

AGENDA
COUNCIL BUSINESS MEETING
November 8, 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 2023:192 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 Professional Services

- a. Legal updates
- b. Personnel

6. ***Oath of Office for Deputy Police Chief***

7. **Resolution 2023:193 Promotion of Superior Officers**

Whereas, the Borough of Lindenwold has identified a need to fulfill the positions of Captain, Lieutenant and Sergeant in the Lindenwold Police Department, and

Whereas, Civil Service guidelines have been completed, and

Whereas, it is the procedure of the Borough of Lindenwold to promote employees by resolution; and

Whereas, Mayor and Council has accepted the recommendation to appoint Lieutenant Robert Helveston to the position of Police Captain, Sergeant Adam Errico to the position of Police Lieutenant, and Patrolman Daniel Conn to the position of Police Sergeant.

Therefore, Be It Resolved by the Mayor and Borough Council of the Borough of Lindenwold that Lieutenant Robert Helveston be promoted to the position of Police Captain, Sergeant Adam Errico be promoted to the position of Police Lieutenant, and Patrolman Daniel Conn be promoted to the position of Police Sergeant.

8. ***Oath of Office for Police Sergeant***

9. ***Approval of Minutes:*** Council Meeting and Executive Session October 11, 2023

10. ***Payment of Bills***

11. *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

12. **First Reading Ordinance 2023-19 Repealing Chapter 14 Contracts & Professional Services**

13. **First Reading Ordinance 2023-20 Amending Chapter 276 Solid Waste and Recyclables (Title Only)**

14. **Second Reading Ordinance 2023-18 Salary Ordinance for UFCW**

15. **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 2023:194-205

Resolution 2023:194 Chapter 159 (JAG)
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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 \$15,660.00 in shared funds from the U.S. Department of Justice Bureau of Justice Assistance Grant (JAG) and wishes to amend its 2023 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 2023 in the sum of \$15,660 which is now available as a revenue from the County of Camden, and

Be It Further Resolved that a like sum of \$15,660 and the same is hereby appropriated under the caption of:

Local Law Enforcement Grant—Justice Assistance Grant (JAG)

Be It Further Resolved that the Borough Clerk forward two (2) copies of this resolution to the Director of Local Government Services for certification.

Resolution 2023:195 Temporary Parking Christmas Parade

Whereas, there is a need in the Borough of Lindenwold to institute traffic restrictions on December 1, 2023 from 6:00pm until 8:00pm, and

Whereas, The Borough of Lindenwold has the authority to close roads necessary under Title 39:4-94.2 in addition to parking restrictions as per Chapter 220 Section 17 of the Code of the Borough of Lindenwold, and

Whereas, the Police Department has authorized parking to be prohibited along the even numbered residences of West Linden for December 1, 2023 from 6:00pm to 8:00pm as well as the closing of any streets for the Lindenwold Christmas Parade route from Chews Landing Road to West Park Ave to East Atlantic Ave to West Linden Ave ending at the Lindenwold Library on East Linden Ave.

Therefore, Be It Resolved by the Mayor and Borough Council of the Borough of Lindenwold approves the traffic restrictions as submitted by the Lindenwold Police Department.

Resolution 2023:196 Cherry Hill Cooperative Pricing Agreement – Techna-Pro

RESOLUTION TO UTILIZE THE CONTRACT FOR TRAFFIC SIGNAL AND SCHOOL FLASHER EMERGENCY RESPONSE AND SIGNAL MODIFICATIONS AND MISCELLANEOUS ELECTRIC SERVICE WITH AN OPTION FOR MAINTENANCE AND INSPECTION UNDER THE CHERRY HILL COOPERATIVE PRICING SYSTEM IDENTIFIER #37-CHCPS

WHEREAS, pursuant to Cherry Hill Township Resolution 2022-10-19, Techna-Pro Electric, LLC (Techna-Pro), 100 Pike Road, Bldg. B-1, Mt. Laurel, NJ 08054 was awarded a one (1) year contract with two (2) one (1) year renewals upon mutual written consent of Cherry Hill Township and Techna-Pro commencing November 3, 2022 and will include members of Cooperative #37-CHCPS when Resolutions are received by the Township of Cherry Hill; and

WHEREAS, pursuant to the Cooperative Pricing Agreement, the Borough of Lindenwold hereby requests that it be allowed to participate in the Traffic Signal and School Flasher Emergency Response and Signal Modifications and Miscellaneous Electric Service with an Option for Maintenance and Inspection under the Cherry Hill Cooperative Pricing System Identifier #37-CHCPS described in the Cherry Hill Township master contract; and

WHEREAS, The Borough of Lindenwold acknowledges that it has received and reviewed the Agreement in its entirety, and agrees to be bound by its promises, covenants, terms and conditions as well as by any rules and regulation duly promulgated by the Lead Agency (Township of Cherry Hill) and the members of the Cooperative Pricing System; and

WHEREAS, The Borough of Lindenwold shall likewise be entitled to all the rights and benefits of a member of the Cooperative pricing System; and

WHEREAS, The Borough of Lindenwold likewise agrees to the above contract period that shall commence upon the adoption of this Resolution and/or at final execution of a separate contract or purchase order between Borough of Lindenwold and Techna-Pro, for the one year option that terminates November 2, 2023 and the approved second year option between the Township of Cherry Hill and Techna-Pro ending on November 2, 2024; and

WHEREAS, the availability of this contract best serves the needs of the Borough of Lindenwold and the governing body recommends utilization of this contract; and

WHEREAS, funding is available under Public Works Other Expenses of \$59,300.00 and also Capital Ordinance 2023-11 of \$72,000.00 for a grand total amount not to exceed \$131,300.00.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Lindenwold, in the County of Camden, State of New Jersey that the Borough utilize the Traffic Signal and School Flasher Emergency Response and Signal Modifications and Miscellaneous Electric Service with an Option for Maintenance and Inspection under the Cherry Hill Cooperative Pricing System Identifier #37-CHCPS for an amount not to exceed \$131,300.00, and

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Lindenwold, County of Camden, State of New Jersey that the Mayor or designee is authorized to execute such documents consistent with this Resolution and to take such other action on behalf of the Borough in furtherance of this Resolution.

Resolution 2023:197 Renew Liquor License 2023-2024 Krish of Lindenwold

Whereas, Krish of Lindenwold NJ LLC completed and submitted a new twelve page application and proof of publication due to the untimely filing of the application, and

Whereas, the Borough of Lindenwold is now able to renew the pocket liquor license for Krish of Lindenwold NJ LLC, #0422-33-009-007, for the renewal period of 2023-2024.

Be It Resolved by the Mayor and Borough Council of the Borough of Lindenwold that the liquor license for Krish of Lindenwold NJ LLC, #0422-33-009-007, is hereby approved for the year 2023-2024.

Resolution 2023:198 Cancel Outstanding Checks
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BE IT RESOLVED by the Mayor and Borough Council of the Borough of Lindenwold that the following outstanding checks be cancelled:

Republic Bank

Check Date	Check #	Amount	Payee
<u>Municipal Court - General Account #1365061</u>			
06/07/2021	1097	\$1.00	Parrish Middlebrook
03/29/2022	1157	\$3.00	Kenneth Dewater
04/29/2022	1162	\$100.00	Patricia Thomas
04/29/2022	1163	\$30.00	Jesiel Victorino
04/29/2022	1164	\$33.00	Jesiel Victorino
07/15/2022	1188	\$34.00	Jesiel Victorino
08/15/2022	1195	\$34.00	Jesiel Victorino
01/24/2022	1140	\$25.00	Kweisi Robertson
10/20/2022	1210	\$34.00	Jesiel Victorino
10/20/2022	1212	\$33.00	Estela Garay
11/15/2022	1223	\$33.00	Jesiel Victorino
11/15/2022	1224	\$33.00	Josue Herman Aquilar
02/09/2023	1242	\$34.00	Estela Garay
02/09/2023	1243	\$33.00	Jesiel Victorino
<u>Municipal Court – Bail Account #1365053</u>			
03/21/2021	1393	\$58.00	Tatanisha Hood
06/03/2021	1405	\$500.00	Lauren Byrum
06/03/2021	1406	\$50.00	Bilal Holmes
06/13/2022	1467	\$25.00	Yanira Medina
07/06/2022	1473	\$10.00	Linda Lvres
08/03/2022	1484	\$50.00	Juan Robles
10/07/2022	1494	\$500.00	Alondra Martinez
<u>Payroll Account # 1365185</u>			
01/29/2019	606	\$27.25	Colonial Life
01/18/2019	9233	\$17.32	Benefits Express
02/15/2019	9298	\$17.32	Benefits Express
03/29/2019	9380	\$25.32	Benefits Express
08/30/2019	9710	\$25.32	Benefits Express
09/27/2019	9760	\$15.65	Benefits Express
12/20/2019	9924	\$17.65	Benefits Express
01/17/2020	9966	\$390.99	Court Officer Canady
11/22/2019	9864	\$17.32	Benefits Express
04/24/2020	10114	\$17.32	Benefits Express
05/22/2020	10159	\$17.32	Benefits Express
06/19/2020	10201	\$17.32	Benefits Express
<u>General Account # 1364979</u>			
12/09/2020	42814	\$4,166.63	Jefferson Stratford Hospital

08/11/2021

43552

\$1,338.84

United Electric Supply

Resolution 2023:199 Budget Transfers

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Lindenwold that the following transfers be made to the 2023 Budget in accordance with N.J.S 40A:4-58:

	<u>From</u>	<u>To</u>
<u>General Fund</u>		
Compliance OE	\$25,500.00	
Police S & W	20,100.00	
Telephone		\$10,000.00
Gasoline		10,000.00
Fuel Oil		5,000.00
Water		4,000.00
Tax Assessor S & W		4,100.00
Computer Data Processing		8,500.00
Joint Land Use Board OE		4,000.00
Total	\$45,600.00	\$45,600.00

Resolution 2023:200 Post-Retirement Benefits

WHEREAS, the Borough of Lindenwold wishes to recognize the retirement of several long term employees, and

WHEREAS, the Borough of Lindenwold participates in the New Jersey State Health Benefits Program, and

WHEREAS, under Chapter 48 employees with the acquired years of service qualify for post-retirement benefits, and

WHEREAS, the Borough of Lindenwold has received and considered several post-retirement requests for Health Insurance benefits from the following employees:

Deborah C. Jackson, Borough Clerk	3 years effective 11/01/23
George Turner, Public Works Supervisor	3 years effective 02/01/24
Richard Kneisler, Mechanic	3 years and 9 months effective 01/01/24
Wilfredo Rodriguez, Truck Driver	3 years 01/01/24

THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Lindenwold to accept the requested retirements and furnish State Health benefits to each listed employee, consistent with their individual requests for retirement benefits.

Resolution 2023:201 Treatment Works Approval Application - Lindenwold Board of Education

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF LINDENWOLD AUTHORIZING THE MAYOR OF LINDENWOLD BOROUGH TO EXECUTE A TWA APPLICATION FOR THE LINDENWOLD BOARD OF EDUCATION

WHEREAS, Lindenwold Board of Education has submitted to the Borough of Lindenwold, Camden County, New Jersey, plans and specification for a Sanitary sewer for the Early Childhood Center, which plans were prepared by CME Associates; and

WHEREAS, Lindenwold Board of Education is required to apply to the New Jersey Department of Environmental Protection for a Treatment Works Approval and said application has been prepared and submitted to the Borough of Lindenwold for its consent.

NOW, THEREFORE BE IT RESOLVED, on this 8th day of November, 2023, by the Borough Council of the Borough of Lindenwold that the Mayor of Lindenwold is hereby authorized to execute the **Treatment Works Approval Application** submitted by Lindenwold Board of Education relative to the Sanitary Treatment Works Approval (TWA) Sewer Extension to be constructed in accordance with plans prepared by CME Associates.

Resolution 2023:202 Hiring PT Construction Official
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WHEREAS, there is a need in the Construction Department to hire a part time Construction Official/Building/Electrical/Plumbing/Fire Inspector to assist with inspections and other related tasks, and

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

WHEREAS, the Borough of Lindenwold has reviewed the qualifications of Kevin Bagnell, and is satisfied that Mr. Bagnell maintains the licenses and experience necessary to fill the open position; and

WHEREAS, Kevin Bagnell has been recommended by the Supervisor to be hired for this position, and

THEREFORE BE IT RESOLVED by the Mayor and Borough Council of the Borough of Lindenwold that Kevin Bagnell be hired to the position of part-time Construction Official/Building/Electrical/Plumbing/Fire Inspector at a rate of \$43 per hour.

Resolution 2023:203 Chapter 159 Water Resources Planning Management – Storm water Assistance Grant

**New Jersey Department of Environmental Protection
Stormwater Assistance Grant**

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 \$25,000 from the Department of Environmental Protection for Stormwater Assistance Grant and wishes to amend its 2023 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 2023 in the sum of \$25,000 which is now available as a revenue from the New Jersey Department of Environmental Protection and

BE IT FURTHER RESOLVED that a like sum of \$25,000 and the same is hereby appropriated under the caption of:

**Department of Environmental Protection
Stormwater Assistance Grant**

BE IT FURTHER RESOLVED that the Borough Clerk forward two (2) copies of this resolution to the Director of Local Government Services for certification.

Resolution 2023:204 Local Registrar
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BE IT RESOLVED by the mayor and council of the Borough of Lindenwold that the following is hereby appointed effective November 1, 2023 as required by R.S.26:8-17:

Local Registrar of Vital Statistics - Nadeen C. Randall

Resolution 2023:205 Deputy Registrar

BE IT RESOLVED by the mayor and council of the Borough of Lindenwold that the following is hereby appointed effective November 1, 2023 as required by R.S.26:8-17:

Deputy Registrar of Vital Statistics - Jessica Ricci

16. *Engineer's Report*

17. *Open to Council*

18. *Open to Public*

19. *Close to Public*

20. *Adjournment*

Ordinance 2023-19 Repealing Chapter 14 Contracts & Professional Services

**AN ORDINANCE REPEALING CHAPTER 14; CONTRACTS, PROFESSIONAL SERVICES,
OF THE CODE OF THE BOROUGH OF LINDENWOLD**

WHEREAS, the municipal governing body of the Borough of Lindenwold adopted Ordinance 2020-16 on September 9, 2020, which is included as Chapter 14 Contracts, Professional Services in the Code of the Borough of Lindenwold; and

WHEREAS, Ordinance 2020-16 was enacted pursuant to the statutory authority granted to municipalities in N.J.S.A. 40A:11-51, permitting municipalities to enact Ordinances limiting the award of public contracts to business entities and/or individuals based upon political contributions; and

WHEREAS, The Legislature of the State of New Jersey revised N.J.S.A 19:44A-1, et seq., which was signed into law on April 3, 2023, and became effective retroactive to January 1, 2023, which superseded and replaced N.J.S.A. 40A:11-51; and

WHEREAS, The Legislature of the State of New Jersey formally repealed N.J.S.A. 40A:11-51, effective January 1, 2023; and

WHEREAS, Lindenwold Borough Ordinance 2020-16, included as Chapter 14 Contracts, Professional Services in the Code of the Borough of Lindenwold sunset, and was otherwise voided by the Acts of the New Jersey State Legislature, effective January 1, 2023, by virtue of the repeal of N.J.S.A 40A:11-51; and

WHEREAS, the governing body of the Borough of Lindenwold has determined that it is in the best interest of the Borough to repeal Chapter 14 Contracts, Professional Services of the Borough Code in its entirety, in that Ordinance 2020-16 is now void as a result of the repeal of N.J.S.A 40A:11-51.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the municipal governing body of the Borough of Lindenwold, that Chapter 14 Contracts, Professional Services, as adopted in Ordinance 2020-16, is repealed in its entirety.

This Ordinance shall take effect upon proper passage and publication according to Law.

Ordinance 2023-20 Amending Chapter 276 Solid Waste and Recyclables (Title Only)

ORDINANCE - 2023-18 Salary Ordinance for UFCW

AN ORDINANCE AMENDING CHAPTER 51 AND ORDINANCE #1358, REGULATING THE SALARIES OF THE EMPLOYEES OF UFCW LOCAL 360 OF THE BOROUGH OF LINDENWOLD, COUNTY OF CAMDEN AND STATE OF NEW JERSEY

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 employees of UFCW Local 360 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 commencing January 1, 2023 and subsequent years thereafter stated:

Wages for all employees hired prior January 1, 2013

EFFECTIVE	2.0% 2023	2.25% 2024	2.25% 2025	2.0% 2026	2.0% 2027
<u>POSITION</u>					
Deputy Tax Collector I	\$60,692.27	\$62,057.85	\$63,454.15	\$64,723.23	\$66,017.69
Deputy Tax Collector II	\$59,510.92	\$60,849.92	\$62,219.04	\$63,463.42	\$64,732.69
Asst Municipal Tax Collector	\$49,652.50	\$50,769.68	\$51,912.00	\$52,950.24	\$54,009.24
Clerk Typist (Violations)	\$42,879.76	\$43,844.55	\$44,831.05	\$45,727.67	\$46,642.22
Clerk (Code Enforcement) I	\$45,451.91	\$46,474.58	\$47,520.26	\$48,470.67	\$49,440.08
Clerk (Code Enforcement) II	\$44,165.84	\$45,159.57	\$46,175.66	\$47,099.17	\$48,041.16
Library Clerk I	\$51,661.57	\$52,823.96	\$54,012.50	\$55,092.75	\$56,194.60
Clerk Typist (Planning, Zoning)	\$44,165.84	\$45,159.57	\$46,175.66	\$47,099.17	\$48,041.16
Clerk Typist (Public Works)	\$45,451.91	\$46,474.58	\$47,520.26	\$48,470.67	\$49,440.08
Police Records Clerk Typist II	\$45,022.84	\$46,035.85	\$47,071.66	\$48,013.09	\$48,973.35

Wages for all employees hired on or after January 1, 2013

Deputy Tax Collector	\$54,537.90	\$55,765.00	\$57,019.72	\$58,160.11	\$59,323.31
Asst Municipal Tax Collector	\$48,811.03	\$49,909.28	\$51,032.24	\$52,052.88	\$53,093.94
Assistant Tax Assessor	\$51,818.00	\$52,983.91	\$54,176.04	\$55,259.56	\$56,364.75
Clerk I (Tax)	\$42,834.64	\$43,798.42	\$44,783.88	\$45,679.56	\$46,593.15
Clerk II (Tax)		\$45,298.42	\$46,283.88	\$47,179.56	\$48,093.15
Clerk I (Code Enforcement)	\$42,834.64	\$43,798.42	\$44,783.88	\$45,679.56	\$46,593.15
Clerk II (Code Enforcement)		\$45,298.42	\$46,283.88	\$47,179.56	\$48,093.15
Clerk I (Construction)	\$42,834.64	\$43,798.42	\$44,783.88	\$45,679.56	\$46,593.15
Clerk II (Construction)		\$45,298.42	\$46,283.88	\$47,179.56	\$48,093.15
Library Clerk I	\$42,834.64	\$43,798.42	\$44,783.88	\$45,679.56	\$46,593.15
Library Clerk II		\$45,298.42	\$46,283.88	\$47,179.56	\$48,093.15
Clerk I (Joint Land Use/Mercantile)	\$42,834.64	\$43,798.42	\$44,783.88	\$45,679.56	\$46,593.15
Clerk II (Joint Land Use/Mercantile)		\$45,298.42	\$46,283.88	\$47,179.56	\$48,093.15
Clerk I (Public Works)	\$42,834.64	\$43,798.42	\$44,783.88	\$45,679.56	\$46,593.15
Clerk II (Public Works)		\$45,298.42	\$46,283.88	\$47,179.56	\$48,093.15
Police Records Clerk I	\$42,834.64	\$43,798.42	\$44,783.88	\$45,679.56	\$46,593.15
Police Records Clerk II		\$45,298.42	\$46,283.88	\$47,179.56	\$48,093.15

Effective January 1, 2023:

Additional compensation for each certificate and /or license when passed and completed, added to base salaries:

- Technical Assistant to the Construction Official License -\$2500.00 annually added to contractual base salary.
- Tax License - \$2500.00 annually added to contractual base salary.
- Bilingual certificate - \$1500.00 annually added to contractual base salary.

Add to contract Annual Increases

- Community Outreach Coordinator - \$5000.00 annually added to contractual base salary.
- Vacant /Foreclosed Registrations - \$5000.00 annually added to contractual base salary.
- Street Openings - \$2500.00 annually added to contractual base salary.

Effective January 1, 2024:

- Clerk II Title with annual increase of \$1,500.00 per year above the Clerk I rate.

SECTION 2. The salaries and wages herein described and specified shall take effect January 1, 2023 and shall apply to all years subsequent therein, unless and until the same have been changed as specified and provided by law.