

Executive Session 2017:144

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 matters, Police Department Equipment, Motion was made by President Randolph-Sharpe, second by Councilman DiDomenico that Resolution #2017:144 be adopted as read. Voice vote was unanimous in the affirmative. Motion carried.

Motion was made by President Randolph-Sharpe, second by Councilman Burrows to go out of executive session. Voice vote was unanimous in the affirmative. Motion carried.

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 audio and video recorded for possible later playback.

Flag Salute

Roll Call of Council Members Present: Burrows, DiDomenico, Hess, Jackson, Strippoli, President Randolph-Sharpe, and Mayor Roach

Motion was made by President Randolph-Sharpe, second by Councilman DiDomenico that the Council Minutes and Executive Session for May 10, 2017 be adopted as presented. Roll Call vote was in the affirmative with President Randolph-Sharpe abstaining. Motion carried.

RESOLUTION 2017:145- AMEND CAPITAL BUDGET

WHEREAS, the governing body of the Borough of Lindenwold, County of Camden desires to amend the 2017 Capital Budget by inserting thereon or correcting the items therein as shown in such budget for the following reason:

1. Adding a new project which was not anticipated for 2017 at the time of adoption of the 2017 Capital Budget.

2. Increasing project amounts for certain projects included in the 2017 Capital Budget as adopted.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Lindenwold, County of Camden that the following amendments (said amendments are hereby attached and made part of this Resolution) be made to the Capital Budget of the year 2017.

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the office of the Director of the Division of Local Government Services.

It is hereby certified that this is a true copy of a resolution amending the capital budget adopted by the governing body on the 28th day of June, 2017.

Motion was made by President Randolph-Sharpe, second by Councilman DiDomenico that Resolution #2017:145 be adopted as read. Roll call vote was unanimous in the affirmative. Motion carried.

RESOLUTION 2017:146-Emergency Capital Appropriation

WHEREAS, an emergency has arisen with respect to the need to amend the 2017 capital budget for additional projects and project amounts which were not anticipated at the time of the adoption of the 2017 capital budget, and no adequate provision for down payment was made in the 2017 current fund budget for the aforesaid additional projects and project amounts, and N.J.S. 40A:4-46 provides for the creation of an emergency appropriation for the purpose above mentioned, and

WHEREAS, the total amount of emergency appropriations created, including the appropriation to be created by this resolution, is \$2,900.00 and three (3) percent of the total operations in the budget for the year 2016 is \$391,101.59 and

WHEREAS, the foregoing appropriation together with prior appropriations does not exceed three (3) percent of the total operating appropriations (including utility operation appropriations) in the budget for 2017,

NOW, THEREFORE, BE IT RESOLVED (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with N.J.S.A. 40A:4-48,

1. An emergency appropriation is hereby made for Down Payment on Improvements in the amount of \$2,900.00.

2. That said emergency appropriation shall be provided in full in the 2018 current fund budget and is requested to be excluded from CAPS, pursuant to NJS 40A:4-53.3c(1).

3. That two (2) certified copies of this resolution be filed with the Director of Local Government Services.

Motion was made by President Randolph-Sharpe, second by Councilman DiDomenico that Resolution #2017:146 be adopted as read. Roll call vote was unanimous in the affirmative. Motion carried.

Second Reading Ordinance 2017:10

AN ORDINANCE AMENDING CHAPTER 305 TAXATION, ARTICLE II EXEMPTION FOR RESIDENTIAL PROPERTY OF THE EXISTING LINDENWOLD

WHEREAS, the municipal governing body of the Borough of Lindenwold wishes to increase the Exemptions available for Residential Properties, consistent with NJSA 40:A:21-1, et seq., and

WHEREAS, the Borough of Lindenwold has reviewed Chapter 305 Taxation, Article II Exemption for Residential Property and has recommended the following amendments:

The amount of the exemption shall be increased from up to \$15,000 to up to \$25,000 for a period of five years subsequent to the original determination of the Tax Assessor

Add § 305-10 Tax Abatement

Residential properties that receive a tax exemption pursuant to this Chapter, may obtain a Tax Abatement of up to 30% of the exemption amount, to be deducted from the current tax assessment on the property, upon submission and approval of an Application submitted to the Tax Assessor, on a form prescribed by the Director of the Division of Taxation, and submitted within the time prescribed for Tax Exemption Applications, as set forth in this Chapter. The Tax Abatement will be granted at the discretion of the Tax Assessor, and shall serve as an Abatement upon the residential property, for a period of Five Years, subsequent to approval by the Tax Assessor.

This ordinance shall take effect upon proper passage and publication according to law.
Mayor opened the meeting to the public. There being no one desiring the floor, the Mayor closed the meeting to the public.
Motion was made by President Randolph-Sharpe, second by Councilman Jackson that Ordinance #2017-10 be adopted as read on second reading. Roll call vote was unanimous in the affirmative. Motion carried.

First Reading Ordinance 2017:11-Bond Ordinance Capital

BOND ORDINANCE AUTHORIZING THE ACQUISITION OF VARIOUS PIECES OF CAPITAL EQUIPMENT AND THE COMPLETION OF VARIOUS CAPITAL IMPROVEMENTS FOR THE BOROUGH OF LINDENWOLD, COUNTY OF CAMDEN, NEW JERSEY; APPROPRIATING THE SUM OF \$2,379,800 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE BOROUGH OF LINDENWOLD, COUNTY OF CAMDEN, NEW JERSEY, IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$2,260,810 MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

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), pursuant to the provisions of the Local Bond Law, Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented ("Local Bond Law"), as follows:

- Section 1.** The purposes described in Section 7 hereof are hereby authorized as general improvements to be made or acquired by the Borough of Lindenwold, County of Camden, New Jersey ("Borough").
- Section 2.** It is hereby found, determined and declared as follows:
(a) the estimated amount to be raised by the Borough from all sources for the purposes stated in Section 7 hereof is \$2,379,800;
(b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$2,260,810; and
(c) a down payment in the amount of \$118,990 for the purposes stated in Section 7 hereof is currently available in accordance with the requirements of Section 11 of the Local Bond Law, *N.J.S.A. 40A:2-11*.
- Section 3.** The sum of \$2,260,810, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$118,990, which amount represents the required down payment, are hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").
- Section 4.** The issuance of negotiable bonds of the Borough in an amount not to exceed \$2,260,810 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.
- Section 5.** In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the Borough in an amount not to exceed \$2,260,810 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.
- Section 6.** The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, *N.J.S.A. 40A:2-20*, shall not exceed the sum of \$475,000.
- Section 7.** The improvements hereby authorized and the purposes for which said obligations are to be issued; the estimated costs of each said purpose; the amount of down payment for each said purpose; the maximum amount obligations to be issued for each said purpose and the period of usefulness of each said purpose within the limitations of the Local Bond Law are as follows:

| Purpose/Improvement | Estimate d Total Cost | Down Payment | Amount of Obligations | Period of Usefuln ess |
|---|--------------------------------|-----------------|--------------------------|--------------------------------|
| A. Acquisition of Various Heavy Equipment including, but not limited to, a Dump Truck, Front Load Trash Truck, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto | \$578,000 | \$28,900 | \$549,100 | 10 years |
| B. Acquisition of Various Equipment including, but not limited to, a Pick-Up Truck with Plow and a Stake Body Truck with Lift Gate, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto | 132,500 | 6,625 | 125,875 | 5 years |

| | | | | | |
|----|--|-----------|--------|-----------|----------|
| C. | Various Improvements to Municipal Buildings including, but not limited to, Installation of New Roof for Public Works Building, Upgrades to the Community Center and Library, and Acquisition of a Generator for the Police Department, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto | 1,181,600 | 59,080 | 1,122,520 | 15 years |
| D. | Acquisition of Computer Equipment for Municipal Offices, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto | 56,500 | 2,825 | 53,675 | 5 years |
| E. | Acquisition of Various Equipment for the Police Department, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto | 137,000 | 6,850 | 130,150 | 5 years |
| F. | Various Improvements to Recreational Areas including, but not limited to, Memorial Park and Carlton Park, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto | 294,200 | 14,710 | 279,490 | 15 years |

| | | | | |
|---------------|--------------------|------------------|--------------------|--|
| TOTALS | \$2,379,800 | \$118,990 | \$2,260,810 | |
|---------------|--------------------|------------------|--------------------|--|

- Section 8.** The average period of useful life of the several purposes for the financing of which this Bond Ordinance authorizes the issuance of bonds or bond anticipation notes, taking into consideration the respective amounts of bonds or bond anticipation notes authorized for said several purposes, is not less than 12.41 years.
- Section 9.** Grants or other monies received from any governmental entity, if any, will be applied to the payment of, or repayment of obligations issued to finance, the costs of the purposes described in Section 7 above.
- Section 10.** The supplemental debt statement provided for in Section 10 of the Local Bond Law, *N.J.S.A. 40A:2-10*, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the Borough, as defined in Section 43 of the Local Bond Law, *N.J.S.A. 40A:2-43*, is increased by this Bond Ordinance by \$2,260,810 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.
- Section 11.** The full faith and credit of the Borough are irrevocably pledged to the punctual payment of the principal of and interest on the bonds or bond anticipation notes authorized by this Bond Ordinance, and to the extent payment is not otherwise provided, the Borough shall levy *ad valorem* taxes on all taxable real property without limitation as to rate or amount for the payment thereof.
- Section 12.** The applicable Capital Budget of the Borough is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended applicable Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and available for inspection.
- Section 13.** The Borough hereby declares its intent to reimburse itself from the proceeds of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code"), for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the Borough prior to the issuance of such bonds or bond anticipation notes.
- Section 14.** The Borough hereby covenants as follows:
- (a) it shall take all actions necessary to ensure that the interest paid on the bonds or bond anticipation notes authorized by the Bond Ordinance is exempt from the gross income of the owners thereof for federal income taxation purposes, and will not become a specific item of tax preference pursuant to Section 57(a)(5) of the Code;
 - (b) it will not make any use of the proceeds of the bonds or bond anticipation notes or do or suffer any other action that would cause the bonds or bond anticipation notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Code and the Regulations promulgated thereunder;
 - (c) it shall calculate or cause to be calculated and pay, when due, the rebatable arbitrage with respect to the "gross proceeds" (as such term is used in Section 148(f) of the Code) of the bonds or bond anticipation notes;
 - (d) it shall timely file with the Internal Revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and
 - (e) it shall take no action that would cause the bonds or bond anticipation notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.
- Section 15.** The improvements authorized hereby are not current expenses and are improvements that the Borough may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.
- Section 16.** All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 17. In accordance with the Local Bond Law, this Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final passage.
Motion was made by President Randolph-Sharpe, second by Councilman DiDomenico that Ordinance #2017-11 be adopted on first reading, published according to law, with second reading being held at next regular scheduled meeting. Roll call vote was unanimous in the affirmative. Motion carried.

First Reading ORDINANCE 2017:12- Bond Ordinance Sewer Capital
BOND ORDINANCE AUTHORIZING THE ACQUISITION OF VARIOUS PIECES OF EQUIPMENT AND THE COMPLETION OF VARIOUS CAPITAL IMPROVEMENTS FOR THE SEWER UTILITY IN AND FOR THE BOROUGH OF LINDENWOLD, COUNTY OF CAMDEN, NEW JERSEY; APPROPRIATING THE SUM OF \$827,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE BOROUGH OF LINDENWOLD, COUNTY OF CAMDEN, NEW JERSEY, IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$827,000 MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

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), pursuant to the provisions of the Local Bond Law, Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented ("Local Bond Law"), as follows:

Section 1. The purposes described in Section 7 hereof are hereby authorized as general improvements to be made or acquired by the Borough of Lindenwold, County of Camden, New Jersey ("Borough").

- Section 2.** It is hereby found, determined and declared as follows:
- (a) the estimated amount to be raised by the Borough from all sources for the purposes stated in Section 7 hereof is \$827,000; and
 - (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$827,000.

Section 3. The sum of \$827,000, to be raised by the issuance of bonds or bond anticipation notes, is hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

Section 4. The issuance of negotiable bonds of the Borough in an amount not to exceed \$827,000 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

Section 5. In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the Borough in an amount not to exceed \$827,000 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 6. The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, *N.J.S.A. 40A:2-20*, shall not exceed the sum of \$175,000.

Section 7. The improvements hereby authorized and the purposes for which said obligations are to be issued; the estimated costs of each said purpose; the amount of down payment for each said purpose; the maximum amount obligations to be issued for each said purpose and the period of usefulness of each said purpose within the limitations of the Local Bond Law are as follows:

| | <u>Purpose/Improvement</u> | <u>Estimated Total Cost</u> | <u>Down Payment</u> | <u>Amount of Obligations</u> | <u>Period of Usefulness</u> |
|----|---|---------------------------------|-------------------------|----------------------------------|---------------------------------|
| A. | Acquisition of Various Replacement Equipment for the Sewer Utility System including, but not limited to, an Excavator and Generator, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto | \$337,000 | \$0 | \$337,000 | 15 years |
| B. | Various Improvements to the Sewer Utility System including, but not limited to, the Renovation and Upgrade of Pump Stations and Pump Upgrades , together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto | 490,000 | 0 | 490,000 | 20 years |
| | TOTALS | \$827,000 | \$0 | \$827,000 | |

Section 8. The average period of useful life of the several purposes for the financing of which this Bond Ordinance authorizes the issuance of bonds or bond anticipation notes, taking into consideration the respective amounts of bonds or bond anticipation notes authorized for said several purposes, is not less than 17.96 years.

Section 9. Grants or other monies received from any governmental entity, if any, will be applied to the payment of, or repayment of obligations issued to finance, the costs of the purposes described in Section 7 above.

Section 10. The supplemental debt statement provided for in Section 10 of the Local Bond Law, *N.J.S.A. 40A:2-10*, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the Borough, as defined in Section 43 of the Local Bond Law, *N.J.S.A. 40A:2-43*, is increased by this Bond Ordinance by \$827,000 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 11. The full faith and credit of the Borough are irrevocably pledged to the punctual payment of the principal of and interest on the bonds or bond anticipation notes authorized by this Bond Ordinance, and to the extent payment is not otherwise provided, the Borough shall levy *ad valorem* taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

Section 12. The applicable Capital Budget of the Borough is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full

detail of the amended applicable Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and available for inspection.

Section 13. The Borough hereby declares its intent to reimburse itself from the proceeds of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code"), for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the Borough prior to the issuance of such bonds or bond anticipation notes.

Section 14. The Borough hereby covenants as follows:

- (a) it shall take all actions necessary to ensure that the interest paid on the bonds or bond anticipation notes authorized by the Bond Ordinance is exempt from the gross income of the owners thereof for federal income taxation purposes, and will not become a specific item of tax preference pursuant to Section 57(a)(5) of the Code;
- (b) it will not make any use of the proceeds of the bonds or bond anticipation notes or do or suffer any other action that would cause the bonds or bond anticipation notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Code and the Regulations promulgated thereunder;
- (c) it shall calculate or cause to be calculated and pay, when due, the rebatable arbitrage with respect to the "gross proceeds" (as such term is used in Section 148(f) of the Code) of the bonds or bond anticipation notes;
- (d) it shall timely file with the Internal Revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and
- (e) it shall take no action that would cause the bonds or bond anticipation notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

Section 15. The improvements authorized hereby are not current expenses and are improvements that the Borough may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

Section 16. All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 17. In accordance with the Local Bond Law, this Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final passage
Motion was made by President Randolph-Sharpe, second by Councilman DiDomenico that Ordinance #2017-12 be adopted on first reading, published according to law, with second reading being held at next regular scheduled meeting. Roll call vote was unanimous in the affirmative. Motion carried.

RESOLUTION 2017:147 Declaring And Determining That Lot 110 Block 1.02, Located At 419 N. White Horse Pike, Lindenwold, NJ 08021, Is In Violation Of Borough Ordinance 160, Prohibiting Dangerous, Damaged, And Unfit Structures

WHEREAS, the Borough of Lindenwold having notified the owner of the real property located at Lot 1.02 Block 110, 419 N. White Horse Pike, Lindenwold, NJ 08021 of a potential violation of Borough Ordinance 160, which prohibits dangerous, damaged, and unfit structures; and

WHEREAS, notice was provided to the owner of the property, and all lien holders, mortgage holders, and interested parties maintaining an encumbrance and/or lien on the property, consistent with the requisites of Ordinance 160; and

WHEREAS, on June 28, 2017, the Mayor and Council heard testimony from the Construction Official concerning the real property located at Lot 1.02 Block 110, 419 N. White Horse Pike, Lindenwold, NJ 08021 concerning the conditions and circumstances of the real property, and no interested party having appeared or otherwise filing opposition to the Notice and Complaint; and

WHEREAS, the Mayor and Council of the Borough of Lindenwold after hearing the testimony of the Construction Official, having made a factual determination that Lot 1.02 Block 110, 419 N. White Horse Pike, Lindenwold, NJ 08021, is in violation of Borough Ordinance 160, and maintains conditions on the property to include without limitation the following:

- Defects increasing the hazard of accident, fire, or other calamities.
- Dilapidation.
- Disrepair or structural defects.
- Lack of adequate light, sanitary facilities or ventilation.
- Uncleanliness.
- Failure to comply with the property maintenance code.
- Failure to comply with applicable Health Ordinances Rules and Regulations.

Is otherwise in violation of N.J.S.A. 40:48-1 et seq., and the provisions of Borough Ordinance 160; and
NOW THEREFORE, be it resolved by the Mayor and Council of the Borough of Lindenwold, County of Camden, State of New Jersey on this 28th day of June, 2017 that Lot 1.02 Block 110, located at 419 N. White Horse Pike, Lindenwold, NJ 08021 is in violation of Borough Ordinance 160. The Borough further finds that it is unreasonable and untenable to remediate the property, given the dilapidated and damaged status of the property. The Borough finds that it is in the best interest of the Community to demolish the property, for the safety and general welfare for the residents of the Borough of Lindenwold, and the public in general. The Construction Official is authorized to obtain bids to demolish the property, and a lien for all costs associated with demolition and this application shall be placed upon the property to indemnify the Borough for all costs associated with the violation of Borough Ordinance 160.
Motion was made by President Randolph-Sharpe, second by Councilman Burrows that Resolution #2017:147 be adopted as read. Roll call vote was unanimous in the affirmative. Motion carried.

RESOLUTION #2017:148-Shared Service with Bd. of Education for Park and School Officer

WHEREAS, the Mayor, Council, and Board of Education of the Borough of Lindenwold recognize that it is imperative to search for efficient means to reduce spending through creative and innovative ideas and programs which benefit their community, and

WHEREAS, the circumstances now exist where it is appropriate for the respective parties hereto to join together for the purpose of an Interlocal Agreement authorizing maintenance services at Lindenwold Park, and

WHEREAS, the circumstances now exist where it is appropriate for the respective parties hereto to join together for the purpose of an Interlocal Agreement authorizing a Law Enforcement Officer be assigned to the Lindenwold School District.

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Lindenwold that the Mayor and Borough Clerk are hereby authorized to execute the agreement with the Board of Education to provide maintenance at the Lindenwold Park and assign a Law Enforcement Officer.
Motion was made by President Randolph-Sharpe, second by Councilman DiDomenico that Resolution #2017:148 be adopted as read. Roll call vote was unanimous in the affirmative. Motion carried.

RESOLUTION #2017:149 -Approve Liquor Licenses

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 2017-2018:

| <u>LICENSEE</u> | <u>NUMBER</u> |
|------------------------|-----------------|
| Don Tequila Bar &Grill | 0422-33-012-016 |

Motion was made by President Randolph-Sharpe, second by Councilman Jackson that Resolution #2017:149 be adopted as read. Roll call vote was unanimous in the affirmative. Motion carried.

RESOLUTION 2017:150- Settlement Agreement And Release For 41 Blackwood Road, Lindenwold, NJ 08021

WHEREAS, the real property located at 41 Blackwood Road, Lindenwold, New Jersey 08021 maintains dangerous, damaged, and/or an unfit structure in violation of Borough Ordinance 160; and

WHEREAS, Julia Herring, the owner of the property located at 41 Blackwood Road, Lindenwold, New Jersey 08021 has acknowledged the conditions of the real property are inimical to the welfare of the residents of the Borough, that the property is maintained in a condition dangerous and injurious to the health and safety of the occupants of the building, occupants of neighboring buildings, and residents of the Borough of Lindenwold; and

WHEREAS, Julia Herring has agreed to permit the Borough access onto 41 Blackwood Road, Lindenwold, New Jersey, for the purposes of demolishing the property and permitting the Borough to place a municipal lien for all costs associated with demolition of the structures and violation of Borough Ordinance 160;

NOW THEREFORE, be it resolved by the Mayor and Council of the Borough of Lindenwold, County of Camden, State of New Jersey on this 28th day of June, 2017, that the Mayor of the Borough of Lindenwold will be authorized to enter into an Agreement with Julia Herring, the owner of the real property located at 41 Blackwood Road, Lindenwold, New Jersey , for the purposes of the Borough accessing the property to demolish all structures located thereon, and have a municipal lien placed on the property for all costs associated with demolition of the structures and violation of Borough Ordinance 160.

Motion was made by President Randolph-Sharpe, second by Councilman Burrows that Resolution #2017:150 be adopted as read. Roll call vote was unanimous in the affirmative. Motion carried.

RESOLUTION 2017:151-Property Maintenance Liens

WHEREAS, the following properties in the Borough of Lindenwold had property maintenance work done by the Lindenwold Public Works for Code Compliance, and

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

| Date | Block | Lot | Address | Amount |
|----------|--------|------|---------------------------------|----------|
| 06/20/17 | 127 | 5 | 229 E. Linden Ave. (Grass) | \$225.02 |
| 06/20/17 | 225 | 9 | 620 Tenth Ave. (Grass) | \$225.02 |
| 6/20/17 | 203 | 5.05 | 345 Ninth Ave. (Grass) | \$225.02 |
| 6/20/17 | 238.11 | 24 | 913 Aston Martin Dr. (Grass) | \$225.02 |
| 6/20/17 | 238.9 | 1 | 801 Bentley Rd. (Grass) | \$225.02 |
| 6/20/17 | 142 | 1 | 101 East Elm Ave. (Grass) | \$250.03 |
| 6/20/17 | 154 | 1.01 | 701 S. White Horse Pike (Grass) | \$650.18 |
| 6/20/17 | 98 | 10 | 512 Maple Ave. (Grass) | \$225.02 |
| 6/27/17 | 186 | 9 | 612 Scott Ave. (Grass) | \$250.03 |
| 6/27/17 | 186 | 8.02 | Third Ave. (Grass) | \$250.03 |
| 6/27/17 | 186 | 3 | 347 Third Ave (Grass) | \$250.03 |

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

Motion was made by President Randolph-Sharpe, second by Councilman Jackson that Resolution #2017:151 be adopted as read. Roll call vote was unanimous in the affirmative. Motion carried.

RESOLUTION 2017:152 - Authorizing Cancellation Of Municipal Certificate Of Sale

WHEREAS, Certificate 17-00023 was struck off to the Borough of Lindenwold for delinquent taxes from 4th quarter 2012 assessed to KAD Investments, LLC., Block 243 Lot 7.02 C0917 held at tax sale on June 9 2017 which has not been recorded, and

WHEREAS, the Borough of Lindenwold held already held a Tax Sale Certificate, 10-00252 duly recorded and the error found by the tax collector.

NOW, THEREFORE BE IT RESOLVED, that the governing body authorize the tax collector to make any and all adjustments necessary to properly report the balance of the municipal lien in the Borough’s accounting system and note Certificate 17-00023 as cancelled.

Motion was made by President Randolph-Sharpe, second by Councilman DiDomenico that Resolution #2017:152 be adopted as read. Roll call vote was unanimous in the affirmative. Motion carried.

RESOLUTION #2017:153-Accept Audit

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2016 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and,

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and,

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Findings and Questioned Costs" or "Comments and Recommendations, and,

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Findings and Questioned Costs" or "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and,

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and,

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, that the Council of the Borough of Lindenwold, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

President Randolph-Sharpe thanked the Business Administrator and her team for doing an excellent job this year.

Motion was made by President Randolph-Sharpe, second by Councilman DiDomenico that Resolution #2017:153 be adopted as read. Roll call vote was unanimous in the affirmative. Motion carried.

Resolution 2017:154 Declare Unfit Structure 502 Berlin Road

Declaring And Determining That Lot 3, Block 104, Located At 502 Berlin Road, Lindenwold, NJ 08021, Is In Violation Of Borough Ordinance 160, Prohibiting Dangerous, Damaged, And Unfit Structures

WHEREAS, the Borough of Lindenwold having notified the owner of the real property located at Lot 3 Block 104, 502 Berlin Road, Lindenwold, NJ 08021 of a potential violation of Borough Ordinance 160, which prohibits dangerous, damaged, and unfit structures; and

WHEREAS, notice was provided to the owner of the property, and all lien holders, mortgage holders, and interested parties maintaining an encumbrance and/or lien on the property, consistent with the requisites of Ordinance 160; and

WHEREAS, on June 28, 2017, the Mayor and Council heard testimony from the Construction Official concerning the real property located at Lot 3, Block 104, 502 Berlin Road, Lindenwold, NJ 08021 concerning the conditions and circumstances of the real property, and no interested party having appeared or otherwise filing opposition to the Notice and Complaint; and

WHEREAS, the Mayor and Council of the Borough of Lindenwold after hearing the testimony of the Construction Official, having made a factual determination that Lot 3, Block 104, 502 Berlin Road, Lindenwold, NJ 08021, is in violation of Borough Ordinance 160, and maintains conditions on the property to include without limitation the following:

Defects increasing the hazard of accident, fire, or other calamities.

Dilapidation.

Disrepair or structural defects.

Lack of adequate light, sanitary facilities or ventilation.

Uncleanliness.

Failure to comply with the property maintenance code.

Failure to comply with applicable Health Ordinances Rules and Regulations.

Is otherwise in violation of N.J.S.A. 40:48-1 et seq., and the provisions of Borough Ordinance 160; and

NOW THEREFORE, be it resolved by the Mayor and Council of the Borough of Lindenwold, County of Camden, State of New Jersey on this 28th day of June, 2017 that Lot 3, Block 104, located at 502 Berlin Road, Lindenwold, NJ 08021 is in violation of Borough Ordinance 160. The Borough further finds that it is unreasonable and untenable to remediate the property, given the dilapidated and damaged status of the property. The Borough finds that it is in the best interest of the Community to demolish the property, for the safety and general welfare for the residents of the Borough of Lindenwold, and the public in general. The Construction Official is authorized to obtain bids to demolish the property, and a lien for all costs associated with demolition and this application shall be placed upon the property to indemnify the Borough for all costs associated with the violation of Borough Ordinance 160.

Motion was made by President Randolph-Sharpe, second by Councilman Burrows that Resolution #2017:154 be adopted as read. Roll call vote was unanimous in the affirmative. Motion carried.

Mayor tabled the resolution for 505 Irving Street as the owner has contracted for the property to be demolished.

Motion was made by President Randolph-Sharpe, second by Councilman Burrows to table the resolution. Voice vote was unanimous in the affirmative. Motion carried.

Resolution 2017:155 Accept Settlement

WHEREAS, Police Officer Justin Stippick was hired by the Borough of Lindenwold on June 24, 2016, and

WHEREAS, Officer Stippick had been trained and working for the Camden County Police Department prior to his employment with the Borough of Lindenwold, and

WHEREAS, N.J.S.A. 40A:14-178(b) provides for the 50% reimbursement of costs related to the training of Officer Stippick, and

WHEREAS, the Borough of Lindenwold was unaware that Officer Stippick had not completed his two years of permanent appointment.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Borough Council of the Borough of Lindenwold, hereby authorize the Borough Solicitor to resolve this Complaint For Declaratory Relief filed by the County of Camden in the amount of \$5,600.

Motion was made by President Randolph-Sharpe, second by Councilman DiDomenico that Resolution #2017:155 be adopted as read. Roll call vote was unanimous in the affirmative. Motion carried.

Mayor Roach opened the meeting to the public.

Norbert Bucholtz, resident, explained how he tried to call the Police Captain regarding an incident that he called a “cat burglar”. He explained how someone walked into an apartment and demanded money from the owner. The Mayor explained that the Captain will be able to respond tomorrow when he returns. Next, he complained about the cars parked without license plates. He contacted the management company to handle this matter. In addition, there are several cars with license plates from out of state. There is a maximum amount of time that they need to register in New Jersey. The Mayor explained the new policy with Code Enforcement regarding this problem. The resident is trying to improve his community. The Mayor responded that he is working with the Supervisor regarding this matter. In addition, there was another incident regarding drugs behind a dumpster. He asked if the police were notified. His neighbor responded that they won’t come. Mayor assured the resident that the police will come.

Mayor requested a five minute recess as the meeting started early due to the special meeting.

Mayor reopened the meeting to the public. There being no one else desiring the floor, the Mayor closed the meeting to the public.

Motion was made by President Randolph-Sharpe, second by Councilman Burrows that the meeting be adjourned. Voice vote was unanimous in the affirmative. Motion carried.

DATED: August 9, 2017

Deborah C. Jackson, RMC
Borough Clerk