

Mayor Roach called the meeting to order.

Resolution 2017:241 - 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 matters, Refund request, Amending ordinances, Insurance Seminar, and Personnel

Motion was made by President Randolph-Sharpe, second by Councilman DiDomenico that Resolution #2017:241 be adopted as read. Voice vote was unanimous in the affirmative. Motion carried.

Motion was made by President Randolph-Sharpe, second by Councilman Jackson 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 recorded for possible later playback.

Flag Salute

Mayor Roach called for a moment of silence to remember Veterans.

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

Motion was made by President Randolph-Sharpe, second by Councilman Jackson that the Council Minutes and Executive Session for September 13, 2017 be adopted as presented. Voice vote was unanimous in the affirmative. Motion carried.

Motion was made by Councilman Jackson, second by Councilwoman Hess that the Council Minutes and Executive Session for September 27, 2017 be adopted as presented. Voice vote was in the affirmative with Councilman DiDomenico and President Randolph-Sharpe abstaining. Motion carried.

Motion was made by President Randolph-Sharpe, second by Councilwoman Hess that all bills that have been properly audited be approved for payment. Roll call vote was unanimous in the affirmative. Motion carried.

The following reports have been filed and are available in the respective offices for review and will be included in the minutes:

- a. Tax Report \$2,445,619.71
- b. Sewer Report \$ 63,584.61
- c. Treasurer's Report \$ 20,704.84

Second Reading Ordinance 2017-16-Repealing Chapter 115

**AN ORDINANCE REPEALING CHAPTER 115 CONDOMINIUM ASSOCIATIONS OF THE EXISTING CODE OF THE BOROUGH LINDENWOLD**

WHEREAS, the governing body of the Borough of Lindenwold adopted Ordinance 1214, codified into Chapter 115, regarding Condominium Associations on December 12, 2007, and

WHEREAS, Condominium Associations are regulated by the State of New Jersey and the Division of Consumer Affairs, and

WHEREAS, the Borough of Lindenwold has conducted a review of Chapter 115 regarding Condominium Associations, and

WHEREAS, this review has recommended that Chapter 115 entitled Condominium Associations be repealed in its entirety.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the municipal governing body of the Borough of Lindenwold that Chapter 115 Condominium Associations be repealed in its entirety.

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

Mayor Roach 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 DiDomenico that Ordinance 2017-16 be adopted as read on second reading. Roll call vote was unanimous in the affirmative. Motion carried.

First Reading of Ordinances 2017-17

Ordinance 2017-17-Amend Chapter 238

**AN ORDINANCE AMENDING CHAPTER 238 SECTION 5 OF THE EXISTING PROPERTY MAINTENANCE/RESPONSIBILITY OF OWNERS FOR THE 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 be consistent with statute N.J.S.A. 40:48-1.1, and

WHEREAS, the Borough of Lindenwold recommends the following language to replace Chapter 238, Article II Section 5:

When in the opinion of the construction official, or in their absence the designate of the construction official, there exists an emergency situation concerning the condition of a property which represents an immediate threat to the public safety, health or welfare, or in the opinion of the construction official, a building or structure is dangerous to human life or constitutes a fire hazard, requiring immediate action to avoid and mitigate the emergency situation, immediate notice, if practicable, shall be given to the property owner requesting that the situation be remedied. The construction official shall attempt to contact the property owner via telephone, fax, or email concerning the emergency situation, and the owner shall be provided 24 hours within which to rectify and remediate the emergency situation. In the event-the construction official is unable to make contact with the property owner, or the property owner otherwise fails

to respond within the 24 hour period, the Borough may take all actions necessary and appropriate to remedy the situation, including but not limited to demolition of the property.

In addition to assessing the cost of any such removal or demolition as a municipal lien against the premises, the Borough may enforce the payment of such assessment, together with interest, as a debt of the owner of the premises and may authorize the institution of an action at law for the collection thereof. The Superior Court shall have jurisdiction over any such action.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the municipal governing body of the Borough of Lindenwold, that the above mentioned section be added to the Borough of Lindenwold Code Book as adopted. This ordinance shall take effect upon proper passage and publication according to law. Motion was made by President Randolph-Sharpe, second by Councilman DiDomenico that Ordinance 2017-17 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 2017-18 Amend Salary Ordinance

AN ORDINANCE TO AMEND CHAPTER 52 REGULATING THE SALARIES OF THE OFFICERS AND NON-OFFICERS 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 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, 2017, respectively.

<u>TITLE</u>	<u>PAYABLE</u>	<u>2017 ANNUAL</u>	<u>2018 ANNUAL</u>
Administrator	Bi-weekly	21,915	
Superintendent of Public Works	Bi-weekly	97,544	
Chief of Police	Bi-weekly	139,998	142,798

SECTION 2. The salaries and wages herein described and specified shall take effect January 1, 2017 and shall apply to the year 2017 and all years subsequent thereto, unless and until same have been changed as specified and provided by law. Motion was made by President Randolph-Sharpe, second by Councilman DiDomenico that Ordinance 2017-18 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 2017:242-Hire Crossing Guard

WHEREAS, there is a need in the Police Department to hire a crossing guard, and WHEREAS, it is the procedure of the Borough of Lindenwold to hire employees by resolution, and WHEREAS, Joseph Amodeo has been recommended for this position by the Police Department, and WHEREAS, this candidate has successfully completed the pre-employment screening.

THEREFORE BE IT RESOLVED by the Mayor and Borough Council of the Borough of Lindenwold that Joseph Amodeo be hired as a crossing guard starting November 9, 2017.

Motion was made by President Randolph-Sharpe, second by Councilman Jackson that Resolution 2017:242 be adopted as read. Roll call vote was unanimous in the affirmative. Motion carried.

RESOLUTION 2017:243-Refund Permit

WHEREAS, Solar City paid for a permit, number 16114, for 1016 East Linden Avenue, and WHEREAS, this job has been canceled, and WHEREAS, the Construction Department has requested that 80% of the fee, \$372.80 be refunded, and WHEREAS, no refund is issued for the zoning fee.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Lindenwold that the amount of \$372.80 be refunded to Solar City for the cancelation of permit number 16114.

Motion was made by President Randolph-Sharpe, second by Councilman DiDomenico that Resolution 2017:243 be adopted as read. Roll call vote was unanimous in the affirmative. Motion carried.

RESOLUTION 2017:244-Apply for NJDOT Local Aid Infrastructure Fund (LAIF)

WHEREAS, the Borough of Lindenwold desires to apply to the New Jersey Department of Transportation for a grant under the Trust Fund for the Laurel Road Pedestrian Improvements-Phase 2; and

WHEREAS, The Borough of Lindenwold formally authorizes Remington & Vernick Engineers to prepare the grant application.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Clerk of the Borough of Lindenwold formally approves the grant application for the project stated above

BE IT FURTHER RESOLVED, that the appropriate officials are hereby authorized to submit an electronic grant application to the New Jersey Department of Transportation on behalf of Lindenwold Borough.

BE IT FURTHER RESOLVED, that the appropriate officials are hereby authorized to sign the grant agreement on behalf of Lindenwold Borough and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Motion was made by President Randolph-Sharpe, second by Councilman Jackson that Resolution 2017:244 be adopted as read. Roll call vote was unanimous in the affirmative. Motion carried.

RESOLUTION 2017:245 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
10/31/2017	88	2	309 E. Elm(trash)	\$250.02

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 2017:245 be adopted as read. Roll call vote was unanimous in the affirmative. Motion carried.

Resolution 2017:246 Budget Transfers

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Lindenwold that the following transfers be made to the 2017 Budget in accordance with N.J.S 40A:4-58:

	From	To
General Fund		
Compliance OE	21,083	
Compliance S&W	10,000	
Gasoline	10,000	
Admin & Exec. – S&W		9,183
Borough Clerk – S&W		1,500
Joint Land Use Board – S&W		1,400
Police OE		7,500
Insurance Other		5,500
Streets & Roads – S&W		16,000
Total	41,083	41,083

Motion was made by President Randolph-Sharpe, second by Councilman Jackson that Resolution 2017:246 be adopted as read. Roll call vote was unanimous in the affirmative. Motion carried.

Resolution 2017:247 Cancel Checks

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
Borough Clerk – Petty Cash Checking #1365193			
4/2/15	411	\$1.26	Joseph Herrington
Municipal Court - Bail Account #1365053			
8/9/2016	739	\$50.00	Quan L. Bibbings
Municipal Court - General Account #1365061			
4/13/2016	631	\$50.00	Michael Mills
4/13/2016	635	<u>\$1.00</u>	Norberto Osoroio
		\$51.00	

Motion was made by President Randolph-Sharpe, second by Councilman DiDomenico that Resolution 2017:247 be adopted as read. Roll call vote was unanimous in the affirmative. Motion carried.

RESOLUTION 2017:248

RESOLUTION OF THE BOROUGH OF LINDENWOLD, COUNTY OF CAMDEN, AND STATE OF NEW JERSEY DESIGNATING BNF MANAGEMENT, LLC, AS THE REDEVELOPER FOR PURPOSES OF IMPLEMENTING THE ARBORWOOD REDEVELOPMENT PLAN AS IT RELATES TO BLOCK 243, LOTS 7.01, 7.02 AND 7.04, AND ALL QUALIFIERS THEREIN, IN THE BOROUGH OF LINDENWOLD, AND AUTHORIZING THE EXECUTION OF A REDEVELOPER’S AGREEMENT WITH BNF MANAGEMENT, LLC, OR ITS ASSIGNS, RELATIVE TO THIS DESIGNATION

WHEREAS, on August 9, 2017 by Ordinance No. 2017-15, the Borough Council of the Borough of Lindenwold adopted the Redevelopment Plan relative to the property known and designated as Block 243, Lots 7.01, 7.02 and 7.04, and all Qualifiers therein, of the Official Tax Maps of the Borough (hereinafter designated as the (“Real Property”) commonly known as Arborwood Redevelopment Plan (“Redevelopment Plan”), for the Borough of Lindenwold (“Borough”); and

WHEREAS, in order to implement the Redevelopment Plan and carry out the redevelopment projects in the area designated by this Redevelopment Plan, the Mayor and Council of the Borough of Lindenwold has determined that it is necessary to designate a redeveloper for same, subject to certain conditions; and

WHEREAS, the Borough as determined to designate BNF Management, LLC of New York, New York, as the redeveloper for the purpose of carrying out the Redevelopment Plan as it relates to Block 243, Lots 7.01, 7.02 and 7.04, and all Qualifiers therein, on the Official Tax Map of the Borough of Lindenwold, subject to certain conditions; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Lindenwold that the Borough Council hereby designates BNF Management, LLC of New York, New York, as the Redeveloper for the purpose of carrying out the redevelopment project in the area designated by the Arborwood Redevelopment Plan as it relates to Block 243, Lots 7.01, 7.02 and 7.04, and all Qualifiers therein, on the Official Tax Map of the Borough of Lindenwold; and

IT IS FURTHER RESOLVED by the Mayor and Council of the Borough of Lindenwold that this redeveloper designation is subject to the following conditions: (1) dismissal of the lawsuit entitled Pine Ridge Investments, LLC and Wakefield Holdings, LLC vs. Borough Council of the Borough of Lindenwold and the Joint Land Use Board of the Borough of Lindenwold, venued in the Superior Court of New Jersey, Law Division, Camden County under Docket No. L-2562-17; (2) presentation of sufficient documents evidencing, in the opinion of the Borough, the financial and economic capability of the redeveloper to undertake and complete a project of this size and magnitude; and (3) the execution of the appropriate Redeveloper’s Agreement with the Borough for the purpose of carrying out the redevelopment project in the area designated by the Arborwood Redevelopment Plan; and

IT IS FURTHER RESOLVED by the Mayor and Council of the Borough of Lindenwold that this designation, unless renewed, shall terminate on February 15, 2018; and

IT IS FURTHER RESOLVED that Richard E. Roach, Jr., Mayor of the Borough of Lindenwold and Deborah C. Jackson, Borough Clerk of the Borough of Lindenwold, is hereby authorized to execute the appropriate Redeveloper’s Agreement with BNF Management, LLC of New York, New York, for the purpose of carrying out the redevelopment projects in the area designated by the Arborwood Redevelopment Plan as it relates to Block 243, Lots 7.01, 7.02 and 7.04, and all Qualifiers therein on the Official Tax Map of the Borough of Lindenwold, subject to the advise and consent of the Borough Council of the Borough of Lindenwold.

Motion was made by President Randolph-Sharpe, second by Councilwoman Hess that Resolution 2017:248 be adopted as read. Roll call vote was unanimous in the affirmative. Motion carried.

RESOLUTION 2017:249

WHEREAS, South Jersey Gas Company paid for four permits, numbers 2017-67 to 2017-70 in the total amount of \$4,000.00, and

WHEREAS, these projects were reviewed for Columbia Avenue, First Avenue, Laurel Landing and Scott Avenue, and WHEREAS, due to the numerous construction projects taking place in these areas and the congestion that would ensue from additional roadwork, and

WHEREAS, these jobs were in conflict with Camden County and declined, and

WHEREAS, South Jersey Gas canceled these projects and have requested a refund of \$4,000.00 as these projects will be resubmitted in 2018, and

WHEREAS, Mayor and Council was presented this request since under Chapter 296, Streets and Sidewalks, Article I Excavations, Section 296-4, these fees are considered nonrefundable.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Lindenwold that the amount of \$4,000.00 be refunded to South Jersey Gas for the cancelation of the above permits.

Motion was made by President Randolph-Sharpe, second by Councilman Jackson that Resolution 2017:249 be adopted as read. Roll call vote was unanimous in the affirmative. Motion carried.

#### RESOLUTION 2017:250

WHEREAS, Thomas Brennan was hired in 2012 as Chief of Police for the Borough of Lindenwold, and

WHEREAS, a new contract was negotiated and signed in 2014 for Thomas Brennan as Chief of Police for the Borough of Lindenwold, and

WHEREAS, the salary was set for 2014 through 2017, and

WHEREAS, the Borough of Lindenwold wishes to increase the annual salary for 2017 for an additional \$6,000, and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Lindenwold that the 2014 contract for the Chief of Police be amended to increase the 2017 annual salary by the amount of \$6,000.00.

Motion was made by President Randolph-Sharpe, second by Councilman DiDomenico that Resolution 2017:250 be adopted as read. Roll call vote was unanimous in the affirmative. Motion carried.

#### RESOLUTION 2017:251

WHEREAS, Thomas Brennan was hired in 2012 as Chief of Police for the Borough of Lindenwold, and

WHEREAS, a new contract was negotiated for the years of 2018 and 2019 for Thomas Brennan as Chief of Police for the Borough of Lindenwold, and

WHEREAS, the Borough of Lindenwold has agreed to this new contract and the terms set forth, and

WHEREAS, the Mayor is hereby authorized to sign the contract for the Chief of Police, Thomas Brennan.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Lindenwold accepts the contract for the Chief of Police and hereby authorizes the Mayor's signature.

Motion was made by President Randolph-Sharpe, second by Councilman DiDomenico that Resolution 2017:251 be adopted as read. Roll call vote was unanimous in the affirmative. Motion carried.

#### Department Reports

Councilman DiDomenico had nothing to report.

Councilwoman Hess had nothing to report.

Councilman Jackson informed the residents that a new Code Enforcement Clerk was hired. He reported on a Memorial Service at the Carlton Rouh Park on Friday at 6:00 pm in remembrance of Texas.

President Randolph-Sharpe announced that the finishing touches are being added to the website for possible presentation in a month. She thanked the Library Supervisor for all the work that she has done on this project. She stated that the Homecoming Dance was last Saturday which was very well attended. The School will be having its musical this month on November 16, 17, & 18 entitled Suessical Musical. She encouraged everyone to show support by attending as there are many talented students. Next, she thanked the veterans for their service. Also, according to the Mayor the launch of the website will be November 29.

Business Administrator stated that the 2018 budget has been distributed. The Council Liaisons should review the budget with their departments.

Engineer's Report was presented by Anthony Chadwell of Remington and Vernick. He updated that the projects are currently on track. They are waiting for approval from the County for the Carlton Street repaving.

Mayor Roach opened the meeting to the public.

Mike Markellos, resident, spoke to Council regarding the ongoing problem with trash removal at Georgetown. At a meeting there, the residents voted to go back to the former trash containers. The residents are not happy with the dumpsters as non-residents are dumping trash. He has been picking up the trash that are not in the dumpsters. The Mayor responded that the Borough has to deal with the Management Company. The Borough has followed their request for dumpsters. The resident stated he has talked with Public Works and that they still have the containers. The Management Company does not pay the taxes, the residents do. The Mayor stated that any requests must be in writing from the Management Company. The Borough cannot keep changing the process for one complex. He thanked Mayor and Council for their time.

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 Jackson that the meeting be adjourned. Voice vote was unanimous in the affirmative. Motion carried.

Mayor Roach wished the residents a Happy Thanksgiving. The next meeting will be on November 29.

DATED: December 27, 2017

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Deborah C. Jackson, RMC  
Borough Clerk