

Mayor Roach called the meeting to order.

Sunshine Law - Notice of this meeting has been duly advertised in compliance with the provisions of the open public meetings law. Please be advised that this meeting will be recorded for possible later playback.

Flag Salute

Roll Call of Council Members Present: DiDomenico, Hess, Jackson, Sinon, Strippoli, and Mayor Roach.

Excused absence: President Randolph-Sharpe

Resolution 2020:144 Executive Session

BE IT RESOLVED by the Mayor and Council of the Borough of Lindenwold that the Mayor and Council are now going into closed session to discuss Legal Updates, Personnel

Motion was made by Councilman Strippoli, second by Councilman DiDomenico that Resolution 2020:144 be adopted as read. Voice vote was unanimous in the affirmative. Motion carried.

Motion was made by Councilman Strippoli, second by Councilwoman Hess to go out of executive session. Voice vote was unanimous in the affirmative. Motion carried.

Motion was made by Councilman Strippoli, second by Councilman DiDomenico that the Council Meeting for July 8, 2020 be adopted as presented. Roll call vote was unanimous in the affirmative. Motion carried.

Motion was made by Councilman Strippoli, second by Councilwoman Hess that the Council Meeting and Executive Session for July 22, 2020 be adopted as presented. Roll call vote was unanimous in the affirmative. Motion carried.

Motion was made by Councilman Strippoli, second by Councilman Jackson 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 Collector's Reports (June and July)
- b. Sewer Reports (June and July)
- c. Treasurer's Report

**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. Second Reading of Ordinances 2020-11 to 2020-15

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 Councilman Strippoli, second by Councilman Jackson that Ordinance 2020-11 to Ordinance 2020-15 be adopted as read. Roll call vote was unanimous in the affirmative. Motion carried.

Ordinance 2020-11 Amend Fee Schedule

WHEREAS, the municipal governing body of the Borough of Lindenwold wishes to ensure consistency in its provisions, and

WHEREAS, an update in the fee schedule has been recommended for the efficiency of the functions for the Borough of Lindenwold.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the municipal governing body of the Borough of Lindenwold, as follows:

§ 150-4 Mercantile licenses.

A. The license fees to be paid annually, unless otherwise specified, for conducting the business or businesses herein named at the premises or premises to be designated in the license or licenses issued hereunder, shall be as follows:

Adding:

**Business**

**License Fee**

Clothing Donation Bin

\$50 per bin.

Clothing Donation Bin Renewal fee:

\$25 per bin.

Amending:

§ 150-28 Inspections for smoke detectors, and carbon monoxide alarms, and sale of property.

A. Change in occupancy:

(1) Inspection of property: \$50.

(2) Reinspection: \$50.

(3) Administration fee to be assessed for any change of inspection date or unit number more than once and that fees must be paid before a change is made: \$20.

**B.** Change in ownership of multiple dwellings containing three or more dwelling units:

(1) Inspection of property: \$40 per unit.

(2) Administration fee to be assessed for any change of inspection date or unit number more than once and that fees must be paid before a change is made: \$20.

**C.** Change of ownership, two dwellings units or less:

(1) Inspection of property scheduled over 10 days: \$75.

Inspection of property scheduled less than 10 days: \$100.

(2) Reinspection \$50.

(3) Administration fee to be assessed for any change of inspection date or unit number more than once and that fees must be paid before a change is made: \$20.

(4) Property title transfer (vacant): \$125 (includes one reinspection fee within 120 days of new ownership).

**D** All fees in this section are nonrefundable.

Amending:

§ 150-39 Temporary dumpsters or storage containers.

A. Dumpster/storage container application fee: \$25

B. Dumpster/storage container extension fee: \$25

§ 150-47 Sanitary license.

Business or Privilege Licensed	Fee
Animals	
Dog Kennel for 1 to 10	\$25
Dog Kennel for 11 or more	\$50
Pet Shop	\$50
Dog Pounds	\$50
Boarding, nursing or rooming homes	
Private dwelling apartments	\$10 per apartment
Private dwelling rooms	\$5 per room
Nursing home for 10 people or fewer	\$25
Nursing home for 11 people or more	\$50
Children day-care establishment	
1 to 10 children	\$10
11 or more children	\$20
Dog/Pet Store	
Dog Kennel	
1 to 10	\$25
11 or more	\$50
Pet Shop	\$50
Dog Pounds	\$50
Food markets or stores	
1 to 5 employees	\$25
5 to 12 employees	\$50
Over 12 employees	\$100
Food or drink peddlers	\$25
Restaurants, diners, luncheonettes, soda fountains	
20 seats or fewer	\$25
Over 20 seats	\$50
Bakery shop on premises	\$25

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

Ordinance 2020-12 Amend Chapter 220 Parking

An Ordinance Amending Chapter 220 Parking of The Borough Of Lindenwold Codes

WHEREAS, the municipal governing body of the Borough of Lindenwold wishes to ensure consistency in its provisions, and

WHEREAS, an update in Section 14 regarding On-street parking of dumpsters and storage container of Chapter 220 has been recommended for the efficiency of the functions for the Borough of Lindenwold.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the municipal governing body of the Borough of Lindenwold, as follows:

§ 220-14 On-street parking of dumpsters and storage containers.

In the event that it is physically impossible to park a dumpster or storage container off street, an application for a temporary on-street parking permit may be made to the Borough's Construction Official who shall issue the permit if he concurs with the impossibility of off-street parking. The permit shall be valid for a period of 10 days.

Addition of:

A. Permit valid for 10 days

B. Must be approved prior to placement

C. If over 10 days, application for extension must be submitted prior to the expiration of the existing permit.

D. Off street parking of Dumpster & Storage Containers limited to a maximum of 30 days

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

Ordinance 2020-13 Amend Ordinance 2019-221 CO Inspection

ORDINANCE DIRECTING THE INSPECTION OF RESIDENTIAL PROPERTY PRIOR TO CONVEYANCE OF TITLE AND REQUIRING THE ISSUANCE OF A CONTINUED CERTIFICATE OF OCCUPANCY TO ASSURE CONFORMANCE WITH HOUSING STANDARDS

WHEREAS, many residential properties in the Borough of Lindenwold are being sold to new owners where said properties do not meet standards necessary for safe occupancy; and

WHEREAS, it is also determined that many residential properties have undergone extensive renovations wherein the use of the premises has been illegally changed without compliance with zoning regulations, the Uniform Construction Code or International Property Maintenance Code, as adopted by the Borough of Lindenwold; and

WHEREAS, in order to assure the housing stock meets minimum living standards and all land-use regulations, the Borough of Lindenwold finds it to be in the best interest of the Borough to mandate that no person or entity shall convey title to any residential property in the Borough of Lindenwold without first obtaining a continued certification of occupancy (CCO), certifying that the premises conforms to all land-use and property maintenance standards.

NOW, THEREFORE, BE IT ORDAINED by the Borough of Lindenwold that ARTICLE IIA for Chapter 105 be amended as follows:

#### ARTICLE IIA

Occupancy or Rental for Occupancy of Nonconforming Dwelling Unit; Continued Certification of Occupancy or Transfer of Title Upon Sale of Premises

A. No person shall occupy as owner/occupant or rent to another for occupancy, any dwelling or dwelling unit, for the purpose of living therein, which does not conform to the provisions of the Property Maintenance Code, referred to in Chapter 240, established hereby' as the standard to be used in determining whether a dwelling is safe, sanitary, and fit for human habitation.

B. No person shall convey title to any residential property in the Borough of Lindenwold, consisting of fifteen dwelling units or less without first obtaining a Continued Certification of Occupancy for each unit in the manner herein provided, certifying that said premises conforms to the provisions of this Chapter; Chapter 240, Section 17 Compliance with Fire Code; Chapter 190, Borough of Lindenwold Land Use; Chapter 250, Rental Property. This Section shall not apply to a transfer of a legal interest in the property to an existing owner of record or a transfer of a legal interest in the property to an immediate family member of the grantor or to a trust wherein the beneficiaries are immediate family members. For purposes of this subsection, immediate family members are grandparents, spouses, children and/or grandchildren.

#### (1) Issuance of Certificates

(a) Continued Certification of occupancy (CCO). Prior to conveying title to any premises described in the preceding subsection, an owner or the legal representative of the owner, shall apply to the Construction Department Housing Clerk or designee for a Continued Certification of Occupancy. Said application shall be on a form approved by the Construction Official or designee, and shall be submitted not less than 10 business days before scheduled closing, without incurring additional costs as specified herein. The Construction Official and/or designee shall inspect the premises within 5 days of said application and, upon determining that all provisions of the Code of the Borough of Lindenwold have been complied with, shall issue a Continued Certification of Occupancy permitting occupancy of said premises. Such Continued Certification of Occupancy shall indicate that compliance has been met. If, upon inspection, the dwelling unit is not found to be in compliance, the Construction Official and/or designee shall notify the owner in writing of such

noncompliance, specifically setting forth those violations requiring correction. Upon correction of the violation(s), the owner shall notify the Construction Official and/or designee who shall, within five days, re-inspect the required correction(s). This procedure shall be followed until all violations have been corrected, at which time a Continued Certification of Occupancy shall issue as above provided. Such Continued Certification of Occupancy shall be valid for a period of ninety days from the date of its issuance, after which ninety day period, it shall expire. Such expiration date shall be stated on the certificate. The 90 day period may be extended for up to an additional period of 90 days provided the owner certifies in writing on forms provided by the Construction Department that no change in the condition of the unit(s) has occurred from the time of the prior inspection.

(b) Issuance of Certificate of Transfer of Title (CTT). Notwithstanding the provisions of subsection B(1)(a) of this section, a contract purchaser of a residential unit(s) who, upon acquisition of the premises, intends and does utilize the premises for a residential use, may make application for a certificate known as a "Certificate of Transfer of Title," where renovations to the residential premises are required to be made so as to meet the standards for the issuance of a Certificate of Continued Occupancy. The application shall be signed by the contract purchaser. The application for the issuance of a Certificate of Transfer of Title shall be made not less than ten days prior to the intended settlement date, as set forth in the contract of sale. The contract purchaser shall certify in writing on forms provided by the Construction Department that they acknowledge the residential unit(s) are not habitable and further that they will perform all necessary repairs/remediations to meet the requirements set forth herein for the issuance of a Continued Certificate of Occupancy. Such Certificate of Transfer of Title shall be valid for a period of one hundred twenty days from the date of settlement on the property between owner and contract purchaser. The purchaser/owner of the premises may apply to extend the one hundred twenty day period to complete the renovations, but such application shall be filed prior to the expiration of the initial one hundred twenty day period. The Construction Official may grant the extension; in his/her sole discretion, for a period not to exceed one hundred twenty days provided the purchaser/owner has commenced and is actively renovating the premises. Prior to the expiration of the one hundred twenty day extension period, should the repairs/remediation be substantially completed and upon submitting proof necessary to the Construction Official that unexpected/extraordinary circumstances occurred during the renovations/remediation which prohibited the completion of the same within the one hundred twenty day extension period, the Construction Official may grant an additional thirty day extension in his/her sole discretion.

(1) Upon notification to the Construction Official and/or designee that renovations have been completed, the Construction Official and/or designee, shall inspect the premises within ten days of said notice. Upon finding that all renovations have been completed and compliance with this section has occurred, the Construction Official shall then take appropriate action for the issuance of a Continued Certification of Occupancy in accordance with subsection B(1)(a) of this section. Provided no further inspection is required and a Continued Certificate of Occupancy is issued, the fee for an inspection shall be charged in accordance with Chapter 150 of the fee schedule.

(c) Should the property be deemed abandoned, vacant and/or a nuisance as defined in Chapter 238, no Certificate of Transfer of Title shall be issued to any purchaser/owner unless the owner is in compliance with Chapter 238 et seq of the Code of the Borough of Lindenwold.

(d) The owner or contract purchaser of any property subject to the term hereof which is serviced by a private potable water well shall submit to the Construction Official or designee copies of the well test results required by N.J.S.A. 58:12A-26 prior to closing of title.

C. The owner making application for a Continued Certification of Occupancy shall be charged a fee as set forth in Chapter 150 of the Code of the Borough of Lindenwold per unit and an owner making application for a Certificate of Transfer of Title shall be charged a fee as set forth. A fee for all re-inspections by the Construction Official shall also be set forth. The fee charged in accordance with this subsection for a Continued Certification of Occupancy shall include the fee set forth in Chapter 150 for the certificate of smoke detector inspection by the designated Official. Should an application be made for the issuance of a Continued Certification of Occupancy or Certificate of Transfer of Title less than ten days before closing, the fee for the Continued Certification of Occupancy shall apply.

D. Failure to comply with any portion hereof shall be punishable in accordance with Chapter 1, Article I of the Code of the Borough of Lindenwold. Further, each day in which a violation hereof is determined to exist shall be considered a separate and subsequent offence punishable in accordance with said Article of the Code of the Borough of Lindenwold.

If any section, subsection, paragraph, sentence, clause or phrase of the Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance which shall continue in full force and effect, as to this end the provisions of the Ordinance are hereby declared to be severable.

This ordinance shall take effect immediately upon passage and publication as required by law.

Ordinance 2020-14 Amend Chapter 92 Building Numbers

An Ordinance Amending Chapter 92 Buildings, Numbering of for the Borough Of Lindenwold Codes

WHEREAS, the municipal governing body of the Borough of Lindenwold wishes to ensure consistency in its provisions, and

WHEREAS, an update in Chapter 92 regarding the numbering of properties has been recommended for the safety and efficiency of the functions for the Borough of Lindenwold.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the municipal governing body of the Borough of Lindenwold, as follows:

§ 92-1 Size of numbers; materials.

A. Size.

(1) All house numbers must be at least four (4) inches high, single-family dwelling and duplex houses.

(2) All multifamily dwellings, including apartments, condos, and townhouses, shall have a building number and/or letter which must be at least 12 inches high, in addition to entrance door number.

(3) All places of business numbers must be at least four (4) inches high. If business consists of more than one attached unit, numbers must be at least four (4) inches high on the front door and the back door. In addition, the name of the business must also be on the back door.

B. All numbers must be made of metal, wood or plastic.

C. All numbers must be readable from a minimum of a fifty-foot distance.

§ 92-2 Color and visibility.

Each number and/or letter shall be of such a color as to contrast with the immediate background so that said number will be clearly visible from the opposite side of the street.

§ 92-3 Location; maintenance.

A. All house numbers shall be placed on or over the front door or front window or on either side of the entrance. In those instances when the house is not clearly visible from the opposite side of the street, the assigned numbers shall be clearly displayed on a sign placed at the entrance driveway or walkway. After the number has been displayed or affixed to any home or building, it shall be unlawful to cover or conceal the number or to permit it to be covered or concealed either by natural growth or foliage or otherwise. Said number must be properly maintained so as to be clearly visible at all times.

B. All multifamily dwelling building numbers and/or letters shall be placed high on the building above any obstruction and visible from any drive by roadway. Said numbers must be maintained as indicated above in Section 92-1A, (1) and at least twelve (12) inches high in addition to the entrance door.

(1) Any and all exterior doors used for storage or HVAC must be identified on the exterior of the door and marked HVAC or storage.

(2) Each unit in the multifamily dwelling must have numbers or letters installed above or next to all exterior door or patio entrances, front, back or side.

(3) All places of business, numbers and/or letters must be at least four (4) inches high on the front and the back door. The name of the business must also be on the side or back door.

§ 92-4 Violations and penalties.

Any person who shall violate any of the provisions of this chapter or who shall fail to comply therewith shall, upon conviction thereof, be subject to the penalties as set forth in Chapter 1, § 1-1, of this Code. This chapter shall be enforced by the Police Department, Fire Marshal and Code Enforcement Officer of the Borough of Lindenwold.

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

Ordinance 2020-15 Add Chapter Professional

WHEREAS, the Municipal Governing Body of the Borough of Lindenwold wishes to ensure consistency in its provisions, and

WHEREAS, a review of the New Jersey Pay to Play law, N.J.S.A. 19:44A-20.1 et seq., as applicable to municipalities has been conducted, and

WHEREAS, the Mayor and Governing Body have approved the recommendations to add to the Borough of Lindenwold Code Book a new chapter for Contracts, Professional Service as follows:

Contracts, Professional Service

Article I Pay to Play

§ -1 Definitions.

As used in this article, the following terms shall have the meanings indicated:

**BUSINESS ENTITY**

Whose contributions are regulated by this article:

- A. An individual, including the individual's spouse, and any child/children;
- B. A firm, corporation, professional corporation, partnership, limited liability company, organization, association, and any other manner and kind of business entity;
- C. Any person who owns 10% or more of the equity or ownership or income interests in a person or entity, as defined in Subsections A and B above, and their spouses and child/children;
- D. All partners or officers of such an entity, in the aggregate, and their spouses and child/children;

**CAMPAIGN COMMITTEE**

(1) Every candidate for the Borough of Lindenwold elective municipal office; (2) every candidate committee established by or for the benefit of a candidate for Borough of Lindenwold elective municipal office; (3) every joint candidate committee established in whole or in part by or for the benefit of a candidate for Borough of Lindenwold elective municipal office; (4) every political party committee of the Borough of Lindenwold; and (5) every political committee, continuing political committee, or other form of association or organization that regularly engages in the support of candidates for the Borough of Lindenwold elective offices or Borough of Lindenwold political parties or political party committees. The terms in this definition shall have the meanings prescribed in N.J.A.C. 19:25-1.7.

**CONTRACT FOR PROFESSIONAL OR EXTRAORDINARY SERVICES**

All contracts for "professional services" and "extraordinary unspecifiable services," as such terms are used in N.J.S.A. 40A:11-5.

**CONTRIBUTION**

The meaning prescribed in N.J.A.C. 19:25-1.7. By way of illustration, and not limitation, this definition includes pledges, gifts, loans, and in-kind contributions.

§ -2 Prohibition on awarding public contracts to certain contributors.

A. To the extent that it is not inconsistent with state or federal law, the Borough of Lindenwold and any of its departments, instrumentalities or purchasing agents shall not enter into any agreement or otherwise contract to procure "professional services," as such term is defined at N.J.S.A. 40A:11-2(6) and used at N.J.S.A. 40A:11-5(1)(a)(i), and/or banking, insurance or other consulting service (hereinafter "professional services"), nor "extraordinary unspecified services," as such term is defined at N.J.S.A. 40A:11-2(7) and used at N.J.S.A. 40A:11-5(1)(a)(ii), and/or media, public relations, lobbying, parking garage management or other consulting and/or management service (hereinafter "extraordinary unspecified services") from any business entity if such business entity has, within one calendar year immediately preceding the date of the contract or agreement, solicited or made any contribution in excess of the thresholds specified in Subsection C of this section to:

- (1) A candidate, candidate committee or joint candidates committee of any candidate for elective municipal office in the Borough of Lindenwold or a holder of public office having ultimate responsibility for the award of a contract;
- (2) Any Borough of Lindenwold political party committee; or
- (3) Any continuing political committee or political action committee that regularly engages in the support of the Borough of Lindenwold candidates and elections.

**B. Contributions.**

(1) No business entity who submits a proposal for, enters into, negotiates for, or agrees to any contract or agreement with the Borough of Lindenwold or any of its departments or instrumentalities for the rendition of professional services or extraordinary unspecified services shall, between the time of first communication between that business entity and the municipality regarding a specific agreement for professional services or extraordinary unspecified services and the later of the termination of negotiations or rejection of any proposal, or the completion of the performance or specified time period of that contract or agreement, solicit or make, either directly or indirectly, any contribution in excess of the thresholds specified in Subsection C of this section to:

- (a) A candidate, candidate committee or joint candidates committee of any candidate for elective municipal office in the Borough of Lindenwold or a holder of public office having ultimate responsibility for the award of a contract;
- (b) Any Borough of Lindenwold political party committee; or
- (c) Any political action committee.
- (d) Any other individual, organization, or entity included within the definition of a Campaign Committee as defined herein.

(2) For purposes of this subsection, an indirect contribution shall include a contribution made to a political organization (as defined in Subsection F below) that subsequently makes a contribution to (i) any category of individual or

organization described above, as defined in Subsection 8(1)(a), (b) or (c) of this section; or (ii) another political organization, which then directly, or through a series of subsequent contributions to other political organizations, makes a contribution to any category of individual or organization described above, as defined in Subsection B(1)(a), (b) or (c) of this section, regardless of whether:

(a) The business entity had knowledge of such political organization's or political organizations', as the case may be, contributions; or

(b) Such political organization's or political organizations', as the case may be, use the funds of the business entity in making the contribution or contributions, as the case may be.

(c) Any other individual, organization, or entity included within the definition of a Campaign Committee as defined herein.

#### C. Monetary thresholds.

(1) The monetary thresholds of this article are:

(a) A maximum of \$0 per calendar year for any purpose to any single candidate or candidate committee for Mayor or governing body, and all other individuals, entities, or organizations as included in within the definition of a Campaign Committee as defined herein;

D. For purposes of this section, the office that is considered to have ultimate responsibility for the award of the contract shall be the Mayor and Township Committee of the Borough of Lindenwold.

E. Rules regarding subcontractors. No person may be awarded a subcontract to perform under a contract subject to this article if the subcontractor would be disqualified by Subsection A from receiving the contract at the time that the subcontract is awarded; nor may any person who would be disqualified by Subsection A from receiving the contract perform substantially all of the obligations described in a contract for professional or extraordinary services that is subject to this article.

F. No Lindenwold candidate for committee, or individual or entity as defined in Section A, shall accept any contribution from any state, county or municipal or other political party or committee, political action committee, union or any other association or organization that regularly engages in the support of candidates for elective office (collectively, "political organizations" and each, a "political organization") to the extent the political organization received funds constituting such contribution from another political organization or individual and that results in contributions that exceed the contribution thresholds, limits and restrictions set forth in this article. It is the express intent and purpose of this provision to prohibit the practice commonly known as "wheeling."

G. Any union whose membership has a direct interest in any contract with the Borough of Lindenwold shall be subject to the contribution thresholds set forth in Subsection C above.

#### § -3. Contributions made prior to the effective date.

No contribution or solicitation of contributions made prior to the effective date of this article shall be deemed to give rise to a violation of this article.

#### § -4. Contract renewal.

No contract subject to this article may be renewed, extended, or materially modified unless the resulting renewal, extension, or modification would be allowable under the provisions of this article if it were an initial contract.

#### § -5. Contribution statement by business entity.

A. Prior to awarding any contract or agreement to procure "professional services" or "extraordinary unspecified services" from any business entity, the Borough of Lindenwold or its purchasing agents and departments, as the case may be, shall receive a sworn statement from said business entity which is the intended recipient of said contract that he/she/it has not made a contribution in violation of § 2 of this article. The Borough of Lindenwold, its purchasing agents and departments shall be responsible for informing the Governing Body that the aforementioned sworn statement has been received and that the business entity is not in violation of this article, prior to awarding the contract or agreement.

B. A business entity shall have a continuing duty to report to the Borough of Lindenwold any contributions that constitute a violation of this article that are made during the negotiation, proposal process or the duration of a contract. The Borough of Lindenwold, its purchasing agents and departments shall be responsible for informing the governing body within 10 business days after receipt of said report from the business entity, or at the next Governing Body meeting following receipt of said report from the business entity, whichever comes first.

C. The certification required under this section shall be made prior to entry into the contract or agreement with the Borough of Lindenwold, or prior to the provision of services or goods, as the case may be, and shall be in addition to any other certifications that may be required by any other provision of law.

#### § -6. Return of excess contributions.

A business entity that is a party to a contract for professional services or extraordinary unspecified services may cure a violation of § -2 of this article if, within 30 days after the date on which the applicable ELEC report is published, said business entity notifies the municipality in writing and seeks and receives reimbursement of the contribution from the recipient of such contribution.

§ -7. Exemptions.

The contribution limitations prior to entering into a contract in § -2A do not apply to contracts which are awarded in the case of emergency under N.J.S.A. 40A:11-6. There is no exemption for contracts awarded pursuant to a "fair and open process" under N.J.S.A. 19:44A-20 et seq.

§ -8. Violations and penalties.

A. It shall be a material breach of the terms of a Borough of Lindenwold agreement or contract for professional services or extraordinary unspecified services when a business entity that is a party to such agreement or contract has:

- (1) Made or solicited a contribution in violation of this article;
- (2) Knowingly concealed or misrepresented a contribution given or received;
- (3) Made or solicited contributions through intermediaries for the purpose of concealing or misrepresenting the source of the contribution;
- (4) Made or solicited any contribution on the condition or with the agreement that it will be contributed to a candidate, candidate committee or joint committee of any candidate for elective municipal office in the Borough of Lindenwold, or a holder of public office having ultimate responsibility for the award of a contract, or any Borough of Lindenwold political committee or political party committee, or any political action committee;
- (5) Engaged or employed a lobbyist or consultant with the intent or understanding that such lobbyist or consultant would make or solicit any contribution which, if made or solicited by the professional business entity itself, would subject that entity to the restrictions of this article;
- (6) Funded contributions made by third parties, including consultants, attorneys, family members and employees;
- (7) Engaged in any exchange of contributions to circumvent the intent of this article; or
- (8) Directly or indirectly, through or by any other person or means, done any act which, if done directly, would subject that entity to the restrictions of this article.

B. Furthermore, any business entity that violates Subsection A(1) through (8) above shall be disqualified from eligibility for future Borough of Lindenwold contracts for a period of two calendar years from the date of the violation.

C. Any person who knowingly, purposely, or recklessly violates any provision of this article, or who conspires with another person to violate any provision of this article, or who, with the purpose of promoting or facilitating a violation of this article, solicits another person to commit it, or aids or agrees or attempts to aid another person in planning or committing it, shall be subject to punishment, including fines and/or imprisonment as set forth in N.J.S.A. 19:44A-22, which penalty provisions shall be utilized by the Borough of Lindenwold in the enforcement of this article. See also Ch. 1, 1.1 Violations and penalties

**CONSENT AGENDA:** The items listed below are considered routine by the Borough of Lindenwold and will be enacted by one motion. There will be no formal discussion of these items. If discussion is desired, this item will be removed from the Consent Agenda and will be considered separately. Resolution 2020:145-152

Motion was made by Councilman Strippoli, second by Councilwoman Sinon that Resolution 2020:145 to Resolution 2020:152 be adopted as read. Roll call vote was unanimous in the affirmative. Motion carried.

**RESOLUTION 2020:145 Change Order for Laurel Road Pedestrian Improvements Phase II**

WHEREAS, the Borough of Lindenwold awarded Think Pavers Hardscaping, LLC the Laurel Road Pedestrian Improvements Phase II, and

WHEREAS, Remington and Vernick Engineers submitted a change order for the adjustment of as-build quantities, and

THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Lindenwold that, based upon the recommendation of Remington and Vernick, Engineers, that Change Order #1Final to the contract for Laurel Road Pedestrian Improvements Phase II with Think Pavers Hardscaping, LLC, 125 Kings Hwy., Mt. Royal, New Jersey is hereby approved as follows:

Original Contract Amount	\$135,690.00
Reductions:	(\$10,922.75)

Adjustment Amount Based on

Change Order No. 1	\$124,767.25
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The reason for the change is "Final Adjustment of As-Built Quantities"



## RESOLUTION 2020:146 Civil Service Titles

WHEREAS, Corey Rassmussen was hired as a Full-time Code Enforcement Officer, and  
WHEREAS, he has been serving under the Salary position of Housing Inspector II, and  
WHEREAS, there is a vacancy in the Code Enforcement Department due to a resignation, and  
WHEREAS, Corey Rassmussen has been recommended to be promoted to Housing Inspector I to fulfill this vacancy.

THEREFORE BE IT RESOLVED by the Mayor and Borough Council of the Borough of Lindenwold that Corey Rassmussen be promoted to Housing Inspector I in the Code Enforcement Office.

## RESOLUTION 2020:147 Municipal Alliance Grant

**WHEREAS**, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

**WHEREAS**, The Borough Council of the Borough of Lindenwold, County of Camden, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

**WHEREAS**, the Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

**WHEREAS**, the Borough Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Camden;

**NOW, THEREFORE, BE IT RESOLVED** by the Borough of Lindenwold, County of Camden, State of New Jersey hereby recognizes the following:

1. The Borough Council does hereby authorize submission of a strategic plan for the Lindenwold Municipal Alliance grant for **fiscal year 2021 (OCT 1, 2020- JUNE, 30 2021)** in the amount of:

DEDR	\$5,126.65
Cash Match	\$1,281.66
In-Kind	\$3,844.99

2. The Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

## RESOLUTION 2020:148 Hire Police Officers

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

WHEREAS, Civil Service guidelines have been followed, and

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

WHEREAS, Mayor and Council has accepted the recommendation to appoint Dominic Augello, Devon Augello, Daniel DiClementi, Thomas Randle, and Robert Goody to the position of Patrolman.

THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Lindenwold that Dominic Augello, Devon Augello, Daniel DiClementi, Thomas Randle, and Robert Goody be appointed to the position of Patrolman.

## RESOLUTION 2020:149 Authorizing the Sustainable Jersey Grant Application

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, Borough of Lindenwold strives to save tax dollars, assure clean land, air and water, improve working and living environments; and

WHEREAS, Borough of Lindenwold is participating in the Sustainable Jersey Program; and

WHEREAS, one of the purposes of the Sustainable Jersey Program is to provide resources to municipalities to make progress on sustainability issues, and they have created a grant program called the Sustainable Jersey Small Grants Program; and

WHEREAS, the Borough of Lindenwold has determined a need for a dog park as a benefit to the community by establishing and maintaining a fenced land area for dogs to exercise off-leash in a clean, secure environment, to provide an open space without endangering property or wildlife, and to promote a sense of community; and

WHEREAS, a portion of Borough of Lindenwold parklands at 4th and Scott Avenue will be improved for the park; and

WHEREAS, the Sustainable Jersey Small Grants will be used to fund the dog park planning and development of open space improvements.

THEREFORE, the Mayor and the Governing Body of the Borough of Lindenwold has determined that Borough of Lindenwold should apply for the aforementioned Grant; and

THEREFORE, BE IT FURTHER RESOLVED, that Mayor and Governing Body of the Borough of Lindenwold, State of New Jersey, authorize the submission of the aforementioned Sustainable Jersey Grant.

#### RESOLUTION 2020:150 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:

Invoice Date	Block	Lot	Address	Amount
8/3/20	186	9	612 Scott Ave(yard)	\$262.00

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

#### RESOLUTION 2020:151 Authorizing Transfer Or Cancellation Of Various Items, Division Of Tax Collections-Sewer

BE IT RESOLVED, by the Borough Council of the Borough of Lindenwold in the County of Camden that the Tax Collector is hereby authorized to make the following adjustments to the tax records of the Borough of Lindenwold.

IDENTIFICATION:	2020 TAXES	ASSESSMENT
Block 288.06 Lot 2	\$6,322.21	124,600

ADJUSTMENT: Cancel taxes along with corresponding assessment. Property owner is qualified as a Totally Disabled Veteran and as such is entitled to tax exempt status as ordered by the New Jersey Division of Taxation.

#### RESOLUTION 2020:152 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, Ronald Rosen has been recommended for the position of crossing guard by the Police Department.

THEREFORE BE IT RESOLVED by the Mayor and Borough Council of the Borough of Lindenwold that Ronald Rosen be hired as a crossing guard with the successful completion of screening and training.

#### RESOLUTION 2020:153 AMEND THE ARBORWOOD REDEVELOPMENT AGREEMENT

Motion was made by Councilman Strippoli, second by Councilman DiDomenico that Resolution 2020:153 be adopted as read. Roll call vote was unanimous in the affirmative. Motion carried.

WHEREAS, the Borough of Lindenwold entered into a Redevelopment Agreement with AW Urban Renewal, LLC on August 8, 2018; and

WHEREAS, paragraph 1 (e) of the Agreement provides for a maximum time period for property acquisition by the Borough through Eminent Domain, where the Borough of Lindenwold would use its' best efforts to acquire title to the parcels within the Arborwood Redevelopment area, within twenty-four (24) months from the execution date of the Agreement ("Condemnation Period"); and

WHEREAS, the Agreement provides that the Redeveloper will not unreasonably withhold, condition, or delay its' consent to requests from the Borough to extend the condemnation period; and

WHEREAS, the Borough of Lindenwold believes that it will be necessary to amend the Redevelopment Agreement to extend the Condemnation Period, in addition to specifying the time period within which the Redeveloper will convert the property to apartments, and revise the provisions of the Long Term Tax Exemption as provided in the Agreement, as a result of the COVID-19 pandemic, and other unrelated issues;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Lindenwold, that the Mayor is authorized to negotiate and execute an addendum to the Redevelopment Agreement for the Arborwood

Redevelopment area, and extend the Condemnation Period, specify the time period for conversion to apartments at the property, and amend the Long Term Tax Exemption.

RESOLUTION 2020:154 Police Vehicles

Motion was made by Councilman Strippoli, second by Councilman DiDomenico that Resolution 2020:154 be adopted as read. Roll call vote was unanimous in the affirmative. Motion carried.

WHEREAS, the Borough of Lindenwold participates in the Cooperative Purchasing Program with the National Intergovernmental Purchasing Alliance Co. and administered by Sourcewell for the purchase of goods, products and services; and

WHEREAS, it is necessary for the Borough of Lindenwold to execute a contract with Enterprise Fleet Management to place an order for 2021 Chevrolet Tahoe Police Vehicles as there's a significant time lag in production; and

WHEREAS, the Borough of Lindenwold received proposal #P72924 for the leasing and management program with an amount not to exceed \$323,275 with the equity lease agreement made payable over a period of five years according to the following schedule. Year 1 \$73,258.35, Year 2 \$62,504.10, Year 3 \$62,504.10, Year 4 \$62,504.10, Year 5 \$62,504.10.

BE IT FURTHER RESOLVED that the appropriate Borough Officials are hereby authorized to execute the Contract for fleet management and leasing subject to submission of documentation and Notice as required by New Jersey Law.

BE IT FURTHER RESOLVED this resolution shall take effect immediately upon adoption.

Mayor Roach opened the meeting to Council

Councilman DiDomenico presented the Police Department Report for July 2020 with the 2,115 total number of calls. Business Administrator presented a report from President Randolph-Sharpe that the Camden County One Stop is available to assist residents regarding employment. Information is available on the Camden County website. Next, she thanked everyone who assisted in the Day of Action regarding the Census. Currently, 51.4 percent have responded. The Census ends on September 30. Census takers have started to knock on doors.

Mayor Roach updated the residents on the latest number of cases with another death reported.

Mayor Roach opened the meeting to the public.

Diane Veteri, resident, questioned if employees were back to work as she still has not had her inspection. The Mayor advised the resident to contact the Construction Office to schedule.

Mr. Springer, resident, reported the speeding taking place on Aston Martin Drive and requested assistance. The Police Chief was on the call and will address.

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

Motion was made by Councilman Strippoli, second by Councilwoman Sinon that the meeting be adjourned. Voice vote was unanimous in the affirmative. Motion carried.

DATED: September 9, 2020

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Deborah C. Jackson, RMC  
Borough Clerk