

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. Mayor Roach requested a moment of silence for the passing of a former employee.

Roll Call of Council Members Present: Hess, Lenkowski, Morrissey, Patton, Sinon, President Randolph-Sharpe, and Mayor Roach

#### Resolution 2023:71 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 President Randolph-Sharpe, second by Councilwoman Hess to go into executive session. Voice vote was unanimous in the affirmative. Motion carried.

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

Motion was made by Councilwoman Hess, second by Councilwoman Sinon that the Council Meeting and Executive Session for December 14, 2022 and December 28, 2022 be adopted as presented. Roll call vote was in the affirmative with Councilman Morrissey abstaining and President Randolph-Sharpe abstaining for December 14, 2022. Motion carried. Motion was made by President Randolph-Sharpe, second by Councilwoman Sinon that the Council Meeting for January 4, 2023 be adopted as presented. Roll call vote was unanimous in the affirmative. Motion carried.

Motion was made by President Randolph-Sharpe, second by Councilman Lenkowski 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:

	Dec.	Jan.
a. Tax Collector's Report	\$259,983.76	\$1,344,900.04
b. Sewer Report	\$195,645.09	\$ 68,023.15
c. Treasurer's Report	\$ 64,972.61	\$ 18,400.23

#### First Reading Ordinance 2023-01 Amend Chapter 75 Animals and Chapter 150 Fee Schedule for Dangerous Dogs

Motion was made by President Randolph-Sharpe, second by Councilwoman Hess that Ordinance 2023-01 be adopted as read 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, Municipalities are required to follow N.J.S.A. 4:19-35 regulations for animals declared to be dangerous by the Municipal court, and

WHEREAS, after a careful review of the Lindenwold Codes, an amendment is needed to comply with N.J.S.A. 4:19-36.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the municipal governing body of the Borough of Lindenwold, that section below be amended as follows:

#### Chapter §75-31 Dangerous and/or Vicious Animals

Any dog which has attacked or bitten any human being or which habitually attacks other dogs or domestic animals shall be deemed to be vicious dog for the purpose of this section. An appropriate Borough official shall receive and investigate complaints against dogs, and when any dog complained against is deemed to be a vicious dog, an appropriate Borough official shall report the facts to the Municipal Judge, who shall cause the owner or person harboring such dog to be notified, in writing, of the complaint against such dog and to appear before him at a stated time and place. At the time set for such hearing, the Judge shall inquire into the facts and give all interested persons an opportunity to be heard under oath and to be represented by counsel. The Judge shall decide in accordance with the evidence before him, and, if he

decides that such dog complained of is a vicious dog, notice of such decision shall be given to the owner or person harboring such dog following the regulations as listed in N.J.S.A. 4:19-36.

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

First Reading Ordinance 2023-02 Amend Chapter 250, Article II Rental Inspections and Chapter 150-42 Fees

Motion was made by President Randolph-Sharpe, second by Councilman Lenkowski that Ordinance 2023-02 be adopted as read 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, the Borough of Lindenwold has reviewed Chapter 250, Article II for Rental Property Inspection, and

WHEREAS, a clarification is required regarding sections of the Rental Property Inspections as follows:

**§ 250-4 Inspection application forms; filing; contents.**

Without in any way intending to infringe upon the requirements of N.J.S.A. 46:8-28, all rental units and rental facilities shall be inspected, as provided herein. Every owner shall file with the Borough Clerk or designee of the Borough of Lindenwold, or such other person as designated by the Borough Council, an inspection application form for each unit contained within a building or structure, and for each rental facility on a form as proscribed by the Construction Official. The owner of a rental unit or rental facility, as defined herein, shall file the inspection application within 30 days of the purchase and/or taking of ownership of the rental unit or rental facility

**250-7 Periodic inspections.**

**D. Unsatisfactory inspection.** In the event that the inspection(s) of a rental unit does not result in a satisfactory inspection, a certificate of inspection shall not be issued, and the owner of the property or his agent shall not lease or rent such property, nor shall any tenant occupy the property, until the necessary corrections have been made to bring the property and rental unit into compliance with the applicable code, and the property is thereafter subsequently inspected. The results of the Inspection shall be furnished to the owner of the rental unit or facility within Fifteen (15) Days of the date of the Inspection. In the event that the property is occupied when such conditions are discovered, all such corrections shall be made within 30 days, unless the nature of the deficiency and the applicable law upon which the inspection is made mandates a shorter time for repairs, in which event the shorter time shall govern. In the event that the conditions are not corrected within the thirty-day time period, or sooner where required, the owner shall be deemed in violation of this article, and, every day that the violation continues shall constitute a separate and distinct violation, subject to the penalty provisions of this chapter. The owner, however, shall be permitted to apply for an extension of time to make repairs or corrections so as to comply with this article, for good cause shown. Where the applicable law upon which the inspection is made mandates that the property be vacated, the owner or its agent shall cause the rental unit to be vacated and any such failure to do so shall be a violation of this chapter. Chapter **248**, Relocation Assistance, shall also apply to any removal of a tenant due to a violation of this chapter.

**E. Notifications**

1. Notice. The Borough of Lindenwold shall provide written notice of the date(s) and time(s) for the inspection(s) required herein to the owner of the rental unit or rental facility, by personal service on any one of the following: to the owner at the property subject of the inspection; to the on-site management office of any multi-family residential rental dwelling, or to the owner at the property address listed for service on the inspection application. In lieu of personal service, the Borough may notice the owner by forwarding the notice of inspection(s) by both regular mail and certified mail, return receipt requested, to any one of the following: to the owner at the property subject of the inspection; to the management office on record as managing any multi-family residential rental dwelling, or to the owner at the property address listed for service on the inspection application. All Notices of Inspection shall be forwarded by the Borough on or before January 15 of each inspection year.

2. Cancellation And Rescheduling Inspections. The owner of a rental unit or rental facility shall notify the Borough Code Enforcement Office in writing at least Forty-Five (45) days prior to the scheduled inspection of their inability to accommodate the date(s) and time(s) of the inspection(s) and request the inspection be rescheduled. In the event the owner fails to notify the Borough Code Enforcement Office of the need to reschedule the inspection(s) within the Forty-Five day period, the inspections shall proceed as scheduled by the Borough. The owner shall contact the Borough Code Enforcement Office, upon a request to have the inspection(s) rescheduled, and attempt to negotiate a mutually convenient

date(s) and time(s) to reschedule the inspection(s). The owner shall be permitted to reschedule an inspection for a unit or facility only once in an inspection year.

In the event the Borough is required to reschedule the inspection(s), the Borough will provide the owner at least Fifteen (15) day's notice of the cancellation, using the notice provisions as required in this chapter. The Borough shall contact the owner upon cancellation of the inspections(s) by the Borough, and attempt to reschedule the Inspections(s) to a mutually convenient date(s) and time(s). In the event of cancellation by the Borough, a Notice rescheduling the inspections(s) shall issue from the Borough within Ten (10) days of the cancellation, setting forth the new date(s) and time(s) for the inspection(s)."

#### **§ 250-8 Access for inspections; repairs.**

**D.** In the event the owner or occupant of a unit or facility subject to inspection under this ordinance fails to provide access for the inspection, or otherwise refuses access to the unit or facility, the owner shall be deemed in violation of this Ordinance. The Borough may charge a fee to the owner (see Chapter 150-42 Fee Schedule) not to exceed \$50.00, for each unit for which the owner or occupant fails to provide access to the property for a scheduled inspection. In the event access to the property is denied as a result of the action or inaction of the occupant, the owner may charge the occupant for reimbursement of the fee. The fees chargeable under this provision shall be in addition to the fees permitted in Section 250-11 of this Ordinance and Chapter 150-42 Fee Schedule. The Borough shall provide the owner with notice of all fees assessed pursuant to this Section within Five (5) days of the violation, consistent with the Notice provisions of Section 250 E(1). All such fees assessed pursuant to this section shall be paid by the owner within Thirty (30) days of the owner's receipt. Failure by the owner to pay the fees timely shall subject the owner to a revocation of the certificate of inspection and resulting penalties as set forth in Section 250-14."

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

First Reading Ordinance 2023-03 Amend Chapter 150 Fee Schedule

Motion was made by President Randolph-Sharpe, second by Councilman Morrissey that Ordinance 2023-03 be adopted as read 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, 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:

#### **§ 150-2 Documents, records and reports.**

Service, License or Permit Provided

Borough Clerk

Notary fee

\$ 2.50

Certified copies of marriage, death, birth and domestic partnerships

\$25.00 for first copy each add 'l copy

\$2.00

Police Department

Copies of police report (mailed) MV Crash Reports – PER NJSA 39:4-131

\$5.00 1st 3 pages,

\$1.00 per page thereafter

Copies of police report (picked up) PER OPRA Fee Schedule

\$ .05 per page letter size

\$ .07 per legal size

Permit to purchase handgun PER Bill A4769

\$25.00

Firearm purchaser's identification card PER Bill A4769

\$50.00

Firearm PERMIT TO CARRY PER Bill A4769

\$150.00

(Borough of Lindenwold / \$50 State of NJ Treasurer)

§ 150-7 Dogs and other animals.

Adding:

H. Fee for registering dangerous/vicious animal (red tag w/town #156) \$500

§ 150-11 Alcoholic beverages.

Type	Fee
Alcoholic beverages licenses and fees (per year):	
Plenary retail consumption license	\$2,400
Plenary retail distribution license	\$2,400
Seasonal retail consumption license	\$2,400

§ 150-42 Rental inspection.

E. Failure to Provide Access

Owner to be charged a fee not to exceed \$50.00, for each unit for which the owner or occupant fails to provide access to the property for a scheduled inspection (additional fee to those listed as per Chapter 250)

First Reading Ordinance 2023-04 Amend Chapter 24 Public Officials

Motion was made by President Randolph-Sharpe, second by Councilwoman Hess that Ordinance 2023-04 be adopted as read 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, the Borough of Lindenwold has reviewed Chapter 34 regarding Officers, Employees, and Elected Officials, and

WHEREAS, a recommendation to review ordinances passed within Camden County as well as the New Jersey State Statutes regarding indemnification was conducted, and

WHEREAS, there is a need to incorporate this policy for Borough officers, employees, and elected officials as stated below:

Chapter 34 Officers, Employees, and Elected Officials

Article XXV

§ 34-1 Legislative intent.

It is the legislative intent of the Borough of Lindenwold to indemnify all employees and appointed and elected officials of the Borough of Lindenwold from claims and/or alleged Negligence resulting from their appointment and service as officials of the Borough of Lindenwold in the course of their service and appointment, election or employment thereof as per N.J.S.A. 59:10-4.

§ 34-2 Indemnification.

The Borough of Lindenwold shall indemnify, defend, and hold harmless municipal employees and appointed and elected municipal officials for any claim made against them as a result of an alleged negligent act, provided that said claim and/or alleged negligent act occurred or accrued during the course of, and arose out of, their appointment or employment with the Borough of Lindenwold.

§ 34-3 Payment of claims by Borough; defense.

The Borough of Lindenwold shall pay on behalf of the aforesaid and herein below defined municipal employees and/or officials for all losses which said officials and/or employees shall be legally obligated to pay for any civil claim made against them as a result of a negligent act, provided that the claim is made for an occurrence or claim which occurred or accrued during the period of their appointment and/or employment with the Borough of Lindenwold. In the event that a lawsuit is filed against said official and/or employee, legal counsel shall be retained by the Borough at no expense to the said employee and/or official.

§ 34-4 Additional indemnification.

The Borough of Lindenwold shall indemnify and pay any loss arising from any civil claim resulting from a negligent act, made against the estate, heirs, legal representatives or assigns of any municipal employee or public official who are acting in the aforesaid capacity at the time of their appointment or employment with the Borough of Lindenwold.

§ 34-5 Definitions.

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

MUNICIPAL OFFICIAL and MUNICIPAL EMPLOYEE

Those persons appointed or employed by the Borough of Lindenwold, including any board, commission or unit of the Borough of Lindenwold, which is defined below. "Municipal employee" or "municipal official" shall not mean and does not apply to any person working on a retainer or contractual agreement generally known as an "independent contractor."

PUBLIC OFFICIAL and PUBLIC EMPLOYEE

All persons who were, now are or shall be lawfully elected or lawfully appointed members of the Borough of Lindenwold, including any board, commission or authority of the Borough of Lindenwold, and shall include such members of such commissions, boards or other units operated by and under the jurisdiction of such governing body and within an appointed total operating budget, including but not limited to the Joint Land Use Board, Lindenwold Park and Recreation Commission, Lindenwold Library Advisory Board, Lindenwold Emergency Management Committee or any future Lindenwold commission.

WRONGFUL ACTS

Any error, negligent act or omission, neglect, or unintentional breach of duty, by a municipal employee or official, acting in their capacity as a public official or employee of the Borough of Lindenwold.

§ 34-6 Indemnification in criminal matters.

In the event that a Borough employee or official, as defined in § 34-5 above, is indicted or otherwise charged with a criminal or quasi-criminal offense, and in the further event that said individual is acquitted or, in the alternative, if the charges are dropped or dismissed with prejudice by the prosecuting authority, then and only in these two events shall the Borough of Lindenwold indemnify said individual for legal fees in defending the criminal action and accrued back salary owed to the individual by virtue of a suspension, if applicable. This section creating indemnification shall only apply in those criminal or quasi-criminal matters, which arise out of or occur in the course of the municipal employee or official's appointment with the Borough of Lindenwold. In the event that any criminal or quasi-criminal charge is filed against said municipal official or municipal employee, as defined in § 34-5, which do not arise out of the employment or appointment with the Borough of Lindenwold, no indemnification coverage will be issued by the Borough of Lindenwold.

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

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 2023:72-82 be adopted as read. Roll call vote was unanimous in the affirmative. Motion carried.

Resolution 2023: 72 Authorizing Installment Payments to Redeem Tax Sale Certificate 15-00385 Pertaining To Block 240, Lot 15 on the Tax Map of Lindenwold Borough

WHEREAS, the Borough of Lindenwold acquired Tax Sale Certificate number 15-00385 on September 23, 2015 with reference to Block 240, Lot 15 on the Tax Map of the Borough of Lindenwold; and

WHEREAS, the Borough of Lindenwold resolved to foreclose In Rem tax certificate 15-00385 as memorialized in resolution 2022:173, adopted on September 14, 2022; and

WHEREAS, the Borough of Lindenwold filed an In Rem Tax Foreclosure Complaint on September 26, 2022, in the Superior Court of New Jersey, Chancery Division, under docket F-010234-22; and

WHEREAS, the tax collector of Lindenwold Borough has calculated the redemption amount for tax sale certificate 15-00385, together with accrued interest and legal costs, through February 8, 2023, as the sum of \$28,505.23; and

WHEREAS, Cathy Rea, the owner of Block 240, Lot 15 on the Lindenwold Borough tax map has requested an installment payment plan to redeem tax sale certificate 15-00385; and

WHEREAS, redemption of a municipal tax lien by installment payments is permissible pursuant to N.J.S.A. 54:5-65, et. seq.; and

WHEREAS, interest shall continue to accrue on the balance due to redeem, at the statutory rate, over the course of the installment payment plan, and apportioned legal costs of the foreclosure action are included in the amount required to redeem.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Lindenwold that Cathy Rea, the titled owner of the real property known as Block 240, Lot 15 on the Tax Map of Lindenwold Borough, be and is hereby permitted to redeem tax sale certificate 15-00385 in installments as set forth in this resolution; and

BE IT FURTHER RESOLVED that the installment payment plan to redeem tax sale certificate 15-00385 shall be made with an initial payment of \$10,000.00 (Ten Thousand Dollars) payable to the Lindenwold Borough Tax Office on or before February 15, 2023 by certified funds, and monthly installments thereafter, due on the first of each month commencing March 1, 2023, in the amount of \$669.01 per month, for a period of 36 months, consistent with the 36 month amortization schedule attached to this resolution and made a part hereof; and

BE IT FURTHER RESOLVED that the Borough of Lindenwold will take no action to foreclose the right of redemption on tax sale certificate 15-00385, and the In Rem tax foreclosure action under docket F-010234-22, as pertains to Block 240, Lot 15, shall be suspended and/or dismissed without prejudice, if all payments as required in this resolution are paid timely as set forth herein; and

BE IT FURTHER RESOLVED that in the event the initial payment, an installment payment, or any other obligation herein is not paid when due, or redemption is not completed within the time fixed herein, the Borough of Lindenwold shall proceed to foreclose tax certificate 15-00385 for the unpaid balance, after proper credit for such payments as were made. In the event of default by the property owner of any term or condition of this resolution, the Borough shall retain the right to reinstate the foreclosure action under docket F-010234-22, refile the action, or otherwise proceed on the pending action to foreclose In Rem tax sale certificate 15-00385; and

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Lindenwold, that the acceptance of installment payments to redeem tax sale certificate 15-00385 by the property owner is conditioned and contingent upon all future municipal taxes and/or assessments being paid current as they become due, during the course of the installment payment plan. In the event all municipal taxes and/or assessments are not paid timely as they become due during the course of the installment plan, the Borough shall be permitted to proceed In Rem to foreclose upon tax sale certificate 15-00385 for the unpaid balance, after proper credit for such payments as were made; and

BE IT FURTHER RESOLVED that in the event any portion of this resolution is determined to be unenforceable, or otherwise contrary to law, the Borough retains the right pursuant to N.J.S.A. 54:5-65 to amend, alter, or supplement this Resolution as necessary, to correct any deficiencies.

BE IT FURTHER RESOLVED that upon adoption, this resolution shall be published according to law.

#### Resolution 2023:73 Transfer Liquor License Balsamo's

WHEREAS, an application has been filed for a person to person transfer of Plenary Retail Consumption License #0422-33-003-007, heretofore issued to Siva 2020, LLC, d/b/a Balsamo's Pizza, and P & J Brothers LLC, and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid and the license has been properly renewed for the current license term, and

WHEREAS, special conditions exist with the Division of Alcoholic Beverage Control who will be conducting an additional inspection, and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33, and

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the licensed business, and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Borough Council of the Borough of Lindenwold does hereby approve effective February 8, 2023 the person to person transfer of the aforesaid Plenary Retail Consumption License to P & J Brothers LLC located at 311 East Atlantic Ave., Lindenwold, NJ from Siva 2020 LLC d/b/a Balsamo's Pizza and does hereby direct the Municipal Clerk to endorse the license certificate to the new ownership as follows: "This license, subject to all its terms and conditions, is hereby transferred to P & J Brothers LLC located at 311 East Atlantic Ave., Lindenwold, NJ effective February 8, 2023.

#### Resolution 2023:74 Release Cash Guarantee

WHEREAS, Alejandro Cordova of La Esperanza, Inc. posted a cash performance guarantee on 4/12/2006 for site construction, and

WHEREAS, Resolution 2006:123 was passed for the request by the Borough Engineer, Environmental Resolutions, that the cash performance guarantee be reduced in the amount of \$8,356.50, and

WHEREAS, the Borough of Lindenwold received a request for the release of these funds due to the age of the project, and

WHEREAS, the Borough of Lindenwold conducted a review of the records relating to the amount still currently held in escrow.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Lindenwold that the cash performance guarantee be released in the amount of \$5,489.98.

Resolution 2023:75 Refund Vendor Registration

WHEREAS, Erin Logan submitted a vendor registration fee in the amount of \$40.00 for Lindenwold Neighbor Fest, and

WHEREAS, this event was rescheduled, and

WHEREAS, the vendor was unable to attend the rescheduled event, and

WHEREAS, the applicant has requested a refund of the \$40.00 fee.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Lindenwold that the amount of \$40.00 vendor registration fee be refunded to Erin Logan.

Resolution 2023:76 2023 Safe and Secure Grant

BE IT RESOLVED by the Borough of Lindenwold Mayor and Council of Lindenwold, in the County of Camden, and State of New Jersey, as follows:

1. The Borough of Lindenwold is authorized to accept a subaward grant from the State of New Jersey, Department of Law and Public Safety, Office of the Attorney General, in the amount of \$48,600.00, under the Safe and Secure Communities Program, Grant No. 23-0422, with a Match - Fringe Benefits, for a total program cost of \$48,600
2. Mayor Richard E. Roach, Jr. and Chief Michael McCarthy, Jr. are authorized to execute and the Borough Clerk to attest to a Subgrant Award in connection with this grant, and any and all documents in connection with this grant
3. The Borough of Lindenwold is accepting this grant of funds for the purpose described in the application.
4. Subaward Period: March 14, 2023 to March 13, 2024.
5. A certified copy of this resolution shall be provided by the Office of the Borough Clerk to each of the following:
  - a. Mayor Richard E. Roach, Jr.
  - b. Borough Council
  - c. Business Administrator/CMFO
  - d. Police Department, Attention: Chief Michael McCarthy, Jr.
  - e. State of New Jersey  
Office of the Attorney General  
Department of Law and Public Safety  
PO Box 080  
Trenton, NJ 08625-0080

Resolution 2023:77 Special Counsel

WHEREAS, the Borough of Lindenwold has a need to acquire the services for Special Counsel for litigation involving personnel matters, and

WHEREAS, the Borough of Lindenwold has previously appointed Timothy Higgins as Special Counsel for personnel matters, and

WHEREAS, the exact title of the appropriation to be charged is the Current Fund.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Borough Council of the Borough of Lindenwold authorizes the Mayor and Borough Clerk to appoint Timothy Higgins as Special Counsel with an appropriation not to exceed amount of \$5,000.

Resolution 2023:78 Appointment of a Hearing Officer

WHEREAS, the Borough of Lindenwold has a need to acquire the services of a Hearing Officer for personnel matters, and

WHEREAS, the Borough has considered the credentials of Robert T. Zane, III, Esq. for the position of hearing officer, including his years of service as a municipal judge in various municipalities in Camden County, and experience in arbitrations, and

WHEREAS, the Borough considers Robert T. Zane, III, Esq. qualified to serve as a hearing officer for personnel matters; and

WHEREAS, the exact title of the appropriation to be charged is the Current Fund.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Borough Council of the Borough of Lindenwold authorizes the Mayor and Borough Clerk to appoint Robert T. Zane, III, Esq. as a Hearing Officer, with a not to exceed amount of \$3,000.00

#### Resolution 2023:79 Rescind License Approval

WHEREAS, the Borough of Lindenwold approved the renewal for the pocket liquor license for Topica LLC, #0422-33-009-005, under Resolution 2022:211 on December 14, 2022, and

WHEREAS, the renewal was rejected by the New Jersey Alcohol Beverage Commission for this inactive license for the term of 2022-2023 for failure to submit a twelve page application and advertisement.

THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Lindenwold that the approval for the liquor license for the term of 2022-2023 for Topica LLC, #0422-33-009-005 be rescinded.

#### Resolution 2023:80 Hire Crossing Guards

WHEREAS, the Police Department of the Borough of Lindenwold has determined a need for Crossing Guards, and

WHEREAS, the Police Department recommended Lakisha Knight and Dawn Evans-Donohue, and

WHEREAS, the procedure for hiring is by Resolution.

THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough hereby authorize the hiring of Lakisha Knight and Dawn Evans-Donohue as Crossing Guards after pre-employment procedures.

#### Resolution 2023:81 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 Richard L. Freiling and Christopher M. Grega to the position of Patrolman.

THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Lindenwold that Richard L. Freiling and Christopher M. Grega to the position of Patrolman.

#### Resolution 2023:82 Budget Transfers

BE IT RESOLVED by Mayor and Borough Council of the Borough of Lindenwold that the following transfers are made to the 2022 Appropriation Reserves:

<b><u>Budget Account</u></b>	<b><u>From</u></b>	<b><u>To</u></b>
Tax Collector S & W	10,000.00	
Police S&W	10,000.00	
Public Buildings & Grounds OE	2,500.00	
Accumulated Leave Comp		20,000.00
Streets & Roads OE		2,500.00
<b>Total</b>	<b>22,500.00</b>	<b>22,500.00</b>

#### Resolution 2023:83 Appoint Construction Official

Motion was made by President Randolph-Sharpe, second by Councilwoman Hess that Resolution 2023:83 be adopted as read. Roll call vote was unanimous in the affirmative. Motion carried.

WHEREAS, a vacancy exists for the Construction Official due to the submission of a resignation, and



WHEREAS, the current Subcode Official is also a qualified Construction Official and has substituted in this capacity in the past, and

WHEREAS, there is a recommendation to promote John Holroyd to the position of Construction Official, and

WHEREAS, the procedure for filling any vacancy is by resolution.

THEREFORE BE IT RESOLVED by the Mayor and Borough Council of the Borough of Lindenwold that John Holroyd be promoted to the position of Construction Official.

#### Resolution 2023:84 Hire Part Time Clerk

Motion was made by President Randolph-Sharpe, second by Councilman Lenkowski that Resolution 2023:84 be adopted as read. Roll call vote was unanimous in the affirmative. Motion carried.

WHEREAS there is a need in the Finance Department for a part time employee, and

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

WHEREAS, Dorothy Davis previously worked as an intern at the Borough of Lindenwold, and

WHEREAS, Dorothy Davis has been recommended by the Business Administrator to be hired after the successful completion of the pre-employment screening, and

THEREFORE BE IT RESOLVED by the Mayor and Borough Council of the Borough of Lindenwold that the above named employee be hired to the position listed after successful completion of the employment screening.

Engineer's Report was presented by Mitchell Butler of Remington and Vernick. The report included updates for the proposals for Colonial Square Drive and for Bilper Avenue, an update on the Municipal Parking lot and traffic signal analysis, and the two construction projects are in the closed out process.

Mayor Roach opened the meeting to Council.

Councilman Morrissey provided residents with a report regarding the Lindenwold Fire Commission including 66 calls, the update on the new fire truck, which is not expected until late next year or 2025, the good rating that was received for a volunteer department and upcoming Fire Election.

Councilwoman Hess presented the monthly report for Public Works, which included 747 tons of trash, and 91 tons of recycling collected. One injury was reported. The Sewer Department report included 51 calls for service. The Police Report included 1,909 total calls for service.

President Randolph-Sharpe informed residents of the upcoming discussions for the website, newsletter, and Channel 192. She gave an update for the Construction Department including the monthly report for Code Enforcement, the update of SDL, and welcoming the new clerk. In recognition of Black History Month, she highlighted the accomplishments of Dr. Carter Woodson who is considered the Father of Black History Month.

Councilman Lenkowski stated the HVAC scheduled for School #5 has been postponed due to supply issues, a new wellness program has been introduced at the high school along with the School Superintendent launching a new outreach program where she converses with the students. The students will be starting an Alumni Chapter and he encouraged former students to participate. He also announced the success of the Winter Concert. The Wedding Singer is this year's spring play on March 30, 31, and April 1. He presented an update for Park and Recreation regarding the dog park and dugouts. He congratulated the Police Chief on the Martin Luther King Award that he received.

Councilwoman Patton in recognition of Lindenwold history spoke of the accomplishments of Helen Harrison who resided on East Walnut Avenue and was an advocate for children. She also updated the residents on the success of Project Elf which assisted 190 students and 62 families and recognized the various donations that were received. Tax forms are available at the Library. The applications for upcoming public events have been submitted and more information will be announced.

Councilwoman Sinon provided the residents with COVID updates. Camden County is currently listed at a high level of cases. In addition, a new variant has been announced which is highly transmitted. Prevention guidelines are still the same. At Camden County College, residents are encouraged to make appointments for the hours available to receive the vaccines, boosters, and testing. This is in conjunction with Cooper Hospital and Rutgers. She had flyers available for anyone who is interested along with a County program for seniors. She informed the residents of another scam regarding properties.

President Randolph-Sharpe congratulated Sheriff Wilson on his appointment to the President of the Sheriff's Organization. She also congratulated Mayor Roach as President of the Mayor's Association.

Councilwoman Hess added more information regarding the dog park including the sections created and signs, trashcans, and lighting will be added. The remaining area is still available for public use.

Mayor Roach opened the meeting to the Public

Diane Veteri, resident, questioned the resolution for Special Council. She also questioned the policing of unregistered dogs and safety at the dog park.

Roxanne Berger, resident, questioned the agenda and explanation of the resolutions.

Dominic Simeone, Esq. and Monica Boggan, President of Timber Creek, spoke to Council regarding the problem with the trash collection at Timber Creek. They stated that they feel the dumpsters are undersized for the complex, which is resulting in a health hazard. He spoke on bulk trash and illegal dumping. They are requesting to work with the Borough to rectify. Other residents also spoke on this issue including the owner of the management company.

Sarah Vellner, resident, questioned Ordinance 2023-04 and the ramifications to residents.

Virginia Foy, resident, questioned Ordinance 2023-01 regarding dangerous animals.

Trevor Shaw, resident, stated that they are excited about the dog park. He questioned the issue of sidewalks and the responsibility of maintaining but cars have been allowed to park on. He questioned the hours of the library and the staff requirements.

Ray Gauntt, resident, questioned if Council found a solution for the before and after parking at School #4. This problem has been ongoing and interferes with mail delivery.

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

Mayor Roach opened the meeting to Council.

President Randolph-Sharpe responded to the complaint about sidewalks and asked residents to report to the Code Office to address.

Mayor Roach asked the Police Chief to address the parking issue at School #4. Resident and Police Chief continued to discuss the situation with the police department to look into the matter.

Borough Solicitor addressed the residents from Timber Creek. He did respond by email to Mr. Simeone and listed several dates that were available to meet. He did not receive a response to that email but agreed to set up a meeting.

Councilwoman Patton responded that she would look into the library hours. Councilwoman Hess also responded that currently the bi-lingual employee is on a medical leave.

Borough Solicitor addressed the two resolutions that were added to the agenda after a review by Council.

President Randolph-Sharpe added that Lindenwold is part of the county system with partial funding received from the County. She informed the residents that she would look into the budget and report at a future meeting.

Borough Solicitor addressed the Special Counsel resolution to deal with personnel issues that carried over from the previous year.

Councilwoman Hess added about the signage for the dog park as required by the Borough insurance.

Motion was made by President Randolph-Sharpe, second by Councilwoman Patton to resume executive session for personnel matters. Voice vote was unanimous in the affirmative. Motion carried.

Motion was made by President Randolph-Sharpe, second by Councilman Lenkowski that the meeting be adjourned. Voice vote was unanimous in the affirmative. Motion carried.

DATED: March 8, 2023

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Deborah C. Jackson, RMC  
Borough Clerk