

AGENDA
COUNCIL BUSINESS MEETING
July 13, 2022

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 2022:131 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 and Personnel

6. Approval of Minutes: Council Meeting and Executive Session June 8, 2022(absent:Hess)

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. Resolution 2022:132 Proclamation Deterdings

WHEREAS, in 1950, Gustav Deterding and his son Otto came from Germany and settled in Lindenwold on a small plot of land; and

WHEREAS, in 1952, after working in Philadelphia as woodworkers, they built a small 1000 square foot store to service the community; and

WHEREAS, in 1954, as the community started to grow, Otto and his son Alfred expanded the building to 4000 square foot; and

WHEREAS, in 1978, under Alfred and Edna Deterding, a new, larger market was built directly behind the small store which was demolished forming the parking lot to better serve the large community of Lindenwold; and

WHEREAS, currently fourth and fifth generations of the Deterding family operate this thriving business; and

WHEREAS, Deterding's Family Market is celebrating Seventy Years of operation and its generous commitment to the community of the Borough of Lindenwold.

NOW, THEREFORE, BE IT RESOLVED, on July 13, 2022, by the Mayor and Borough Council of the Borough of Lindenwold wishes to recognize Deterding's Family Market and the current owner and President William J. Deterding, 506 E. Gibbsboro Road, as a valued business owner and commitment to the Borough of Lindenwold on this memorable occasion of their 70th Anniversary.

10. Second Reading Ordinance 2022-11 Salary for Non-Contractual Employees

11. First Reading Ordinance 2022-12 Amend Chapter 166 Vacant/Abandoned Properties and Chapter 150 Fee Schedule

12. First Reading Ordinance 2022-13 Amend Chapter 46 Police Department

13. 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 2022:133-143

Resolution 2022:133 Chapter 159 Clean Communities Program

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount, and
WHEREAS, the Borough of Lindenwold will receive \$38,708.07 from the New Jersey Solid Waste
Administration and wishes to amend its 2022 Budget to include this amount as a revenue

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Borough Council of the Borough of Lindenwold
hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue
in the budget of the year 2022 in the sum of \$38,708.07 which is now available as a revenue from the State of New Jersey,
and

BE IT FURTHER RESOLVED that a like sum of \$38,708.07 and the same is hereby appropriated under the
caption of: Clean Communities Program

BE IT FURTHER RESOLVED that the resolution will be sent to the Director of Local Government Services for
certification.

Resolution 2022:134 Appointment of ACW Abstract, LLC, for Title Abstract Services for In Rem Tax Sale Foreclosures.

WHEREAS, THE Borough of Lindenwold has determined to commence In Rem Tax Sale Foreclosures with
respect to certain properties maintaining outstanding tax sale certificates and tax arrearages with the Borough of
Lindenwold; and

WHEREAS, the Borough of Lindenwold believes it is in the best interests of the Borough to hire and employ a
Title Company to assist in creating Title Abstracts with reference to the properties subject of the anticipated In Rem Tax
Sale Foreclosures; and

WHEREAS, ACW Abstract, LLC has experience in assisting municipal entities, including the Borough of
Lindenwold, with Title Abstracts for purposes of In Rem Tax Sale Foreclosures; and

WHEREAS, ACW Abstract, LLC, has demonstrated to the satisfaction of the Solicitor, Mayor, and Council of the
Borough of Lindenwold that ACW Abstract, LLC will be able to provide professional Title Services and support to assist
in determining the Titles to the properties subject of the anticipated In Rem Tax Sale Foreclosures; and

WHEREAS, N.J.S.A. 40A:11-5 permits a professional services contract to be awarded without public advertising
for public bids; and

WHEREAS, the Borough of Lindenwold believes it is in the best interests of the Borough to appoint a Title
Abstract Company without public advertising for public bids, for assistance with the anticipated In Rem Tax Sale
Foreclosures, and to ensure the Borough appoints a Title Abstract Company that has the requisite experience, training, and
skill to provide professional support for a specialty project such as the proposed In Rem Tax Sale Foreclosures; and

WHEREAS, Title Company Abstract charges and fees are regulated by Statute.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Lindenwold that
Lindenwold Borough authorizes the appointment and hiring of ACW Abstract, LLC for the purposes of providing
Professional Title Abstract Services for the proposed In Rem Tax Sale Foreclosures. The Mayor is further authorized to
execute a professional services agreement with ACW Abstract, LLC.

Resolution 2022:135 Property Maintenance Lien

WHEREAS, the following properties 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 properties for the cost of performing this work:

Invoice Date	Block	Lot	Address	Amount
6/10/22	136	1.01	Corner Gibbsboro/Cooper	\$ 262.00
7/7/22	224	9	516 Tenth Ave.	\$1,375.00
7/7/22	195	1	49 Pinegrove	\$1,600.00
7/7/22	55	24	352 Roosevelt Ave.	\$ 950.00
7/7/22	229	12	614 Sixth Ave. W.	\$1,800.00

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of
Lindenwold that a lien be put on the properties.

Resolution 2022:136 Authorizing Disposal of Surplus Property

WHEREAS, the Borough of Lindenwold is the owner of certain surplus property which is no longer needed for
public use; and

WHEREAS, the Mayor and Council are desirous of selling said surplus property in an as is condition without
express or implied warranties.

NOW THEREFORE, be it RESOLVED by the Borough of Lindenwold, as follows:

The sale of the surplus property shall be conducted through GovDeals pursuant to Resolution 2022:48 to participate in the Cooperative Purchasing Program with National Intergovernmental Purchasing Alliance Co. and administered by Sourcewell for the purchase of goods, products and services. The terms and conditions of the agreement entered into with GovDeals, #012821-GDI, is available online at govdeals.com and also available from the Borough of Lindenwold. The sale will be conducted online after publication in the Courier Post and the address of the auction site is govdeals.com. The sale is being conducted pursuant to Local Finance Notice 2021-18.

A list of the surplus property to be sold is as follows:

#L-01	2006	FORD CROWN VICTORIA	2FAHP71W06X134582	MG-70088
#L-04	2008	FORD CROWN VICTORIA	2FAFP71V18X168709	MG-80664
#L-05	2008	FORD CROWN VICTORIA	2FAFP71V88X168710	MG-80665
#L-09	2010	FORD CROWN VICTORIA	2FABP7BV4AX109639	MG-85038
#L-10	2010	FORD CROWN VICTORIA	2FABP7BV2AX109638	MG-85037
#13	1993	FORD LTS-8000 TRASH TRUCK	1FDZY82E9PVA19492-Z	MG-13586
#15	2003	ELGN GEOVAC SWEEPER	49HAADB33DK98881	MG-54757
#39	1990	FORD DUMP TRUCK	1FDNK72P4LVA38983	MG-43LA
P.D. TRK	2001	CHEVROLET PICK-UP	1GCEK14T01E296958	MG-45665

The surplus property as identified shall be sold in an as-is condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.

The Borough of Lindenwold reserves the right to accept or reject any bid submitted.

Resolution 2022:137 Refund Escrow

WHEREAS, Fernwood Dan, LLC submitted an escrow of \$700.00 for 623 Fifth Ave., and

WHEREAS, the work was performed with a satisfactory inspection for the driveway, apron and sidewalk, and

WHEREAS, the applicant has requested a refund of the \$700 escrow fee.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of

the Borough of Lindenwold that the amount of \$700.00 escrow be refunded to Fernwood Dan, LLC as the job was been completed and inspected.

RESOLUTION 2022:138 Add to Contracts With Certain Approved State Contract Vendors For Contracting Units

PURSUANT TO N.J.S.A. 40A:11-12a

Whereas, the Borough of Lindenwold, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

Whereas, the Borough of Lindenwold has the need on a timely basis to purchase goods or services utilizing State contracts; and

Whereas, the Borough of Lindenwold intends to enter into contracts with the attached Referenced State Contract Vendors through this resolution and properly executed contracts, which shall be subject to all the conditions applicable to the current State contracts;

Now, Therefore, Be It Resolved, that the Borough of Lindenwold authorizes the Purchasing Agent to purchase certain goods or services from those approved New Jersey State Contract Vendors on the attached list, pursuant to all conditions of the individual State contracts; and

Be It Further Resolved, that the governing body of the Borough of Lindenwold) pursuant to N.J.A.C. 5:30-5.5(b), the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Finance Officer; and

Be It Further Resolved, that the duration of the contracts between the Borough of Lindenwold and the Referenced State Contract Vendors shall be from January 1, 2022 to December 31, 2022.

Referenced State Contract Vendors

Commodity/Service Vendor State Contract #

HVAC Services

Multi-Temp Mechanical, Inc.

#T1372

Resolution 2022:139 Authorizing the Award to Multi-Temp Mechanical, Inc.

WHEREAS, the Borough of Lindenwold has a need for labor and material for the Heating and Air Conditioning System at the Lindenwold Police Department; and,

WHEREAS, the Borough of Lindenwold considers various purchasing options in an effort to save costs for the Lindenwold residents; and,

WHEREAS, Multi-Temp Mechanical, Inc. is authorized under the New Jersey State under Contract #T1372; and

WHEREAS, the Borough of Lindenwold received a quote of \$42,060.12 for the material and labor at the Police Department.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Borough Council of the Borough of Lindenwold authorizes the contract with Multi-Temp Mechanical, Inc. as stated above with a not to exceed cost of \$42,060.12.

RESOLUTION 2022:140 Appoint Special Counsel

WHEREAS, the Borough of Lindenwold has a need to acquire the services for Special Counsel for litigation involving personnel matters, and

WHEREAS, the Borough of Lindenwold has previously appointed Timothy Higgins as Special Counsel for personnel matters, and

WHEREAS, the exact title of the appropriation to be charged is the Current Fund.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Borough Council of the Borough of Lindenwold authorizes the Mayor and Borough Clerk to appoint Timothy Higgins as Special Counsel with an appropriation not to exceed amount of \$5,000.

Resolution 2022:141 Amend Resolution 2021:204 for Cost Increase

A resolution of the Borough of Lindenwold, in the County of Camden and the State of New Jersey, Amending the Purchase of a 2023 Freightliner w/ hook lift dump through the Sourcewell Contract # 040621-WQI

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 passed Resolution 2021:204 for purchase of a 2023 Freightliner w/ hook lift dump and all needed attachments through the Sourcewell contract # 040621-WQI, and

Whereas, Wastequip, Inc. has been awarded the contract for the 2023 Freightliner w/ hook lift dump and all needed attachments; and

Whereas, the 2023 Freightliner w/ hook lift dump and all needed attachments was quoted at the amount of \$157,812.00; and

Whereas, the Borough of Lindenwold has been contacted of the price increase due to global and economic conditions of a price increase of \$3,800.

Now, Therefore, Be It Resolved by the Mayor and the Borough of Lindenwold, County of Camden and State of New Jersey that the amount for the 2023 Freightliner w/ hook lift dump and all needed attachments be amended to reflect the price increase as stated above.

RESOLUTION 2022:142 Authorization for Municipal Building Parking Lot Improvements

WHEREAS, the Borough of Lindenwold awarded Engineering Services to Remington & Vernick under Resolution 2022:15; and

WHEREAS, the Borough of Lindenwold authorized Remington & Vernick Engineers to prepare a proposal for the Improvements to the Municipal Parking Lot located at 15 N. White Horse Pike, Lindenwold, New Jersey, and

WHEREAS, the Borough of Lindenwold has received proposal number 2022-48 and a review has been conducted for the services to be provided by Remington and Vernick Engineers with a not to exceed cost of \$42,550.00

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and the Governing Body of the Borough of Lindenwold to accept the proposal by Remington & Vernick for the Municipal Building Parking Lot Improvements, M2022-48, in the Borough of Lindenwold.

RESOLUTION 2022:143 Addendum #1 Teamsters

WHEREAS, a new contract was negotiated between the Borough of Lindenwold and Teamsters Local 676 and adopted under Resolution 2021:130, and

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

WHEREAS, the Borough of Lindenwold realize the need to stay competitive in today's labor market, and

WHEREAS, the Borough of Lindenwold negotiated with Teamsters in order to offer competitive rates for truck drivers and heavy equipment operators hired after January 1, 2013 only with the 1 year and 2 year seniority provision waived respectively, and

WHEREAS, the proposal was accepted by the Borough of Lindenwold and Teamsters Local 676 to an addendum for the rates for truck drivers and heavy equipment operators as described in Addendum #1 Article 13, Section 1 for those hired after January 1, 2013, and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Lindenwold accepts Addendum #1 to the contract for Teamsters Local 676.

14. Engineer's Report
15. Open to Council
16. Open to Public
17. Open to Council
18. Adjournment

Ordinance 2022-11 Chapter 52 Regulating The Salaries Of The Officers And Non-Union Employees

BE IT ORDAINED by the Mayor and Borough Council of the Borough of Lindenwold, County of Camden and State of New Jersey as follows:

SECTION 1. The following salaries shall be paid at the time designated to the officers and non-union employees of the Borough of Lindenwold, County of Camden and State of New Jersey while in the employ of the Borough of Lindenwold, who hold or are appointed to the positions enumerated below beginning January 1, respectively.

<u>TITLE</u>	<u>PAYABLE</u>	<u>2022 ANNUAL</u>
Police Chief	Bi-weekly	154,199
Deputy Police Chief	Bi-weekly	152,931 eff 3/23/22
Captain	Bi-weekly	147,739
Captain	Bi-weekly	142,267 eff 3/23/22
Administrator	Bi-weekly	24,196
Superintendent of Public Works	Bi-weekly	107,696
Mechanic I	Bi-weekly	90,593
Mechanic II	Bi-weekly	62,299
Sewer Superintendent	Bi-weekly	94,449
Borough Clerk	Bi-weekly	84,010
Assistant Municipal Clerk	Bi-weekly	57,251
Municipal Search Clerk	Quarterly	704
Municipal Treasurer/Chief Financial Officer	Bi-weekly	102,534
Account Clerk	Bi-weekly	38,643
Municipal Tax Collector	Bi-weekly	43,297
Property Maintenance Supervisor	Bi-weekly	84,462
Housing Inspector I	Bi-weekly	48,401
Housing Inspector II	Bi-weekly	41,674
Housing Inspector III	Bi-weekly	37,885
Crew Supervisor	Bi-weekly	72,620
Court Administrator	Bi-weekly	63,240
Deputy Court Administrator	Bi-weekly	45,000
Police Administrative Services Manager	Bi-weekly	75,055
Public Works Supervisor	Bi-weekly	78,030
Custodian	Bi-weekly	17.579/hr

Only the above named positions are entitled to health benefits.

<u>TITLE</u>	<u>PAYABLE</u>	<u>2022 ANNUAL</u>
Mayor	Monthly	9,000
Marriage Officiant	Monthly	150 per ceremony
Council Members	Monthly	8,000
Tax Assessor	Bi-weekly	31,049
Tax Assessor-Pine Hill	Bi-weekly	21,318
Tax Search Clerk	Quarterly	1,149
Public Defender	Monthly	6,972
Municipal Court Judge	Monthly	36,210
Clerk/Clerk Typist Part Time	Bi-weekly	15.000/hr.
School Traffic Guard	Bi-weekly	15.000/hr.
Fire Sub-Code Official	Monthly	5,975
Electrical Sub-Code Official	Monthly	12,549

Plumbing Sub-Code Official	Monthly	11,041
Emergency Management Coordinator	Monthly	4,780
Asst. Emergency Management Coordinator	Monthly	718
Construction Official	Bi-Weekly	56.308/hr.
Code Enforcement Officer Trainee, Part Time	Bi-Weekly	16.89 –20.28/hr.
Laborer, Part Time	Bi-weekly	15.000/hr.
Clerk, Part Time	Bi-weekly	21.512/hr.
Court Clerk, Part Time	Monthly	179.20 per session
Court Attendant, Part Time	Bi-Weekly	82.81 per session
Municipal Alliance Coordinator	Quarterly	1,250
Sanitary Code License Inspector	Bi-Weekly	2,550
Community Outreach Coordinator	Bi-Weekly	5,000
Class III Special Law Enforcement Officer	Bi-Weekly	32.00/hr.

SECTION 2. The salaries and wages herein described and specified shall take effect January 1, 2022 and shall apply to the year 2022 and all years subsequent thereto, unless and until same have been changed as specified and provided by law.

ORDINANCE 2022-12

AN ORDINANCE PROVIDING FOR VACANT/ABANDONED COMMERCIAL AND RESIDENTIAL PROPERTIES IN FORECLOSURE IN THE BOROUGH OF LINDENWOLD, SUPPLEMENTING CHAPTER 166 AND AMENDING CHAPTER 150, ARTICLE I, SECTION 49 FORECLOSED AND VACANT PROPERTY REGISTRATION

WHEREAS, the Borough of Lindenwold (the “Borough”) contains residential and commercial structures which are vacant in whole or large part and are the subject of Foreclosure actions in the Superior Court of New Jersey; and

WHEREAS, in many cases, the Foreclosing creditors, or other responsible parties of these structures are neglectful of them, are not maintaining or securing them to an adequate standard, or restoring them to productive use; and

WHEREAS, it has been established that vacant and abandoned structures cause severe harm to the health, safety, and general welfare of the community, including diminution of neighboring property values, increased risk of fire and potential increases in criminal activity and public health risks; and

WHEREAS, the Borough incurs disproportionate costs in order to deal with the problems of vacant and abandoned structures, including but not limited to, excessive police calls, fire calls, and property inspections; and

WHEREAS, it is in the public interest for the Borough to establish minimum standards of accountability on the owners, creditors, or other responsible parties of vacant and abandoned residential and commercial structures subject to Foreclosure actions in order to protect the health, safety and general welfare of the residents of the Borough; and

WHEREAS, it is in the public interest for the Borough to impose a fee in conjunction with the registration of vacant and abandoned residential and commercial structures subject to Foreclosure actions in the Superior Court of New Jersey, in light of the disproportionate costs imposed of the Borough by the presence of these structures.

NOW THEREFORE, BE IT enacted by the Mayor and Council of the Borough of Lindenwold as follows:

VACANT PROPERTY REGISTRATION FOR PROPERTIES SUBJECT TO FORECLOSURE

This Ordinance authorizes the Borough of Lindenwold to govern the maintenance of vacant residential and commercial properties in the Borough of Lindenwold, subject to pending Foreclosure actions in the Superior Court of New Jersey, establishes registration requirements, and levies a registration fee on creditors of the vacant properties, pursuant to N.J.S.A. 40:48-2.12s3.

Section 1

This Ordinance governs the maintenance of vacant residential and commercial properties in the Borough of Lindenwold, subject to pending Foreclosure actions in the Superior Court of New Jersey, amending registration requirements and amending registration fees for creditors of vacant and abandoned properties pending foreclosure.

Section 2

Any creditor filing a summons and complaint in an action to foreclose shall, in addition to the notice provided to the municipality pursuant to section 17 of P.L.2008, c. 127 (C.46:10B-51) or section 2 of P.L.2021, c. 444 (C.40:48-2.12s2), register the residential or commercial property with the Borough of Lindenwold’s property registration program as a property in foreclosure and, as part of that registration:

(A) provide the municipality with the information regarding the creditor required by paragraph (1) of subsection a. of section 17 of P.L.2008, c. 127 (C.46:10B-51) or paragraph (1) of subsection a. of section 2 of P.L.2021, c. 444 (C.40:48-2.12s2);

(B) identify the date the summons and complaint in an action to foreclose on a mortgage was filed against the subject property, the court in which it was filed, and the docket number of the filing; and
(C) identify whether the property is vacant and abandoned in accordance with the definition in this ordinance set forth in Section 8.

Section 3

If there is any change in the name, address, or telephone number for a representative, agent, or individual authorized to accept service on behalf of a creditor required to register pursuant to the property registration program following the filing of the summons and complaint, the creditor shall update the property registration program within 10 days of the change in that information.

Section 4

The creditor filing a summons and complaint in an action to foreclose shall, if the registered property becomes vacant and abandoned in accordance with the definition as set forth in section 8, after the property is initially registered with the Borough of Lindenwold, update the property registration with the municipality to reflect the change in the property's status.

Section 5

The creditor filing a summons and complaint in an action to foreclose shall be responsible for the care, maintenance, security, and upkeep of the exterior of the property if the property is vacant and abandoned at any time while the property is registered with the property registration program.

Section 6

A creditor located out-of-State shall be responsible for appointing an in-State representative or agent to act for the foreclosing creditor.

Section 7

The creditor filing a summons and complaint in an action to foreclose on a property, that is or becomes vacant and abandoned, shall be responsible for the care, maintenance, security, and upkeep of the exterior of the property, including, but not limited to, securing the property against unauthorized entry, posting a sign affixed to the inside of the property and visible to the public indicating the name, address, and telephone number of the creditor or an out-of-State creditor's in-State representative or agent for the purpose of receiving service of process, and ensure compliance with all municipal code provisions and State regulatory provisions regarding the maintenance of the property. The creditor shall maintain liability insurance by procuring a vacancy policy, covering any damage to any person or any property caused by any physical condition of the property while registered with the property registration program.

Section 8-Definition of Vacant and Abandoned Property

A property shall be considered vacant and abandoned if it is not legally occupied by a mortgagor or tenant, which is in such condition that it cannot be legally reoccupied, because of the presence or finding of at least two of the following:

- (a) overgrown or neglected vegetation;
- (b) the accumulation of newspapers, circulars, flyers, or mail on the property;
- (c) disconnected gas, electric, or water utility services to the property;
- (d) the accumulation of hazardous, noxious, or unhealthy substances or materials on the property;
- (e) the accumulation of junk, litter, trash, or debris on the property;
- (f) the absence of window treatments such as blinds, curtains, or shutters;
- (g) the absence of furnishings and personal items;
- (h) statements of neighbors, delivery persons, or government employees indicating that the property is vacant and abandoned;
- (i) windows or entrances to the property that are boarded up or closed off, or multiple window panes that are damaged, broken, and unrepaired;
- (j) doors to the property that are smashed through, broken off, unhinged, or continuously unlocked;
- (k) a risk to the health, safety, or welfare of the public or any adjoining or adjacent property owners due to acts of vandalism, loitering, criminal conduct, or the physical destruction or deterioration of the property;
- (l) an uncorrected violation of a municipal building, housing, or similar code during the preceding year, or an order by municipal authorities declaring the property to be unfit for occupancy and to remain vacant and unoccupied;

- (m) the mortgagee or other authorized party has secured or winterized the property due to the property being deemed vacant and unprotected or in danger of freezing;
- (n) a written statement issued by a mortgagor expressing the clear intent of all mortgagors to abandon the property; or
- (o) any other reasonable indicia of abandonment.

Section 9

The Construction Official shall issue a notice to the creditor filing the summons and complaint in an action to foreclose, if the Construction Official determines that the creditor has violated the ordinance. In the case of a violation for failure to provide care, maintenance, security, and upkeep of the exterior of vacant and abandoned property, such notice shall require the person or entity to correct the violation within 30 days of receipt of the notice, or within 10 days of receipt of the notice if the violation presents an imminent threat to public health and safety.

Section 10

An annual fee shall be imposed as listed in Chapter 150, Article I, Section 49 upon a creditor required to register a property pursuant to this ordinance in the amount of (1) \$500 per property annually for any property that is required to be registered because a summons and complaint in an action to foreclose was filed by the creditor; and (2) an additional \$2,000 per property annually if the property is vacant or abandoned pursuant to the definition as set forth in Section 8 of this ordinance when the summons and complaint in an action to foreclose is filed, or becomes vacant and abandoned pursuant to the definition in Section 8 at any time thereafter while the property is in foreclosure. The annual fee shall be initially due and payable within 30 days of registering the property pursuant to Section 2 of this ordinance, and shall be due and payable on the anniversary date of the initial registration thereafter, for each succeeding year. Property registration fees imposed pursuant to this ordinance shall be considered a municipal charge pursuant to the “tax sale law,” [R.S.54:5-1 et seq.](#)

Section 11-Penalties

(For Borough Penalties see Chapter 1, Article 1-1 of the Code unless required by New Jersey State Law as below)

(A). If an out-of-State creditor subject to this ordinance is found by the municipal court of the Borough of Lindenwold, or by any other court of competent jurisdiction, to be in violation of the requirement to appoint an in-State representative or agent pursuant to this ordinance, the out-of-State creditor shall be subject to a fine of \$2,500 for each day of the violation. Any fines imposed on a creditor for the failure to appoint an in-State representative or agent shall commence on the day after the 10-day period set forth in paragraph (1) of subsection a. of section 17 of [P.L.2008, c. 127 \(C.46:10B-51\)](#) or paragraph (1) of subsection a. of section 2 of [P.L.2021, c. 444 \(C.40:48-2.12s2\)](#) for providing notice to the municipal clerk that a summons and complaint in an action to foreclose on a mortgage has been served.

(B). A creditor subject to this ordinance found by the municipal court of the Borough of Lindenwold, or by any other court of competent jurisdiction, to be in violation, excluding only a violation addressed by paragraph (A) of this subsection, of this ordinance shall be subject to a fine of \$1,500 for each day of the violation. Any fines imposed pursuant to this paragraph shall commence 31 days following receipt of the notice of violation, except if the violation presents an imminent risk to public health and safety, in which case any fines shall commence 11 days following receipt of the notice.

(C). No less than 20 percent of any money collected pursuant to this subsection or subsection 10 of this Ordinance shall be utilized by the Borough of Lindenwold for municipal code enforcement purposes.

Section 12-Definitions

“Creditor” means a mortgagee or an agent or assignee of a mortgagee, such as the servicer, who has filed a complaint in the Superior Court seeking to foreclose upon a residential or commercial mortgage. If the entity seeking to foreclose upon the residential or commercial mortgage changes as a result of an assignment, transfer, or otherwise after the filing of the foreclosure complaint in the Superior Court, the new entity shall be deemed the creditor for purposes of this Ordinance. For purposes of this Ordinance, a creditor shall not include the State, a political subdivision of the State, a State, county, or local government entity, or their agent or assignee, such as the servicer.

Section 13

Nothing in this Ordinance is intended nor shall be read to conflict or prevent the Borough from taking action against buildings found to be unfit for human habitation or unsafe structures as provided in applicable provisions of the Code of the Borough of Lindenwold. Further, any action taken under any such code provision other than the demolition of a structure shall relieve an owner from its obligations under this Ordinance.

Section 14

The provisions of this Ordinance are severable. To the extent any clause, phase, sentence, paragraph, or provision of this Ordinance shall continue in full force and effect.

BE IT FURTHER ORDAINED that if any section, subsection, paragraph, sentence or other part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance, but shall be confined in its effect to the section, subsection, paragraph, sentence or other part of this Ordinance directly involved in the controversy in which said judgment shall have been rendered and all other provisions of this Ordinance shall remain in full force and effect.

BE IF FURTHER ORDAINED that Chapter 150, Article I, Section 49 be amended to read as written in Section 10 as follows:

§ 150-49 Foreclosed and vacant property registration.

An annual fee shall be imposed as listed in Chapter 150, Article I, Section 49 upon a creditor required to register a property pursuant to this ordinance in the amount of (1) \$500 per property annually for any property that is required to be registered because a summons and complaint in an action to foreclose was filed by the creditor; and (2) an additional \$2,000 per property annually if the property is vacant or abandoned pursuant to the definition as set forth in Section 8 of this ordinance when the summons and complaint in an action to foreclose is filed, or becomes vacant and abandoned pursuant to the definition in Section 8 at any time thereafter while the property is in foreclosure. The annual fee shall be initially due and payable within 30 days of registering the property pursuant to Section 2 of this ordinance, and shall be due and payable on the anniversary date of the initial registration thereafter, for each succeeding year. Property registration fees imposed pursuant to this ordinance shall be considered a municipal charge pursuant to the "tax sale law," [R.S.54:5-1 et seq.](#)

BE IT FURTHER ORDAINED that this Ordinance shall take effect immediately upon final adoption and publication in the manner prescribed by law.

Ordinance 2022-13 An Ordinance Amending Chapter 46, Police Department, Article II Establishment and Organization
WHEREAS, the Lindenwold Police Department is in the process of achieving Accreditation from the State of New Jersey, and

WHEREAS, the Attorney General's Office for the State of New Jersey continues to impose mandates, regulations, and guidelines by which the Lindenwold Police Department operates, and

WHEREAS, in order to operate in the most efficient manner in meeting these requirements a review of Chapter 46 outlining the Police Department was conducted, and

WHEREAS, Chapter 46, Article II, be amended as following:

§ 46-5 Department created; membership.

There is hereby created in and for the Borough of Lindenwold a Police Department which, shall consist of no more than a Chief of Police, one Deputy Chief of Police, one Captain, two Lieutenants, eight Sergeants and thirty Patrolmen positions. In addition to these listed positions, there may also be a need to hire Special Law Enforcement Officers as recommended by the Chief of Police and approved by the Council of the Borough of Lindenwold.

§ 46-7 Appropriate authority designation; responsibilities.

The Mayor shall be designated as the appropriate authority as provided in the New Jersey Statutes. The appropriate authority shall be responsible for the overall performance of the Police Department. The appropriate authority shall be responsible to promulgate rules and regulations for the government of the Police Department and for the discipline of its members. The appropriate authority may delegate discipline of Police Department members to the Chief of Police.

§ 46-8 Chief of Police; responsibilities.

The Chief of Police shall be the head of the Police Department and shall be directly responsible to the appropriate authority for its efficiency and day-to-day operations. Pursuant to policies established by the Borough of Lindenwold Mayor and Council, the Chief of Police shall:

A. Administer and enforce the rules and regulations of the Police Department and any special emergency directive for the disposition and discipline of the Department and its members and officers;

B. Have, exercise and discharge the functions, powers and duties of the Police Department;

C. Prescribe the duties and assignments of all members and officers;

D. Delegate such authority as may be deemed necessary for the efficient operation of the Police Department to be exercised under the Chief's direction and control; and

E. Report at least monthly to the appropriate authority in such form as shall be prescribed on the operation of the Police Department during the preceding month and make such other reports as may be requested by the appropriate authority.

§ 46-9 Suspension; reduction in rank; removal

No member or officer of the Police Department shall be suspended, removed, fined, or reduced in rank for any cause other than incapacity, misconduct, disobedience, or any other violation and/or infraction of the New Jersey Statutes and/or Borough of Lindenwold Police Department's Rules and Regulations.

§ 46-10 Qualifications for appointment to Department

No person shall be appointed to the Police Department who is not qualified as provided in the New Jersey Statutes and/or the Borough of Lindenwold Police Policies, Rules and Regulations. The appropriate authority or Chief of Police may also require that an applicant for appointment to the Police Department successfully complete a physical, mental, and/or psychological examination.

THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Lindenwold, County of Camden, State of New Jersey that Chapter 46, Article II, be amended as referenced above

This ordinance shall take effect upon proper passage and publication according to law.