various public events; an

Whereas, the position of Community Outreach Coordinator shall include responsibilities, including but not limited to: Working closely with the Public Events council liaison to help ensure the success of town events as well as with community members to increase engagement and to promote the town events, assisting with the maintenance of the town's website and Channel 192, and developing and maintaining the online newsletter, providing support and other related outreach to various community organizations and volunteer groups to promote public events and civic functions of the Lindenwold community; and

Whereas, the Borough Council has recommended Brenda Roach for this position

Therefore, Be It Resolved, by the Borough Council of the Borough of Lindenwold that Brenda Roach is hereby appointed as the Community Outreach Coordinator for the Borough of Lindenwold.

Resolution 2021:136

Property Maintenance Lien

Whereas, the following property in the Borough of Lindenwold had property maintenance work done by the Lindenwold Public Works for Code Compliance and/or Police Department, and

Whereas, a lien should be put on the following property for the cost of performing this work:

Invoice Date	Block	Lot	Address	Amount
7/15/2021	110	1.02	419 N. White Horse Pk(septic)	\$234.00

Now, Therefore, Be It Resolved, by the Mayor and Borough Council of the Borough of Lindenwold that lien be put on this property.

Resolution 2021: 137

Authorizing Transfer or Cancellation of Various Items, Division of Tax Collections – Sewer

Be It Resolved, by the Borough Council of the Borough of Lindenwold in the County of Camden that the Tax Collector is hereby authorized to make the following adjustments to the tax records of the Borough of Lindenwold.

IDENTIFICATION:	2021 TAXES	ASSESSMENT
Block 25 Lot 7	\$4,926.42	\$96,521
Block 34 Lot 1.01	\$5,274.54	\$103,341
Block 53 Lot 6.01	\$6,331.67	\$124,053
Block 103 Lot 15	\$5,633.13	\$110,367
Block 239 Lot 7.02	\$6,237.09	\$122,200
Block 243 Lot 1	\$8,789.09	\$172,200
Block 288.03 Lot 9	\$3,240.88	\$63,497
Block 298 Lot 5.01	\$6,641.34	\$130,120
Block 299.04 Lot 23	\$4,975.13	\$97,475

ADJUSTMENT: Cancel taxes along with corresponding assessments. Property owners are qualified as Totally Disabled Veterans and as such are entitled to tax exempt status as ordered by the New Jersey Division of Taxation.

Resolution 2021: 138

Authorizing The Borough of Lindenwold To Amend The Arborwood Redevelopment Agreement

Whereas, the Borough of Lindenwold entered into a Redevelopment Agreement with AW Urban Renewal, LLC on August 8, 2018; and

Whereas, paragraph 1 (e) of the Agreement provides for a maximum time period for property acquisition by the Borough through Eminent Domain, where the Borough of Lindenwold would use its' best efforts to acquire title to the parcels within the Arborwood Redevelopment area, within twenty-four (24) months from the execution date of the Agreement ("Condemnation Period"); and

Whereas, the Borough and Redeveloper executed an amendment to the Redevelopment Agreement dated August 13, 2020, extending the Condemnation Period for an additional (9) months from the expiration of the original deadline of August 8, 2020, until a new date of May 8, 2021; and

Whereas, the Borough has acquired title to all properties in the Arborwood Redevelopment Area, pursuant to Paragraph (1) of the original Redevelopment Agreement between the parties dated August 8, 2018, and has transferred title to all such properties to the Redeveloper; and

Whereas, the matter of Borough of Lindenwold v. Mildred Jackson, et al., under Appellate docket number A-1308-20 remains on Appeal, contesting the acquisition of the property located at 3008 Arborwood, Lindenwold, New Jersey, necessitating a second extension of the Condemnation period; and

Whereas, the Agreement provides that the Redeveloper will not unreasonably withhold, condition, or delay its' consent to requests from the Borough to extend the condemnation period; and

Whereas, Paragraph 3, at sub-paragraph a, of the Redevelopment Agreement sets forth the scope of the work for which Redeveloper is responsible and specifically clause 2 of such sub-paragraph provides that "Redeveloper will install new landscaping, common area lighting, and security cameras in the areas outside of the buildings within the Arborwood Redevelopment Area"; and

Whereas, the parties believe it necessary and in their best interests to amend the Redevelopment Agreement, to clarify the scope of the landscaping work to be undertaken by Redeveloper pursuant to the Redevelopment Agreement.

Now, Therefore, Be It Resolved, by the Mayor and Council of the Borough of Lindenwold, that the Mayor is authorized to negotiate and execute an addendum to the Redevelopment Agreement for the Arborwood Redevelopment area, to extend the Condemnation Period and clarify the scope of the landscaping work to be undertaken by the Redeveloper.

15. **First Reading Ordinance 2021-13** By Title Only to Amend the Salary Ordinance For Teamsters

16. Open to Council

17. Open to Public

18. Adjournment