

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, Lenkowski, Patton, Sinon, President Randolph-Sharpe, and Mayor Roach.

Resolution 2022:70 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 and Personnel

Motion was made by Councilwoman Sinon, second by Councilman DiDomenico that Resolution 2022:70 be adopted as read. Voice vote was unanimous in the affirmative. Motion carried.

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

Motion was made by President Randolph-Sharpe, second by Councilman Lenkowski that the Council Meeting and Executive Session for December 8, 2021 and December 22, 2021 be adopted as presented. Roll call vote was in the affirmative with Councilman DiDomenico abstaining. Motion carried.

Motion was made by President Randolph-Sharpe second by Councilman DiDomenico 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 Report | \$ 287,993.88 |
| b. Sewer Report | \$ 201,542.27 |
| c. Treasurer's Report | \$ 25,475.34 |

First Reading Ordinance 2022-01 An Ordinance Amending Chapter 242 Records, Public Access to for the Borough of Lindenwold

Motion was made by President Randolph-Sharpe, second by Councilwoman Hess that Ordinance 2022-01 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.

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

WHEREAS, under N.J.S.A. 47:1A-5c, OPRA allows public agencies to impose special service charges whenever the nature, format, manner of collation, or volume of a government record embodied in the form of printed matter to be inspected, examined, or copied pursuant to this section is such that the record cannot be reproduced by ordinary document copying equipment in ordinary business size or when fulfilling a request requires an extraordinary expenditure of time and effort, and

WHEREAS, Special service charges must be based upon the actual direct cost of providing the copy or copies, and

WHEREAS, based on OPRA, the municipality wishes to solidify requests for government records.

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

§ 242-1 Purpose.

New Jersey has adopted the Open Public Records Act which has as its general purpose making government records more available to the public than they have been in the past. In certain instances, the production of archived records or records in a format which is not the usual format maintained by the municipality or other special circumstances would be costly and time consuming. The New Jersey Public Records Act permits the municipality to require the payment of fees, special

service charges and/or special charges as a prerequisite to the production of records requiring extraordinary time and effort, special equipment or special formatting.

§ 242-2 Ordinary requests for information.

The statutory fee schedule shall apply to routine requests under the Open Public Records Act. The fees of N.J.S.A. 47:1A-5 are hereby incorporated herein as such fee schedule presently exists or as such fees might appear in future modifications or amendments of the statute. At present time, fees under N.J.S.A. 47:1A-5 for routine copies of municipal documents are listed under Chapter 150-2 Fee Schedule. In addition the following is added:

A. Actual postage for any documents sent by mail.

B. Actual costs for the envelope for any documents sent by mail.

C. Photographs will be photocopied at the actual cost. If requests are made for supplicate photographs, the actual cost of making the photographs shall be charged.

D. Duplication of videotapes, computer disc, CD-ROM and/or DVD will be charged the actual costs to provide this record.

E. Any document that has to be retrieved from the off-site record archive facility will be charged the actual costs to retrieve this document.

§ 242-3 No research or interpretation may be compelled.

Nothing in this article shall require the custodian of documents or any other municipal official to examine, analyze, tabulate, or interpret documents which are subject to production under the New Jersey Open Public Records Act.

§ 242-4 Special services charges; special charges authorized.

A. Charges authorized. The Borough Clerk or other custodian or keeper of documents qualifying for mandatory production as "governmental records" under the New Jersey Public Records Act shall be entitled to special service charges and/or special charges as set forth in Section **25-5** below.

B. Requests to be in writing. Any requests for documents shall be made to the Borough Clerk on a form established by the Borough Clerk for such purposes.

C. Advance notice of fees; special service charges and special charges; deposit. Any requester of government records which are eligible for the imposition of a special charge or special service charge under Section **242-5** below shall receive advance notice of the amount of fees and charges before any work is started. The Borough Clerk shall require prepayment of such charges before causing the work to begin.

§ 242-5 Fees, special services charges and special charges when charged; amounts authorized.

A. Duplication or other work beyond capability of municipal-in-house work force. Whenever the in-house municipal work force or available municipal equipment is insufficient to duplicate or produce government records in a timely fashion, the Borough Clerk may cause such duplication or production to be accomplished by outside vendors such as copy centers or producers of digital images. If the costs of such duplication or production charged by such vendors exceeds the routine charges set forth in N.J.S.A. 47:1A-5, the actual direct cost of same without any additional surcharge for labor costs shall be paid.

B. Special service charges authorized. Whenever government records cannot be reproduced by regular copying equipment or fulfillment of the request would involve extraordinary expenditure of time and effort to accommodate the request (for example, where a large number of records must be recovered from storage or substantial staff time is required to review, sort and assemble records), charges may be imposed as follows:

(1) The actual cost (materials and supplies but no staff labor) of duplication or reproduction; plus

(2) A special service charge of \$25 per hour or the actual direct cost of labor (if less) shall be imposed for each hour of extraordinary time predicted to be utilized to respond to the request.

(3) Rates for in-house production of prints or blueprints. Any prints or blueprints produced in-house in response to a governmental records request shall be produced for actual cost of labor and materials for reproduction of such prints or blueprints.

C. Cost of GIS data. The cost of any GIS data owned by the Borough of Lindenwold shall be actual cost of labor and materials for reproduction of such data.

D. Digital records. If a request for governmental records involves production or conversion of digital or computerized records or film which is:

(1) In a medium not routinely used by the agency (i.e., electronic or film);

(2) Not routinely developed or maintained by an agency; or

(3) Requiring a substantial amount of manipulation or programming of information technology;

(4) Then requester shall pay fees and special charges as follows:

(a) Direct costs (no overhead) to comply with the request; plus

(b) Special charges; the cost of technology and labor actually incurred.

§ 242-6 Application of copyright laws.

The Borough of Lindenwold may be compelled by New Jersey Law to produce or duplicate governmental records but no compliance with these legal obligations shall be deemed to constitute a license, sublicense or waiver of copyright laws.

§ 242-7 Custodians of records; collection of fees.

The Chief of Police or some responsible police personnel designated by him shall be custodian of Police Department records. The Borough Clerk shall be custodian of all other records of the Borough of Lindenwold. These officials shall reproduce or cause to be reproduced requested copies of records in their custody and shall collect the fees and charges designated in Section **242-2**. Such fees and charges shall be delivered to the Borough Treasurer within forty-eight (48) hours of their receipt.

§ 242-8 Effect on other legislation.

Nothing herein contained shall prevent any person from examining and making copies of any public record, not otherwise restricted, without charge as provided in Chapter **73** of the Laws of New Jersey 1963. (N.J.S.A. 47:1A-1 et seq.)

§ 242-9 Exceptions.

There shall be no charge for copies of reports or other documents which the borough shall be required to give and/or make for any public officer or law enforcement authority or which may be given to aid any public officer or law enforcement authority in the enforcement of the law.

First Reading Ordinance 2022-02 An Ordinance Amending Chapter 150 Fee Schedule By Title Only

Motion was made by President Randolph-Sharpe, second by Councilman DiDomenico that Ordinance 2022-02 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 Councilman Lenkowski that Resolution 2022:71-73 be adopted as read. Roll call vote was unanimous in the affirmative. Motion carried.

RESOLUTION 2022:71 Authorize Signature

WHEREAS, Kiersten Bruce is the new owner of Best Price Auto Sales LLC, and

WHEREAS, there is a completed Mercantile License for Used Motor Vehicle Dealer, and

WHEREAS, he has applied to the State of New Jersey for a Used Motor Vehicle Dealer, and

WHEREAS, the State of New Jersey has requested an approval certificate to be completed by the Municipal Governing Body.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Lindenwold that the Borough Clerk is hereby authorized to sign the said approval certificate for Kiersten Bruce is the owner of Best Price Auto Sales LLC.

RESOLUTION 2022:72 Reappoint Tax Collector

WHEREAS, the Borough of Lindenwold appointed a Tax Collector due to a vacancy in 2018, and

WHEREAS, the term for the part time Tax Collector expired on January 18, 2022, and

WHEREAS, the Business Administrator has recommended the reappointment of Carol Redmond as the part time Tax Collector.

THEREFORE, BE IT RESOLVED by the Mayor and Borough Council to reappoint Carol Redmond as part time Tax Collector for another four year term starting January 18, 2022.

RESOLUTION 2022:73 Budget Transfer

BE IT RESOLVED by Mayor and Borough Council of the Borough of Lindenwold that the following transfers are made to the 2021 Appropriation Reserves:

<u>Budget Account</u>	<u>From</u>	<u>To</u>
Municipal Court S & W	2,500.00	
Police S&W	20,000.00	
Interest on Tax Appeals	1,510.00	

Accumulated Leave Comp	20,000.00
Public Defender S&W	2,500.00
Recycling Tax	1,510.00
Total	24,010.00

RESOLUTION 2022:74 Revision to Employee Handbook

WHEREAS, the Borough of Lindenwold adopted the new Model Employee Handbook and Personnel Policies and Procedures Manual as required by Municipal Excess Liability Joint Insurance Fund("MEL") on October 13, 2021, and

WHEREAS, the new version of the Model Employee Handbook was developed for all members of the Joint Insurance Fund, and

WHEREAS, the Borough of Lindenwold has identified a need to include sections of the prior Employee Handbook for the efficiency of Borough operations, and

WHEREAS, the following items were updated and/or added: Conflict of Interest Policy and Paid Holidays

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Lindenwold to adopt the revisions to the Employee Handbook and reviewed by the Borough Solicitor.

Motion was made by President Randolph-Sharpe, second by Councilman DiDomenico that Resolution 2022:74 be adopted as read. Roll call vote was unanimous in the affirmative. Motion carried.

RESOLUTION 2022:75 Engineering Services for FY2022 NJDOT Municipal Aid Cooper Avenue

WHEREAS, there is a need for the Borough of Lindenwold to have a review, preparation of specifications and construction oversight for the FY2022 NJDOT Municipal Aid for Reconstruction of Cooper Avenue(M2021-234)in the Borough of Lindenwold; and

WHEREAS, under the Fair and Open process, the Borough of Lindenwold received and awarded an Engineering Services contract for the year 2022 to Remington and Vernick of which includes writing of specifications and contract administration in their scope of work, and

WHEREAS, Remington and Vernick submitted a cost proposal on January 13, 2022.

THEREFORE, BE IT RESOLVED by the Mayor and the Borough Council, County of Camden, State of New Jersey to authorize Remington & Vernick Engineers to prepare the review specifications for FY2022 NJDOT Municipal Aid for Reconstruction of Cooper Avenue (M2021-234) with a cost for engineering and construction oversight to be funded by the grant with the estimated cost to the Borough for the amount awarded by the New Jersey Department of Transportation with a not to exceed estimated project total cost of \$67,030.00.

Motion was made by President Randolph-Sharpe, second by Councilman DiDomenico that Resolution 2022:75 be adopted as read. Roll call vote was unanimous in the affirmative. Motion carried.

Anthony Chadwell of Remington and Vernick presented the Engineer's Report that included the proposal for the construction of the Municipal Parking Lot. Mayor and Council authorized the design for the Reconstruction of Cooper Avenue and the status of the Repaving of Linden Town Phase 2.

Mayor Roach opened the meeting to Council.

Councilman DiDomenico thanked the members of Council for all their well wishes as he battled cancer and is now in remission.

Councilwoman Hess had nothing to report.

President Randolph-Sharpe wished everyone a Happy National Spouse Day. Updates to the Council information on the website is in progress. She presented the End of the Year Report from Code Enforcement.

Councilman Lenkowski commended the members of the Lindenwold School IT Department who came in on their day off to set up the remote learning. He attended a seminar for the school that focused on intervention strategies for the School District. He announced that the honoring of members of the National Honor Society would be held virtually. In addition, the bond referendum for the School Board passed.

Councilwoman Patton thanked the Mayor and Council for the warm welcome. She announced the sign up for the Valentine Craft at the library, which you make at home. NJ Health Net will be at the Library where you can access a doctor on line. More information is available at the Library. She announced that she is accepting applications to form a Public Event Committee. Anyone interested can contact her or go to the Borough website.

Councilwoman Sinon presented the Code Blue advisory through January 31. Due to the temperatures, it is recommended to stay indoors, check on elderly neighbors and bring pets inside. This is the time of year to register cats and dogs at the Borough with proof of valid rabies vaccination. Next, she announced the government program free COVID tests with delivery late January. In addition, New Jersey is collaborating with Volt for tests that are returned to a lab for processing. Local pharmacies will be providing free N95 masks in order to help the spread. She also updated the residents on the new guidelines. She provided information on the new variant that has reached the United States as well as other countries. Finally, she provided information on the Air Tags in order for residents to stay safe. Mayor thanked the Borough employees for their dedication in opening the municipal offices. Many other towns are still closed to the public. He thanked them for their dedication since the start of the pandemic. He announced the completion of the Traffic Signal upgrades that have improved the traffic on Gibbsboro Road. He thanked the Police Department for all the additional activities that benefited the residents. The biggest accomplishment is Arborwood is gone. The new complex is Pinewood Estates.

Mayor Roach opened the meeting to the public.

Diane Veteri, resident, addressed Council regarding the comments from the officials who spoke at Reorganization as well as the community in Lindenwold and democracy.

Joe Amodeo, resident, wished everyone a Happy New Year. He questioned the school bond and who paid for the new voting machines, which he felt, was wasteful. He also complained about a property in Georgetown.

Danielle Brittin, resident, spoke about the highlights of events. She also praised the new Welcome to Lindenwold signs that have been posted.

Trevor Shaw, resident, welcomed back Councilman DiDomenico. He also questioned if there has been any follow up on updating the material on Channel 192.

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

Mayor Roach re-opened the meeting to Council.

President Randolph-Sharpe recommended that the resident contact the Camden County Board of Elections regarding the voting machines. She also addressed the status of Channel 192 and the delays due to COVID.

Mayor Roach addressed the comments of the resident regarding the community.

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: February 9, 2022

Deborah C. Jackson, RMC
Borough Clerk