

Resolution 2017:133 - 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, Police Department, Public Works Personnel Motion was made by President Randolph-Sharpe, second by Councilman DiDomenico that Resolution #2017:133 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 Jackson that the Council Minutes and Executive Session for April 12, 2017 be adopted as presented. Roll Call vote was in the affirmative with Councilman Burrows and Councilman Strippoli abstaining. Motion carried.

Motion was made by President Randolph-Sharpe, second by Councilman Jackson that the Council Minutes and Executive Session for April 26, 2017 be adopted as presented. Roll Call vote was in the affirmative with Councilman Strippoli abstaining. Motion carried.

Motion was made by President Randolph-Sharpe, second by Councilman Burrows that all bills that have been properly audited be approved for payment. Roll call vote was in the 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 Collector’s Report	\$3,905,208.71
b. Sewer Report	54,450.34
c. Treasurer’s Report	10,808.91

Resolution 2017:134-Amend Salary for Custodian

WHEREAS, salary ordinance #2017:6 was adopted on April 26, 2017, and  
WHEREAS, the position of Custodian was inadvertently omitted from the salary ordinance, and  
WHEREAS, the salary increase for the position of Custodian is \$15.92 per hour retroactive to January 1, 2017,

WHEREAS, the Business Administrator has prepared all of the retroactive salary increases and has recommended that the hourly rate of \$15.92 for the Custodian be approved and included on the salary ordinance in the subsequent year.

THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Lindenwold to authorize the salary increase of \$15.92 per hour for Custodian retroactive to January 1, 2017. Motion was made by President Randolph-Sharpe, second by Councilman Strippoli that Resolution #2017:134 be adopted as read. Roll call vote was unanimous in the affirmative. Motion carried.

Resolution 2017:135- Property Maintenance

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
5/25/17	102.02	37	433 E. Locust Ave. (Trash/Debris)	\$225.02
5/25/17	96	1.01	103 E. Walnut Ave. (Trash/Debris)	\$225.02
5/31/17	180	11	406 W. Park Ave. (Grass)	\$225.02
5/31/17	291	1.01	2219 Brighton Ave. (Grass)	\$225.02
6/1/17	185	1	358 Lake Blvd. (Grass)	\$250.03
6/1/17	170	7.01	74 Carver Ave (Grass)	\$250.03
6/1/17	48	50	104 Holland St. (Grass)	\$250.03
6/1/17	48	22	108 Elm Court (Grass)	\$250.03
6/1/17	180	112	400 West Park Ave (Grass)	\$250.03
6/1/17	163	1.05	132 West State Ave (Grass)	\$250.03
6/1/17	222	17	508 Eight Ave. (Grass)	\$250.03
6/1/17	238.13	3	920 Bentley Rd. (Grass)	\$250.03
6/2/17	238.13	3	920 Bentley Rd (Tree Removal)	\$250.03
6/2/17	122	8	112 N. White Horse Pike (Tree Removal)	\$225.02
6/5/17	52	9.04	730 Norcross St. (Electronics)	\$50.00
6/5/17	48	57	812 Myrtle Ave. (Fence)	\$200.01
6/5/17	48	21	110 Elm Court (Fence)	\$200.01
6/7/17	227	1	601 Ninth Ave. (Grass)	\$250.03
6/7/17	238.01	8	909 Bentley Rd. (Grass)	\$250.03

Resolution 2017:136- Liquor License Renewal  
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>
AN & VR Inc. (Canal’s)	#0422-32-011-010
Topica LLC, t/a Acapulco Grill	#0422-33-009-004
LaEsperanza Inc.	#0422-33-007-012
Veer Liquors, t/a Pike Liquors	#0422-44-015-007
BJP LLC (Laurelwood Liq)	#0422-44-006-006
Lindenwold Moose Lodge #548	#0422-31-014-001

<u>POCKET LICENSEE</u>	<u>NUMBER</u>
Kuber Ganga LLC (former Iron Hrs)	#0422-33-012-015

Motion was made by President Randolph-Sharpe, second by Councilman Jackson that Resolution #2017:136 be adopted as read. Roll call vote was unanimous in the affirmative. Motion carried.

Resolution 2017:137-Recycling Agreement with FCR Camden, LLC  
WHEREAS, the Borough of Lindenwold participated with Camden County for recycling services, and  
WHEREAS, Camden County requested proposals for recycling services #17-10, and  
WHEREAS, FCR Camden, LLC was the only proposal received, and  
WHEREAS, the Borough of Lindenwold is a participating member of the Camden County Cooperative Pricing System Identifier #57-CCCPS, and

WHEREAS, the Borough of Lindenwold has reviewed the proposal and wishes to enter into a three year agreement with FCR Camden LLC for recycling services with an option to renew.

THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Lindenwold to accept and sign the contract received by the Camden County Cooperative with FCR Camden, LLC (dba ReCommunity) for recycling services.

Motion was made by President Randolph-Sharpe, second by Councilman DiDomenico that Resolution #2017:137 be adopted as read. Roll call vote was unanimous in the affirmative. Motion carried.

RESOLUTION #2017:138-Waive Sewer Fees for Lindenwold Board of Education  
WHEREAS, the Lindenwold Board of Education has requested a waiver of the sewer utility fees, and  
WHEREAS, this request has been granted in previous years due to the relationship between the Lindenwold Borough and the Board of Education for economic reasons.

THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Lindenwold that the sewer utility fees for the Lindenwold Schools be waived for the billing year July 1, 2017 through June 30, 2018. Motion was made by President Randolph-Sharpe, second by Councilman Strippoli that Resolution #2017:138 be adopted as read. Roll call vote was unanimous in the affirmative. Motion carried.

Resolution 2017:139-Chapter 159 to Add Revenue  
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 \$33,377.71 from the New Jersey Solid Waste Administration and wishes to amend its 2017 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 2017 in the sum of \$33,377.71 which is now available as a revenue from the State of New Jersey, and

BE IT FURTHER RESOLVED that a like sum of \$33,377.71 and the same is hereby appropriated under the caption of:

Clean Communities Program

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

Motion was made by President Randolph-Sharpe, second by Councilman Jackson that Resolution #2017:139 be adopted as read. Roll call vote was unanimous in the affirmative. Motion carried.

RESOLUTION #2017:140-Settlement Agreement And Release For 3 Fairmount Ave.  
WHEREAS, the real property located at 3 Fairmount Avenue, Lindenwold, New Jersey 08021 maintains dangerous, damaged, and/or an unfit structure in violation of Borough Ordinance 160; and  
WHEREAS, Jian Teng Lin, the owner of the property located at 3 Fairmount Avenue, 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, Jian Teng Lin has agreed to permit the Borough access onto 3 Fairmount Avenue, 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 14th day of June, 2017, that the Mayor of the Borough of Lindenwold will be authorized to enter into an Agreement with Jian Teng Lin, the owner of the real property located at 3 Fairmount Avenue, 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 #2017:140 be adopted as read. Roll call vote was unanimous in the affirmative. Motion carried.

RESOLUTION 2017:141-Resolution Of The Borough Of Lindenwold, County Of Camden And State Of New Jersey Directing The Lindenwold Joint Land Use Board To Prepare A Redevelopment Plan For The Certain Properties And Areas Within The Borough Of Lindenwold Designated As An "Area In Need Of Redevelopment" And As A "Condemnation Redevelopment Area", Pursuant To N.J.S.A. 40A:12-7

WHEREAS, in the Master Plan Re-examination Report, adopted by Resolution on October 29, 2007, the Planning Board of the Borough of Lindenwold recognized that certain areas and properties within the Borough of Lindenwold might qualify as "redevelopment areas" or "areas in need of redevelopment" as defined in N.J.S.A. 40A:12A-3; and

WHEREAS, the Borough Council of the Borough of Lindenwold, by Resolution No. 2016-65, dated January 25, 2017, referred to the Joint Land Use Board of the Borough of Lindenwold a directive to conduct a preliminary investigation to determine whether the conditions are present on certain properties and areas within the Borough of Lindenwold, as more particularly described in Exhibit A, attached hereto and made a part hereof, that meet the criteria contained in the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., for these properties to be deemed "in need of redevelopment," and

WHEREAS, in Resolution No. 2016-65, the Borough Council of the Borough of Lindenwold, set forth that should the Joint Land Use Board of the Borough of Lindenwold determine that the certain properties and areas within the Borough of Lindenwold, as more particularly described in Exhibit A, attached hereto and made a part hereof, meet the criteria to be deemed an "area in need of redevelopment," that the Joint Land Use Board of the Borough of Lindenwold should also determine if the certain properties and areas within the Borough of Lindenwold, as more particularly described in Exhibit A, meet the criteria contained in the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., for these properties and areas to be deemed as a "Condemnation Redevelopment Area," authorizing the Borough of Lindenwold to use all those powers provided by the New Jersey Legislature for use in a redevelopment area, including the power of eminent domain; and

WHEREAS, the Joint Land Use Board of the Borough of Lindenwold has reviewed a document entitled "Preliminary Investigation for the Determination of an Area in Need of Condemnation Redevelopment," dated April 12, 2017, prepared by Environmental Resolutions, Inc. of Mount Laurel, New Jersey, as a part of its preliminary investigation to determine whether certain properties and areas within the Borough of Lindenwold, as more particularly described in Exhibit A, attached hereto and made a part hereof, to determine whether the proposed land is an area in need of redevelopment; and

WHEREAS, the Joint Land Use Board of the Borough of Lindenwold, after conducting a public hearing on April 19, 2017 with due notice to the public and parties required to be noticed under N.J.S.A. 40A:12A-6(b); by its Resolution dated April 27, 2017, found that substantial evidence exists to support a finding that the certain properties and areas within the Borough of Lindenwold, as more particularly described in Exhibit A, attached hereto and made a part hereof, are in need of redevelopment, and recommended to the Borough Council that the certain properties and areas be designated as an "area in need of redevelopment" and designated as a "Condemnation Redevelopment Area" pursuant to N.J.S.A. 40A:12A-6; and

WHEREAS, the Borough Council of the Borough of Lindenwold, by Resolution 2017:127 dated May 10, 2017, accepted the findings and recommendation of the Joint Land Use Board of the Borough of Lindenwold and designated the certain properties and areas within the Borough of Lindenwold, as more particularly described in Exhibit A, attached hereto and made a part hereof, to be an "area in need of redevelopment" and a "Condemnation Redevelopment Area" pursuant to N.J.S.A. 40A:12A-6; and

WHEREAS, the Borough Council of the Borough of Lindenwold now wishes the Joint Land Use Board of the Borough of Lindenwold to prepare a redevelopment plan, pursuant to N.J.S.A. 40A:12A-7(f), for the certain properties and areas within the Borough of Lindenwold, as more particularly described in Exhibit A, attached hereto and made a part hereof, designated as an "area in need of redevelopment" and as a "Condemnation Redevelopment Area," pursuant to N.J.S.A. 40A:12A-6, by Resolution 2017:127 of the Borough Council of the Borough of Lindenwold dated May 10, 2017.

NOW THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Lindenwold that, pursuant to N.J.S.A. 40A:12A-7(f), the Borough Council of the Borough of Lindenwold, directs that the Joint Land Use Board of the Borough of Lindenwold prepare a redevelopment plan, pursuant to N.J.S.A. 40A:12A-7(f), for the certain properties and areas within the Borough of Lindenwold, as more particularly described in Exhibit A, attached hereto and made a part hereof, designated as an "area in need of redevelopment" and as a "Condemnation Redevelopment Area," pursuant to N.J.S.A. 40A:12A-6, by Resolution 2017:127 of the Borough Council of the Borough of Lindenwold dated May 10, 2017.

BE IT FURTHER HEREBY RESOLVED by the Borough Council of the Borough of Lindenwold that the Joint Land Use Board of the Borough of Lindenwold is authorized to employ a New Jersey licensed professional planner to assist the Board in undertaking any and all actions that may be necessary to accomplish the purpose and intent of this Resolution.

Motion was made by President Randolph-Sharpe, second by Councilman Jackson that Resolution #2017:141 be adopted as read. Roll call vote was unanimous in the affirmative. Motion carried.

RESOLUTION 2017:142- Hire Seasonal Employees for Public Works

WHEREAS there is a need in the Public Works Department to hire additional seasonal employees, and  
WHEREAS, it is the procedure of the Borough of Lindenwold to hire employees by resolution.  
WHEREAS, Thomas Fass and Brandon McLaughlin have been recommended by the Public Works Supervisor, and  
WHEREAS, employment is based upon successfully completing pre-employment screening process including a background check, and  
WHEREAS, there is funding available under the Clean Communities Grant, and  
THEREFORE BE IT RESOLVED by the Mayor and Borough Council of the Borough of Lindenwold that Thomas Fass and Brandon McLaughlin be hired as seasonal laborer under the Clean Communities Program effective June 19, 2017 upon successfully completing screening process.  
Motion was made by President Randolph-Sharpe, second by Councilman Strippoli that Resolution 2017:142 be adopted as read. Roll call vote was unanimous in the affirmative. Motion carried.

RESOLUTION 2017:143-Amend Resolution 2017:111 for Court Furniture

WHEREAS, there is a need in the Borough of Lindenwold to amend Resolution 2017:111 for the purchase of furniture for the Lindenwold Court, and  
WHEREAS, under Resolution 2017:51, the Borough of Lindenwold has approved the State Contract #81641 with Hon Company, and  
WHEREAS, the amount for the furniture has been reduced from \$11,742.07 to \$10,481.37.  
THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Lindenwold that pursuant to N.J.S.A. 40A:11-12 the following state contract be awarded:

<u>COMPANY</u>	<u>PRODUCT</u>	<u>ST.CONTRACT #</u>	<u>AMOUNT</u>
Hon Company	Courtroom Furniture	#81641	\$10,481.37

Motion was made by President Randolph-Sharpe, second by Councilman Jackson that Resolution #2017:143 be adopted as read. Roll call vote was unanimous in the affirmative. Motion carried.

Matter for Discussion

a. Borough Clerk informed Council that information for the Convention in November has been received and reservations need to be made as soon as possible.

Department Reports

Councilman Burrows started with the Environmental Commission that met on May 9. The Commission is planning on additional classes to obtain CEUs. There was a tree planting on May 2 at the Lindenwold Police Department with the special needs group from Lindenwold High School. The teacher complimented the Borough on their efforts to support these students which is not found in other towns. At the Joint Land Use Meeting on May 25, three resolutions were approved. There was a preliminary presentation as the Master Plan is being reviewed. A Subcommittee has been formed for this project. He presented the year to date total for the Construction Department fees. The new Wawa will be opening on Friday.  
Councilman Strippoli presented the monthly Public Works report including trash and recycling collected, complaints, and no injuries. Next, he presented the monthly Sewer Department report including repairs and stoppages.  
Councilman Jackson had a few things including the luncheon for the seniors by the Sorority on June 22. He stated that this is fantastic and encouraged everyone to attend. On July 6 there will be movie day for the seniors with food and jazz music. He stated that interviews are being conducted for the available positions in Code Enforcement.  
President Randolph-Sharpe greeted everyone. She stated that the website is currently in the works to update and add new features for the residents. The newsletter was mailed. She thanked the resident for his positive response to this newsletter. A copies of the newsletter are available in the lobby. Graduation for the Lindenwold High School Seniors is Monday, June 19 at 6:30pm. The annual audit exit meeting will be held on Tuesday, June 27. She thanked everyone for their assistance with the completion of the annual audit.  
Councilwoman Hess presented the monthly Library report including the circulation, members, computer usage, and fees collected. The next Library Board meeting will be September 7. The back stairs have been repaired.  
Lindenwold Football registrations are held at the Library on Thursday evening. A part time Library Clerk position has been posted. The Library Summer Reading Program is titled “Build a Better World”. This starts June 27 through August 25. The Lindenwold Summer events start on June 23 with the movie Secret Life of Pets. The Municipal Alliance sponsored “hooked on fishing” at Lake Worth. There were a few that attended and hopefully this program will see even more kids next year.  
Councilman DiDomenico presented the monthly police report including the number of calls of service, accidents, traffic enforcement, complaints and investigations.

Engineer’s Report

Timothy Staszewski, Remington & Vernick, updated Council on the proposals funded by New Jersey Department of Transportation and Community Development. There is a concern regarding the intersection of Berlin and Gibbsboro for a possible study. A meeting will be held for the Laurel Road pedestrian project. The engineers are working to complete the repairs at Lindenwold Pump Station #1.

Mayor Roach opened the meeting to the public.  
Joseph Richardson, property owner, apologized for blindsiding Council at the last meeting. His intention was to inform Council regarding his situation with the Tax Assessor and Tax Collector. He questioned if Council viewed his property which some members have seen. Next, he asked if the documentation he presented was reviewed and where the matter stands. The Borough Solicitor has reviewed the documents and discussed with the Tax Assessor. The Solicitor was informed of the discussions that the Assessor has had with the owner. The Solicitor stated that the Assessor stands behind his position. The owner responded that the assessor is standing behind a statute but he questioned why the tax code was not changed until after he purchased the property. The Assessor may be standing behind a statute but the tax office should have updated this property. The Solicitor repeated the Assessor was

following the law. The owner feels that he should not be responsible for the taxes owed. Councilman Strippoli stated that this matter should be handled by the Assessor's office. The Mayor will try to schedule a meeting to see if this matter can be resolved. The Mayor stated that this may be a matter for the title company. The owner continued to dispute the matter. President Randolph-Sharpe stated that the title company is responsible for this type of research.

Joseph Amadeo, resident, stated the park is a great place to walk. The past three weeks, he noticed inappropriate graffiti. Mayor confirmed it is off United States Ave. Next, the resident commented about the time of the practice of three-volley salute for the Memorial Service. The Mayor responded about the true meaning of the holiday and will check the program. The Public Work Supervisor will look into graffiti. He questioned the information from the Condo Association about the town not being FHA approved. Council disputes this information. President Randolph-Sharpe stated that it is not done by town. The Mayor recommended he ask for documentation from his Association. Evan Lovett, resident, offered his organization to help the town's image by painting murals. He represents a non-profit organization of artists that paint murals and he spoke of cities where his organization has accomplished this. He recommended Fairway building, however, it is privately owned and already has received approval by the Joint Land Use Board for its plans. He stated that the ordinance does not prohibit what his organization does since it is considered art and is requesting support by Council. Councilman Jackson requested his information.

Daniel Williams, property owner, spoke to Arborwood Board members about the comment at the last meeting regarding Association fees. He stated that these fees would be waived if the Borough assumed possession of the properties. He is currently trying to purchase a unit that owes back taxes and fees. The Mayor responded that this matter will be handled by the Joint Land Use Board. The Borough Solicitor stated that the Borough cannot waive these fees. He questioned the process of the tax sale. The Solicitor responded that it is done by bid and there is a length of time before foreclosure can take place. Council recommended that he talk to the Tax Department for more information.

Joe Mortka, resident, questioned if Lindenwold residents will be hired and the Mayor responded affirmatively. He questioned the number of cars parked at one residential property and registered in other states. President Randolph-Sharpe responded that it cannot be regulated. The Mayor stated that the Borough is trying to work on programs to enforce car registration. The resident continued to discuss parking in areas not designated. The Code Enforcement will look into area resident has stated near dentist's office. Councilman Burrows also informed the resident of the anonymous registration for complaints with the N.J. Office of Insurance Fraud. Discussion continued on the matter of the number of out of state residents even at school bus stops.

Norbert Bucholtz, resident, commented on a party at Emmerson Avenue. It appears they are repairing cars. He questioned if they have a business license. The Mayor responded that citations have been issued. The Borough Solicitor suggested the resident to contact the police department.

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

DATED: July 26, 2017

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Deborah C. Jackson, RMC  
Borough Clerk