

Executive Session 2018:178

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 matters, Zoning Ordinance, Personnel Motion was made by President Randolph-Sharpe, second by Councilman DiDomenico that Resolution 2018:178 be adopted as read. Voice vote was unanimous in the affirmative. Motion carried. Motion was made by President Randolph-Sharpe, second by Councilman DiDomenico 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: DiDomenico, Hess, Jackson, Sinon, Strippoli, President Randolph-Sharpe, and Mayor Roach

Resolution 2018:179 Promotion Lieutenant

WHEREAS, the Borough of Lindenwold has identified a need to fulfill the position of Lieutenant in the Lindenwold Police Department, and

WHEREAS, Civil Service Certification has been requested, 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 Sgt. Justin Mastalski to the position of Police Lieutenant.

THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Lindenwold that Sgt. Justin Mastalski be promoted to the position of Police Lieutenant upon certification by New Jersey Civil Service Commission.

Motion was made by President Randolph-Sharpe, second by Councilman DiDomenico that Resolution 2018:179 be adopted as read. Roll call vote was unanimous in the affirmative. Motion carried.

Resolution 2018:180 Promotion Sergeant

WHEREAS, the Borough of Lindenwold has identified a need to fulfill the position of Sergeant in the Lindenwold Police Department, and

WHEREAS, Civil Service Certification has been requested, 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 Officer Adam Errico to the position of Police Sergeant.

THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Lindenwold that Officer Adam Errico be promoted to the position of Police Sergeant upon certification by New Jersey Civil Service Commission.

Motion was made by President Randolph-Sharpe, second by Councilman DiDomenico that Resolution 2018:180 be adopted as read. Roll call vote was unanimous in the affirmative. Motion carried.

Mayor Roach presented the Oath of Office to Lt. Mastalski.

Mayor Roach presented the Oath of Office to Sgt. Errico.

Mayor Roach requested a five minute recess.

First Reading of Ordinance 2018-06 To Amend Chapter 365 Zoning, Section 15 Prohibited Uses

AN ORDINANCE AMENDING CHAPTER 365, ARTICLE IV, SECTION 15 OF THE BOROUGH OF LINDENWOLD ZONING BY ADDING SECTION H UNDER PROHIBITED USES

WHEREAS, Chapter 365-15 of the Code of the Borough of Lindenwold, entitled "Prohibited Uses", and

WHEREAS, the Municipal Land Use Law (N.J.S.A. 40:55D -1 et seq.) delegates to municipalities the power to zone and regulate development and that statute is amended from time to time by the state legislature; and

WHEREAS, the Governing Body of the Borough of Lindenwold has requested that the Borough of Lindenwold Zoning Code be amended so as to provide a safe environment for all of the citizens of Lindenwold in response to recent suggestions of legalizing the use and sale of marijuana in the State of New Jersey; and

WHEREAS, the Borough of Lindenwold has determined that the sale and distribution of marijuana presents special concerns of safety, security and general nuisances that arise as the result of the use of drugs and substances that can affect the youth of the township and others; and

WHEREAS, the Borough has determined that such facilities should not be allowed to be located near any school, church, playground, sports facility, YMCA facility, residential zone, or general commercial zone; and

WHEREAS, given the current Comprehensive Master Plan of the Borough of Lindenwold and the Development Ordinances implementing that plan there is no area where the sale of and or distribution of medicinal and or recreational marijuana can be safely established given the overwhelming security and safety concerns; and

WHEREAS, the statutory provisions establishing a safety and security obligation were recently amended and supplemented by the legislature, P.L. 2017 c. 312, and the Borough now likewise amends its Zoning Code to comply with the revisions to the statute.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the municipal Governing Body of the Borough of Lindenwold, the following is added to prohibit:

H: Businesses selling, distributing, cultivating, growing and/or facilitating the sale and/or use of either recreation and or medicinal marijuana, including any ancillary or related paraphernalia in any zone.

All ordinances or parts of ordinances inconsistent with or in conflict with this ordinance are hereby repealed to the extent of such inconsistency.

If any section, paragraph, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, clause or provision so adjudged and the remainder shall be deemed valid and effective.

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 2018-06 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.

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.

Motion was made by President Randolph-Sharpe, second by Councilwoman Sinon that Resolution 2018:181 to 2018:186 be adopted as read. Roll call vote was unanimous in the affirmative. Motion carried.

RESOLUTION 2018:181 Amend Salary

WHEREAS, under Resolution 2018:133, Corey Rasmussen was appointed from a part time Code Enforcement Officer a full-time Code Enforcement Officer, and

WHEREAS, his salary as a part time Code Enforcement Officer was not stated, and

WHEREAS, the salary for his position as a part time Code Enforcement Officer should have been stated as \$18.36 per hour.

THEREFORE BE IT RESOLVED by the Mayor and Borough Council of the Borough of Lindenwold that the part time salary for Corey Rasmussen be \$18.36 prior to his appointment to full time status.

RESOLUTION 2018:182 Appoint Municipal Tax Search Clerk

WHEREAS, there is a need for a Municipal Tax Search Clerk for the Borough of Lindenwold due to the retirement of the Deputy Clerk, and

, the Tax Collector has reviewed the vacancy and the duties involved, and

WHEREAS, the Tax Collector will be handling these duties.

THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Lindenwold, New Jersey that Carol Redmond is hereby appointed as Municipal Tax Search Clerk for the remainder of the year 2018.

RESOLUTION 2018:183 Property Maintenance Liens

WHEREAS, the following property 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
7/19/18	109	2.02	3 Fairmount Ave.(grass)	\$225.02
7/19/18	238.09	6	810 Aston-Martin Dr.(grass)	\$225.02
7/23/18	243	6	301 Gibbsboro Rd. (grass)	\$275.04

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

RESOLUTION 2018:184-Release Performance Bond for 4 Seasons Landscaping

WHEREAS, 4 Seasons Landscaping located at 911 Gibbsboro Road submitted a performance bond in the amount of \$30,978 for site improvements for Block 244, Lot 5.04 in Lindenwold, NJ, and

WHEREAS, the engineer has reviewed the project and authorized the release of the performance bond. Due to the new state requirements, a two year maintenance bond is not required.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council of the Borough of Lindenwold that this bond be released.

RESOLUTION 2018:185

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration, and

WHEREAS, the County of Camden hereinafter referred to as the Lead Agency has offered voluntary participation in a Cooperative Pricing System for deer carcass removal services awarded to Deer Carcass Removal Service, P.O. Box 328, Cream Ridge, NJ 08514 for a third one year term at the cost of \$65.00 per deer carcass removal at the sole discretion of the County for the cost of \$65.00, and

WHEREAS, this term commences on or about August 1, 2018 through July 31, 2019.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Lindenwold as follows:

1. This resolution shall be known and may be cited as the Cooperative Pricing Resolution of the Borough of Lindenwold.
2. Pursuant to the provisions of N.J.S.A. 40A:11-11(5) the Mayor is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.
3. The Lead Agency shall be responsible for complying with the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq) and all other provisions of the revised statutes of the State of New Jersey.
4. This resolution shall take effect immediately upon passage.

Resolution 2018:186 Extend Redeveloper Appointment

RESOLUTION OF THE BOROUGH OF LINDENWOLD, COUNTY OF CAMDEN, AND STATE OF NEW JERSEY EXTENDING THE DESIGNATION OF 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 November 8, 2017, the Borough of Lindenwold designated 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

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 extends the designation of 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 July 31, 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.

Mayor Roach opened the meeting to the public.

Robin Sadler, resident, complained about a person on Myrtle Ave. who collects scrap metal and has a trailer parked on the street even though he does not live there. Mayor asked if resident contacted the Code Enforcement Office.

Resident responded that she has not as she was hoping he would stop. Mayor stated that was the first step.

Councilman Jackson will contact the Code Officer regarding the complaint.

Jamie Porter, resident, had more complaints about the property at the Pines. She stated that the more she complains, the worst it gets. The property is in need of a groundskeeper. She complained about the trash and poison ivy all over the place. She also complained about the higher price for her apartment compared to other units. Someone needs to come out and see this. The Mayor responded that he will be out on Friday. She stated that nothing gets done. The Mayor responded that things were corrected when he last came out.

Chris Barker, resident, requested portable bathrooms at the park. He stated that people are relieving themselves in areas outside in the open. Mayor Roach responded that he will look into the matter but facilities are locked due to the cost of vandalism. The Mayor asked the resident to let him know where and when this is happening as cameras have been installed.

Robert Stefanow, resident, questioned why all the other streets around him are being done but not Roosevelt. Mayor Roach will contact the Public Works Supervisor regarding his question or the resident can contact him directly.

The Mayor added that the sidewalk program will start on Berlin Road on Wednesday with one direction for traffic.

The project is expected to take about two and a half weeks. Also, more sidewalks are scheduled to start on Chews Landing Rd., Gibbsboro Rd., and Laurel Rd.

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

Motion was made by President Randolph-Sharpe, second by Councilwoman Sinon that the meeting be adjourned.

Voice vote was unanimous in the affirmative. Motion carried.

DATED: September 12, 2018

Deborah C. Jackson, RMC
Borough Clerk