

AGENDA  
COUNCIL BUSINESS MEETING  
June 14, 2023

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 2023:128 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 May 10, 2023

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 2023-09 Amend Chapter 250 Property Maintenance

10. Second Reading Ordinance 2023-10 Non-Contractual Salary Ordinance

11. Second Reading Ordinance 2023-11 Appropriation Ordinance for Acquisition of Capital Equipment/Projects

12. Second Reading Ordinance 2023-12 Appropriation Ordinance for Completion of Sewer Utility Improvements

13. Second Reading Ordinance 2023-13 Amend Chapter 238, Article III Vacant Property and Chapter 150-49 Foreclosed and Vacant Property Registration

14. Second Reading Ordinance 2023-14 Title 39 Timber Creek(Chapter 345)

15. First Reading Ordinance 2023-15 Amend Chapter 75, Add Section VI Community Cats and Amend Chapter 150-7 Fees

16. 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 2023:129-139

Resolution 2023:129 Reduce Performance Bond Laurel Road Storage

WHEREAS, J & J Development Group currently has a performance guarantee in the amount of \$290,050.13 to insure the Borough of Lindenwold the proper and acceptable completion of the required improvements of said project; and

WHEREAS, the developer has notified the Borough that the improvements have been partially completed and has requested a reduction of the performance guarantee; and

WHEREAS, the Engineer has inspected the project site and, based on the finding of the inspection, recommends that the performance guarantee for J & J Development Group be reduced from \$290,050.13 to \$87,015.04 as per G. Jeffrey Hanson, PE, CME attached cost breakdown; and

WHEREAS, at such time all improvements have been satisfactorily completed, the Engineer, upon solicitation from J & J Development Group, will conduct a final inspection and recommend release of said Performance guarantee and accept all site improvements.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Lindenwold that the foregoing contractors bond be reduced from 290,050.13 to \$87,015.04 as permitted by law.

Resolution 2023:130 Refund Escrow

WHEREAS, the Borough of Lindenwold established an escrow account for building projects, and

WHEREAS, in 2010 escrow was established for 116 W. Linden Avenue, and

WHEREAS, this project was completed and inspected, and

WHEREAS, Joseph Vandergrift has requested that the balance of \$290 be refunded as the project was completed and inspected.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Lindenwold that the amount of \$290.00 escrow be refunded to Joseph Vandergrift as the job was been completed and inspected.

Resolution 2023:131 Support For Assembly Bill 5341 To Establish A Law Enforcement Critical Mental Health Assistance Grant Program

**WHEREAS**, due to the nature of law enforcement work, with its associated risks, dangers, and stress, law enforcement officers face a high probability of developing post-traumatic stress disorder and other mental illnesses, and

**WHEREAS**, law enforcement officers commonly feel that disclosure of mental illness will result in negative professional consequences up to and including job loss, creating a culture in which officers often do not divulge mental health struggles and do not seek appropriate and necessary treatment, and

**WHEREAS**, family members of law enforcement officers often face unique stressors related to their loved ones' employment and may have an elevated need for mental health services, and

**THEREFORE**, for the safety of law enforcement officers, their families, and the members of the public served by law enforcement, it is critical for there to be systems in place that address mental health and establish an environment in which members of law enforcement and their families feel comfortable seeking mental health services.

**THEREFORE, BE IT RESOLVED**, that the Mayor Governing Body of the Borough of Lindenwold, Camden County, State of New Jersey, passes this resolution in full support of Assembly Bill 5341 to Establish a Law Enforcement Critical Mental Health Assistance Grant Program.

Resolution 2023:132 Renew Liquor License 2023-2024

**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 2023-2024:

LICENSEE	NUMBER
Laurelwood Liquors(Angel Preet 1 LLC)	0422-44-006-007
P & J Bros.(Balsamo's)	0422-33-003-008
Wah Way Inc.(Paul's)	0422-33-002-005
La Esperanza	0422-33-007-012
Veer Liquors Inc.(Pike)	0422-44-015-007
URVI Wine LLC(Canals)	0422-32-011-010
Don Tequila Bar/Grill LLC	0422-33-012-016
CLUB LICENSEE	
Lindenwold Moose	0422-31-014-001
POCKET LICENSE:	
Kuber Ganga of Lindenwold LLC	0422-33-010-005

Resolution 2023:133 Refund Permit Fee

**WHEREAS**, the Borough of Lindenwold received an application for a permit for a tank for 402 Roosevelt Ave. from 7 OIL Plus, and

**WHEREAS**, the fee was submitted to the DCA, and

**WHEREAS**, the customer canceled the work with 7 OIL Plus, and

**WHEREAS**, the applicant has requested a refund due to the work cancellation, and

**WHEREAS**, 7 OIL Plus is entitled to receive a refund of 80 percent of the fee.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Borough Council of the Borough of Lindenwold that the adjusted amount of \$60.00 be refunded.

Resolution 2023:134 Apply 2024 NJDOT

**WHEREAS**, the New Jersey Department of Transportation (NJDOT) makes funds available to municipalities and counties for regional needs including roadway improvement projects through the State Aid portion of the New Jersey Transportation Trust Funds; and

**WHEREAS**, the Borough Engineer, Remington & Vernick Engineers, has recommended that the Mayor and Council apply to the NJDOT for funds that are available under the New Jersey Transportation Trust Fund Authority Act, FY2024 State Aid Program, for the Municipal Aid program for the purpose of constructing improvements including pavement reconstruction on Carter Avenue from Hill Avenue to Wallace Avenue; and

**WHEREAS**, under the Fair and Open process, the Borough of Lindenwold awarded an Engineering Services contract for the year 2023 to Remington and Vernick of which includes general engineering services such as the preparation and submission of grant applications; and

**WHEREAS**, a recommendations and proposal memorandum from Remington and Vernick Engineers dated June 12, 2023 includes details of fees and recommendations to apply for the funds made available by the NJDOT to all municipalities, including Lindenwold; and

**WHEREAS**, the Mayor and Council have considered this recommendation.

**THEREFORE, BE IT RESOLVED** by the Mayor and the Borough Council, County of Camden, State of New Jersey have decided that Remington & Vernick Engineers is hereby authorized to submit a Municipal Aid (M.A.) Grant

Application identified as Carter Avenue Improvements to the New Jersey Department of Transportation for the New Jersey Trust Fund Reauthorization Act of 2016, FY2024 Municipal Aid State Aid Program on behalf of the Borough of Lindenwold, with a cost of the professional grant application preparation and submittal services not to exceed \$2,000.00. BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk are hereby authorized to sign the Grant Agreements on behalf of the Borough, and that their signatures constitute acceptance of the terms and conditions of the Grant Agreement and approves the execution of the Grant Agreement.

Resolution 2023:135 NJ Local Aid Infrastructure

WHEREAS, the New Jersey Department of Transportation (NJDOT) makes funds available to municipalities and counties for emergency and regional needs including roadway safety improvement projects through the State Aid portion of the New Jersey Transportation Trust Funds; and

WHEREAS, the Borough Engineer, Remington & Vernick Engineers, has recommended that the Mayor and Council apply to the NJDOT for funds that are available under the New Jersey Transportation Trust Fund Authority Act, FY2023 State Aid Program, for the Local Aid Infrastructure Fund program for the purpose of constructing priority pavement repairs to the full length of Aman Avenue; and

WHEREAS, under the Fair and Open process, the Borough of Lindenwold awarded an Engineering Services contract for the year 2023 to Remington and Vernick of which includes general engineering services such as the preparation and submission of grant applications; and

WHEREAS, a recommendations and proposal memorandum from Remington and Vernick Engineers dated June 12, 2023 includes details of fees and recommendations to apply for the funds made available by the NJDOT to all municipalities, including Lindenwold; and

WHEREAS, the Mayor and Council have considered this recommendation.

THEREFORE, BE IT RESOLVED by the Mayor and the Borough Council, County of Camden, State of New Jersey have decided that Remington & Vernick Engineers is hereby authorized to submit a Local Aid Infrastructure Fund (L.A.I.F.) Grant Application identified as Aman Avenue Improvements to the New Jersey Department of Transportation for the New Jersey Trust Fund Reauthorization Act of 2016, FY2023 L.A.I.F. State Aid Program on behalf of the Borough of Lindenwold, with a cost of the professional grant application preparation and submittal services not to exceed \$1,000.00.

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk are hereby authorized to sign the Grant Agreements on behalf of the Borough, and that their signatures constitute acceptance of the terms and conditions of the Grant Agreement and approves the execution of the Grant Agreement.

Resolution 2023:136 NJ Local Transportation Projects

WHEREAS, the New Jersey Department of Transportation (NJDOT) makes funds available to municipalities and counties for regional needs including roadway improvement projects through the State Aid portion of the New Jersey Transportation Trust Funds; and

WHEREAS, the Borough Engineer, Remington & Vernick Engineers, has recommended that the Mayor and Council apply to the NJDOT for funds that are available under the New Jersey Transportation Trust Fund Authority Act, FY2023 State Aid Program, for the Local Transportation Projects Fund program for the Reconstruction of Brighton Avenue from United States Avenue to Ashbourne Avenue; and

WHEREAS, under the Fair and Open process, the Borough of Lindenwold awarded an Engineering Services contract for the year 2023 to Remington and Vernick of which includes general engineering services such as the preparation and submission of grant applications; and

WHEREAS, a recommendations and proposal memorandum from Remington and Vernick Engineers dated June 12, 2023 includes details of fees and recommendations to apply for the funds made available by the NJDOT to all municipalities, including Lindenwold; and

WHEREAS, the Mayor and Council have considered this recommendation.

THEREFORE, BE IT RESOLVED by the Mayor and the Borough Council, County of Camden, State of New Jersey have decided that Remington & Vernick Engineers is hereby authorized to submit a Local Transportation Projects Fund (L.T.P.F.) Grant Application identified as Brighton Avenue Reconstruction to the New Jersey Department of Transportation for the New Jersey Trust Fund Reauthorization Act of 2016, FY2023 L.A.I.F. State Aid Program on behalf of the Borough of Lindenwold, with a cost of the professional grant application preparation and submittal services not to exceed \$1,000.00.

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk are hereby authorized to sign the Grant Agreements on behalf of the Borough, and that their signatures constitute acceptance of the terms and conditions of the Grant Agreement and approves the execution of the Grant Agreement.

Resolution 2023:137 NJ Bike Path

WHEREAS, the New Jersey Department of Transportation (NJDOT) makes funds available to municipalities and counties for regional needs including the creation of new Bike Path Mileage projects through the State Aid portion of the New Jersey Transportation Trust Funds; and

WHEREAS, the Borough Engineer, Remington & Vernick Engineers, has recommended that the Mayor and Council apply to the NJDOT for funds that are available under the New Jersey Transportation Trust Fund Authority Act, FY2024 State Aid Program, for the Bikeways program for the purpose of constructing a new Lindenwold Park Bikeway Connector path from Bangor Avenue to Gibbsboro Road; and

WHEREAS, under the Fair and Open process, the Borough of Lindenwold awarded an Engineering Services contract for the year 2023 to Remington and Vernick of which includes general engineering services such as the preparation and submission of grant applications; and

WHEREAS, a recommendations and proposal memorandum from Remington and Vernick Engineers dated June 12, 2023 includes details of fees and recommendations to apply for the funds made available by the NJDOT to all municipalities, including Lindenwold; and

WHEREAS, the Mayor and Council have considered this recommendation.

THEREFORE, BE IT RESOLVED by the Mayor and the Borough Council, County of Camden, State of New Jersey have decided that Remington & Vernick Engineers is hereby authorized to submit a Municipal Aid (M.A.) Grant Application identified as Lindenwold Park Bikeway Connector to the New Jersey Department of Transportation for the New Jersey Trust Fund Reauthorization Act of 2016, FY2024 Bikeway State Aid Program on behalf of the Borough of Lindenwold, with a cost of the professional grant application preparation and submittal services not to exceed \$1,000.00.

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk are hereby authorized to sign the Grant Agreements on behalf of the Borough, and that their signatures constitute acceptance of the terms and conditions of the Grant Agreement and approves the execution of the Grant Agreement.

Resolution 2023:138 Hire Part-Time Library

WHEREAS there is a need in the Library Department for a part time employee, and

WHEREAS, it is the procedure of the Borough of Lindenwold to hire employees by resolution.

WHEREAS, Amy Berg has been recommended by the Supervisor to be hired after the successful completion of the pre-employment screening:

THEREFORE BE IT RESOLVED by the Mayor and Borough Council of the Borough of Lindenwold that the above named employee be hired to the position listed after successful completion of the employment screening.

Resolution 2023:139 Authorizing the Award of Safeware

WHEREAS, the Borough of Lindenwold has a need to purchase equipment and training for 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, the Borough of Lindenwold participates in the Cooperative Purchasing Program with the National Intergovernmental Purchasing Alliance Co. and administered by Sourcewell for the purchase of goods, products and service under Resolution 2023:48; and

WHEREAS, the Borough of Lindenwold received a quote of \$61,955.06 for the purchase of equipment and training for the SAFEWARE Program at the Police Department.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Borough Council of the Borough of Lindenwold authorizes the contract with SAFEWARE as stated above with a not to exceed cost of \$61,955.06 under the FY22 COPS – NJ LEA De-Escalation Grant of \$59,407.28 and Police Operating Expense for the balance of \$2,547.78.

17. Engineer's Report

18. Open to Council

19. Open to Public

20. Open to Council

21. Adjournment

ORDINANCE 2023-09  
AN ORDINANCE AMENDING CHAPTER 250, ARTICLE II RENTAL PROPERTY INSPECTION OF THE  
EXISTING CODE OF THE BOROUGH LINDENWOLD

WHEREAS, the municipal governing body of the Borough of Lindenwold wishes to ensure consistency in its provisions, and

WHEREAS, the Borough of Lindenwold passed Ordinance 2023-02 Amending Chapter 250, Article II for Rental Property Inspection, and

WHEREAS, additional clarification is needed regarding sections of the Rental Property Inspections as follows:

§ 250-3 Definitions

**LIFE SAFETY INSPECTION ITEMS**

Shall constitute the following: smoke detectors, fire extinguishers, lint, mold, heater mechanical malfunctions, rodent and/or insect infestation, carbon monoxide detectors, chain locks, tripping hazards, hot water pressure valves, automatic door closures, Romex connectors, electrical receptacles, electrical hazards, railings, exhaust flu pipes, dryer exhaust pipes, and stoves and stove anti-tipping devices, if applicable and/or required under applicable building/construction codes. Exterior life safety inspection items shall include trip hazards on steps, sidewalks, and/or sink holes on the property, railings, building identification numbers and/or letters, electrical hazards, environmental hazards and/or spills, balconies/patios, broken windows, dead or dying trees, and roofs.

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

ORDINANCE 2023-10  
AMEND NON-CONTRACTUAL SALARY

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>ANNUAL</u>
		2023
Police Chief	Bi-weekly	168,825
Deputy Police Chief	Bi-weekly	156,755
Captain	Bi-weekly	152,171
Administrator	Bi-weekly	24,680
Superintendent of Public Works	Bi-weekly	119,850
Mechanic I	Bi-weekly	92,405
Mechanic II	Bi-weekly	63,545
Mechanic II	Bi-weekly	64,075
Sewer Superintendent	Bi-weekly	96,338
Borough Clerk	Bi-weekly	85,690
Assistant Municipal Clerk	Bi-weekly	58,396
Municipal Search Clerk	Quarterly	718
Municipal Treasurer/Chief Financial Officer	Bi-weekly	114,584
Account Clerk	Bi-weekly	39,416
Account Clerk	Bi-weekly	5,000 Effective 2/7/23
Municipal Tax Collector	Bi-weekly	44,163
Property Maintenance Supervisor	Bi-weekly	86,151
Housing Inspector I	Bi-weekly	49,370
Housing Inspector II	Bi-weekly	42,507
Housing Inspector III	Bi-weekly	38,643
Crew Supervisor	Bi-weekly	74,072
Crew Supervisor II	Bi-weekly	73,574
Court Administrator	Bi-weekly	64,505
Deputy Court Administrator	Bi-weekly	45,900
Police Administrative Services Manager	Bi-weekly	76,556
Public Works Supervisor	Bi-weekly	79,591
Custodian	Bi-weekly	17.931/hr

Only the above named positions are entitled to health benefits.

<u>TITLE</u>	<u>PAYABLE</u>	<u>2023 ANNUAL</u>
Mayor	Monthly	9,000
Marriage Officiant	Monthly	150 per ceremony
Council Members	Monthly	8,000
Tax Assessor	Bi-weekly	31,670
Tax Assessor-Pine Hill	Bi-weekly	21,744
Tax Search Clerk	Quarterly	1,172
Public Defender	Monthly	7,112
Municipal Court Judge	Monthly	36,934
School Traffic Guard	Bi-weekly	15.00/hr.
Fire Sub-Code Official	Monthly	7,095
Electrical Sub-Code Official	Monthly	13,800
Plumbing Sub-Code Official	Monthly	12,262
Emergency Management Coordinator	Monthly	4,876
Asst. Emergency Management Coordinator	Monthly	732
Construction Official	Bi-Weekly	57.434/hr.
Construction Official	Monthly	30,000 Effective 2/24/23
Code Enforcement Officer Trainee, Part Time	Bi-Weekly	19.89/hr.
Laborer, Part Time	Bi-weekly	17.500/hr.
Clerk, Part Time	Bi-weekly	21.942/hr.
Court Clerk, Part Time	Monthly	182.78 per session
Court Attendant, Part Time	Bi-Weekly	84.46 per session
Sanitary Code License Inspector	Bi-Weekly	2,601
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, 2023 and shall apply to the year 2023 and all years subsequent thereto, unless and until same have been changed as specified and provided by law.

#### ORDINANCE 2023-11

AN ORDINANCE OF THE BOROUGH OF LINDENWOLD, COUNTY OF CAMDEN, NEW JERSEY, APPROPRIATING \$303,447 FOR THE ACQUISITION OF VARIOUS PIECES OF CAPITAL EQUIPMENT AND COMPLETION OF VARIOUS CAPITAL IMPROVEMENTS IN AND FOR THE BOROUGH

BE IT ORDAINED by the Borough Council of the Borough of Lindenwold, County of Camden, New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), as follows:

Section 1. There is hereby appropriated the sum of \$303,447 (which amount represents funds received by the Borough of Lindenwold ("Borough") from the Federal government pursuant to the American Rescue Plan Act of 2021 for the acquisition of various pieces of capital equipment and completion of various capital improvements in and for the Borough including, but not limited to, paving/resurfacing of Police Department parking lot, traffic light installation, basketball court resurfacing, installation of solar powered speed monitor radar signs, and roof repairs to various Borough municipal buildings, together with the acquisition of all materials and equipment and completion of all work necessary therefor and related thereto (the "Project").

Section 2. It is hereby determined and stated that the Project set forth in Section 1 is a general capital improvement and is not a current expense of the Borough.

Section 3. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services, is on file with the Borough Clerk and available for inspection.

Section 4. All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 5. This ordinance shall take effect after final adoption and publication as required by law.

#### ORDINANCE 2023-12

AN ORDINANCE OF THE BOROUGH OF LINDENWOLD, COUNTY OF CAMDEN, NEW JERSEY, APPROPRIATING \$600,000 FOR COMPLETION OF VARIOUS SEWER UTILITY IMPROVEMENTS IN AND FOR THE BOROUGH

BE IT ORDAINED by the Borough Council of the Borough of Lindenwold, County of Camden, New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), as follows:

Section 1. There is hereby appropriated the sum of \$600,000 (which amount represents funds received by the Borough of Lindenwold ("Borough") from the Federal government pursuant to the American Rescue Plan Act of 2021 for the completion of various sewer utility improvements in and for the Borough including, but not limited to, various upgrades and rehabilitation of the Borough's Pump Station #8, together with the acquisition of all materials and equipment and completion of all work necessary therefor and related thereto (the "Project").

Section 2. It is hereby determined and stated that the Project set forth in Section 1 is a general capital improvement and is not a current expense of the Borough.

Section 3. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services, is on file with the Borough Clerk and available for inspection.

Section 4. All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 5. This ordinance shall take effect after final adoption and publication as required by law.

ORDINANCE 2023-13

AN ORDINANCE AMENDING CHAPTER 238 ARTICLE III, SECTION 28 AND 34 OF THE EXISTING PROPERTY MAINTENANCE REGARDING VACANCIES AND CHAPTER 150-49 VACANT PROPERTY REGISTRATION OF BOROUGH OF LINDENWOLD

WHEREAS, the municipal governing body of the Borough of Lindenwold strives to ensure consistency in its provisions, and

WHEREAS, the Borough of Lindenwold desires to enforce the health and safety of various properties, and

WHEREAS, a review of Chapter 238, Section III of the Borough of Lindenwold recommends the following changes:

§ 238-28**Change in property status.**

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 § 238-32, after the property is initially registered with the Borough of Lindenwold, update the property registration with the municipality within 10 days of the property becoming vacant and abandoned, to reflect the change in the property's status.

§ 238-34**Annual fee.**

An annual fee shall be imposed as listed in Chapter 150, Article I, § 150-49 upon a creditor required to register a property pursuant to this article 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 § 238-32 of this article when the summons and complaint in an action to foreclose is filed, or becomes vacant and abandoned pursuant to the definition in § 238-32 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 § 238-26 of this article, and shall be due and payable on the anniversary date of the initial registration thereafter, for each succeeding year. In the event a property becomes vacant and abandoned pursuant to the definition as set forth in Sec. 238-32 at any time after the initial registration, and while the property remains in foreclosure, the creditor shall pay the additional \$2,000.00 fee simultaneous with the updated property registration statement, as required in Sec. 238-28, and thereafter, all annual fees pursuant to this section shall become due on the date the Borough of Lindenwold receives the updated registration statement per Sec. 238-28. Property registration

fees imposed pursuant to this article shall be considered a municipal charge pursuant to the "tax sale law," N.J.S.A. 54:5-1 et seq.

## Chapter 150 Fees

### § 150-49. Foreclosed and vacant property registration.

- 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
  - 2) An additional \$2,000 per property annually if the property is vacant and abandoned pursuant to the definition as set forth in § **238-32** when the summons and complaint in an action to foreclose is filed, or becomes vacant and abandoned pursuant to the definition in § **238-32** at any time thereafter while the property is in foreclosure.
- This ordinance shall take effect upon proper passage and publication according to law.

## ORDINANCE 2023:14

Ordinance Making The Provisions Of Subtitle 1 Of Title 39 With Various Traffic Regulations Applicable To The Real Property Owned By Timber Creek Condominium Association And Regulating Use Of Said Roadways, Streets, Driveways, And Parking Lots By Motor Vehicles On All Timber Creek Condominium Association Property As Per Chapter 345 Of The Lindenwold Borough Code

**WHEREAS**, the Board of Trustees of Timber Creek Condominium Association adopted a resolution dated April 24, 2023, authorizing the Association to make request to the Borough of Lindenwold to begin enforcement of Title 39 motor vehicle violations on the real property owned and/or titled to Timber Creek Condominium Association; and

**WHEREAS**, the Board of Trustees of Timber Creek Condominium Association has made written request to the Borough of Lindenwold to apply Title 39 of the motor vehicle code on the real property owned and/or titled to Timber Creek Condominium Association and enforce violations of the Title 39 motor vehicle code on Association property; and

**WHEREAS**, the governing body of the Borough of Lindenwold, in consultation with the Lindenwold Police Department, believe it is in the best interests of the Borough to grant the request of Timber Creek Condominium Association to apply and enforce Subtitle 1 of Title 39 of the revised Statutes of New Jersey on the real property owned and/or titled to Timber Creek Condominium Association.

**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and Council of the Borough of Lindenwold, that the provisions of Subtitle 1 of Title 39 of the revised Statutes of New Jersey for various traffic regulations be made applicable to semi-public roads, streets, driveways, and parking lots located on all real property owned and/or titled to Timber Creek Condominium Association, located in the Borough of Lindenwold, County of Camden, and State of New Jersey, and that violations of the Title 39 motor vehicle code shall be enforceable on all Timber Creek Condominium Association property.

If any part of this Ordinance is for any reason found to be invalid, such decision shall not effect the validity of the remaining portion of the Ordinance.

This Ordinance shall take effect upon proper passage and publication according to law. A Certified copy of this Ordinance is to be sent to the Department of Transportation for approval.

## ORDINANCE 2023-15

An Ordinance to Add to Chapter 75 Animals, Article VII for Community Cats and Chapter 150-7 Fees of the Borough of Lindenwold Codes

**WHEREAS**, the Municipal Governing Body of the Borough of Lindenwold wishes to ensure consistency in its provisions, and

**WHEREAS**, the problem of feral cats in Camden County has been a long standing concern, and

**WHEREAS**, there is a need for a Community-Based Ordinance in order to address this situation for the health and welfare of residents.

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED** by the municipal governing body of the Borough of Lindenwold, that the sections below be added as follows:

Article VII Community-Based Cat Provisions

### §75-38 DEFINITIONS.

As used in this article, the following terms shall have the meanings indicated:



COMMUNITY CAT. "Community Cat" means any free-roaming, feral, or barn cat that may be cared for by one or more residents of the immediate area and which has no discernible form of ownership identification.

COMMUNITY CAT CAREGIVER. "Community Cat Caregiver" means a person who may provide care, including food, water, shelter or medical care to a community cat. A community cat caregiver shall not be considered to be the owner, custodian, harbinger, controller, or keeper of a community cat.

COMMUNITY CAT COLONY. "Community Cat Colony" means a group of cats that congregates, more or less, together as a unit.

DOMESTICATED CAT. A cat that is socialized to humans and is appropriate as a companion for humans.

EARTIPPING. "Eartipping" means the removal of the ¼ inch tip of community cat's left ear, performed while the cat is under anesthesia by a licensed veterinarian and designed to be an indication that the community cat has been sterilized and vaccinated for rabies.

FERAL CAT. "Feral Cat" means a cat that (i) is born in the wild or is the offspring of an owned or feral cat and is not socialized, (ii) is a formerly owned cat that has been abandoned and is no longer socialized or (iii) any non-feral cat that congregates with a colony shall be deemed to be a part of the colony.

NUISANCE. Disturbing of the peace by a) habitually or continually howling, crying or screaming, or b) the habitual and significant destruction, desecration or soiling of property against the wishes of the owner of the property.

TNR. Trap, neuter, return

TNR PROGRAM. A program pursuant to which feral and stray cats are trapped, neutered or spayed, vaccinated against rabies and returned to the location where they congregate.

#### §75-39 MANAGEMENT OF COMMUNITY CATS

PURPOSE: To permit implementation of a community cat program (CCP) in Lindenwold, New Jersey for the purpose of reducing the population of feral and free roaming cats, benefitting public health, improving the quality of life for residents, and ensuring the humane treatment of community cats.

IMPLEMENTATION: "ANIMAL CONTROL OFFICER" (Animal Services) shall administer and implement the programs set forth in this Chapter in accordance with applicable guidelines and standards as set forth in state and local statute.

#### COMMUNITY CATS:

a) The following community cat requirements are hereby established:

i) Community cats may be cared for on the private property of the caregiver or upon the property of another with the permission of the owner or property manager.

ii) All community cat caregivers shall make reasonable efforts to have all free-roaming cats within their care sterilized, vaccinated against rabies, and ear-tipped for easy identification. Community cat caregivers shall have thirty (30) days from the time they render care to a community cat to arrange for sterilization, rabies vaccination and ear tipping or to be placed on a waiting list if no appointment can be scheduled with thirty (30) days.

iii) All community cat caregivers are required to make reasonable efforts to provide certain necessities to each community cat under his/her care on a regular/ongoing basis, including, but not limited to, proper nutrition, adequate quantities of visibly clean and fresh water and medical care as needed. If medical care is unavailable or too expensive, the community cat caregiver must not allow the cat to suffer. Feeding is permitted during daylight hours only. Food must be offered to cats in a container and shall not be dumped on the ground. Any food remaining after cats have eaten must be removed before dark. Feeding areas must be maintained in a clean and sanitary condition.

iv) Community cat caregivers shall make reasonable attempts to remove young kittens from the field for domestication.

b). Community cats meeting the requirements of this section are exempt from any licensing, stray, and at-large provisions of this ordinance.

c). Animal Services shall have the right to remove or authorize the removal of any free-roaming cat or community cat because of immediate public health or safety concerns.

d). No community cat shall be released at any governmentally owned or managed park or real property, natural area, area deemed as environmentally sensitive land or on any easement adjacent to such lands without approval from the Mayor and Council of the Borough of Lindenwold.

e). Trapping of community cats by those who are not community cat caregivers, as defined above, or an animal control officer employed by the Borough is prohibited unless the person trapping the cats is doing so for the purpose of providing medical attention for a sick or injured cat or for the purpose of TNR. Persons who trap free-roaming cats for the purpose of TNR must comply with the provisions of this ordinance to be considered a "community cat caregiver".

f). Healthy community cats shall be immediately returned to the location at which they were found, released to a caregiver or adopted. Prior to being returned to the location at which they were found or released to a caregiver, community cats shall be sterilized, ear tipped while under anesthesia by a licensed veterinarian, and vaccinated for rabies. Notwithstanding the foregoing, whenever such cat is visibly injured or diseased and appears to be suffering and it reasonably appears that such cat cannot be expeditiously cured and returned to the field, transferred to a humane society or private animal nonprofit organization or placed in foster care, then Animal Services, acting in good faith and upon reasonable belief, may humanely euthanize the cat upon the advice of a licensed veterinarian.

#### g) Nuisance Abatement and Resolution

A community cat that:

(1) Habitually howls, squawks or causes other objectionable noise resulting in a serious annoyance to a reasonable person, shall be deemed to be committing an act in violation of this section; or

(2) Disturbs the peace by habitually or repeatedly destroying, desecrating or soiling public or private property shall constitute a public nuisance.

Animal Services shall investigate an alleged violation of this section upon the receipt of a Sworn Affidavit of complaint in a form provided by Animal Services, signed by the individual making the complaint and who resides where the violation occurred or in close vicinity of the alleged violation. For the enforcement of their affidavit, it must specify the address or location of the alleged violation, the nature, time and date(s) of the act, the name and address of the Caregiver, if known, and a description of the animal, if known.

Animal Services, upon the receipt of sworn Affidavit of Complaint as provided for in this section, may issue a citation to the Caregiver of any animal alleged to be in violation of this section.

#### DOMESTICATED CATS

The owner of an unneutered domesticated cat shall not permit the cat to roam off the owner's property unsupervised.

#### §75-40 ENFORCEMENT

a. The office of Animal Control shall have the following rights:

1. The right to seize or remove cats from a colony that have not been vaccinated against rabies and which are demonstrating signs of disease.

2. The right to seize/remove a cat from a colony that is creating a nuisance as defined above and the Caregiver has been given fifteen (15) days to remove and relocate the cat and has failed to do so.

#### §75-41 VIOLATIONS AND PENALTIES

(As per Chapter 1, Article 1-1)

Any person(s) who is found to be in violation of the provisions of this ordinance shall, upon conviction thereof, be subject to penalties including:

a. warning for a first offense

b. second offense - \$50

c. each subsequent offense - \$65

**INCONSISTENT ORDINANCES REPEALED.** All ordinances or parts of other Ordinances in conflict with the provisions of this Ordinance shall, to the extent of the conflict, be, and are hereby repealed, provided that nothing herein shall in any way excuse or prevent prosecution of any previous existing violation of any Ordinance superseded hereby.

SAVING CLAUSE. Nothing in this Ordinance hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed by this Ordinance, nor shall any just or legal right or remedy of any character be lost, impaired or affected by the Ordinance.

Amend Chapter 150-7, Add Section H

Community Cat Caregiver

Any person(s) who is found to be in violation of the provisions of Chapter 75, Article VII shall, upon conviction thereof, be subject to penalties including:

- a. first offense-warning
- b. second offense - \$50
- c. each subsequent offense - \$65

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