

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: Hess, Lenkowski, Morrissey, Patton, Sinon, President Randolph-Sharpe, and Mayor Roach

Resolution 2023:95 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 and Budget

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 Lenkowski to go out of executive session. Voice vote was unanimous in the affirmative. Motion carried.

First Reading Ordinance 2023-5 COLA

Motion was made by President Randolph-Sharpe, second by Councilwoman Hess that Ordinance 2023-05 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 Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the Council of the Borough of Lindenwold in the County of Camden finds it advisable and necessary to increase its CY 2023 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Council hereby determines that a 1.0% increase in the budget for said year, amounting to \$155,921.49 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS** the Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the Council of the Borough of Lindenwold, in the County of Camden, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2023 budget year, the final appropriations of the Borough of Lindenwold shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$545,725.23, and that the CY 2023 municipal budget for the Borough of Lindenwold be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

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 2023:96-99 be adopted as read. Roll call vote was unanimous in the affirmative. Motion carried.

## Resolution 2023:96 Renew Liquor License 2022-2023

WHEREAS, the Division of Alcoholic Beverages required the Borough of Lindenwold to rescind the liquor license for Topica, LLC under Resolution 2022:211, and

WHEREAS, Topica, LLC completed and submitted a new twelve page application and proof of publication due to the untimely filing of the application, and

WHEREAS, the Borough of Lindenwold is now able to renew the pocket liquor license for Topica, LLC, #0422-33-009-005, for the renewal period of 2022-2023.

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Lindenwold that the liquor license for Topica LLC, #0422-33-009-005, is hereby approved for the year 2022-2023.

## Resolution 2023:97 Transfer Pocket Liquor License Topica, LLC to Krish of Lindenwold NJ LLC

WHEREAS, an application has been filed for a person to person transfer of Plenary Retail Consumption License #0422-33-009-005, heretofore issued to Topica, 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, 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 Mayor and Council of the Borough of Lindenwold does hereby approve, effective March 22, 2023 the transfer of the aforesaid Plenary Retail Consumption License to Krish of Lindenwold NJ LLC and does hereby direct the Borough 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 Krish of Lindenwold NJ LLC, effective March 22, 2023

## Resolution 2023:98 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>
Compliance OE	20,000.00	
Police S&W	15,000.00	
Sanitation/Recycling S&W	20,000.00	
Accumulated Leave Comp		30,000.00
Unemployment Compensation		25,000.00
<b>Total</b>	<b>55,000.00</b>	<b>55,000.00</b>

## Resolution 2023:99 Amend Salary J. Payano

WHEREAS, the Borough of Lindenwold recognizes employees who accept additional duties, responsibilities, and state certification, and

WHEREAS, Jeffrey Payano successfully completed the necessary courses for the Municipal Finance Officer as well as passed the first half of the State Examination, and

WHEREAS, the Borough of Lindenwold wishes to acknowledge these achievements, and

WHEREAS, the Borough of Lindenwold hereby amends the salary of Jeffrey Payano by \$10,000 with \$5,000 effective February 7, 2023 and an additional \$5,000 after the successful completion of the second half of the State Examination.

THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Lindenwold that Jeffrey Payano receives an additional \$10,000, with \$5,000 retroactive to February 7, 2023 and the balance upon completion of the second half of the State Examination.

## Resolution 2023:100 Authorizing the Execution of Documents Necessary to Enter the Nationwide Settlements for Opioid Litigation

Motion was made by President Randolph-Sharpe, second by Councilwoman Hess that Resolution 2023:100 be adopted as read. Roll call vote was unanimous in the affirmative. Motion carried.

WHEREAS, the National Prescription Opiate Litigation MDL Plaintiffs' Executive Committee and several State Attorney Generals proposed nationwide settlements (together "Settlements") to resolve all opioid litigation brought by the states and local political subdivisions against the pharmaceutical distributors; and

WHEREAS, the proposed settlements will provide funds to states and their subdivisions for the abatement of the opioid epidemic and impose substantial changes on how the defendants conduct their business; and

WHEREAS, settlements requires registration and participation by as many local subdivisions in the State of New Jersey as possible in order to maximize the amount of money coming to New Jersey based upon its incentive structure. For the purposes of settlement, counties and municipalities are considered separate subdivisions. Participants must opt in to any settlements with the distributors to benefit from settlement participation; and

WHEREAS, the Borough Council has determined that it is in the best interests of the Borough and its residents to opt into the Settlements. NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Lindenwold, County of Camden and State of New Jersey that the Mayor and Administrator are hereby authorized to execute such documents as may be necessary to opt into the Settlements.

President Randolph-Sharpe demonstrated for the public how to register online for the new Camden County Property Alert System. This system will provide the property owner with an alert if any property transactions are being recorded at the County Clerk's Office.

Mayor Roach opened the meeting to the Public.

Roxanne Berger, resident, spoke to Council about being a long time resident of the town and changes. She spoke of the discord at the Council Meetings and the need to work together. She spoke of the need for a safe and healthy environment as well as access to healthcare for all residents. She questioned the impact on Ordinance 2023-5 on property taxes.

Tiwanda Randolph, resident, thanked the Lindenwold Police and Fire Department for their prompt response. She also questioned about lighting in her neighborhood as well as various intersections for improvements.

Muriel White, resident, questioned about the inspections at the complex for the numerous issues that exist and additional areas where there is need for the properties to be maintained. She has reported these issues in the past. She also spoke of possible safety issues.

Diane Veteri, resident, questioned about the follow-up on the complaints at the apartment complex and what assistance was provided.

Trevor Shaw, resident, complimented Council on the dog park. He questioned the media and the communication gap that exists with the residents.

Mayor Roach opened the meeting to Council.

President Randolph-Sharpe thanked the resident and agreed with the need to work together which has been difficult. She informed the resident that she has continued to stay in contact with both the resident and the complex owner regarding the various issues that have been presented. She also stated that she would address inspections with her department and review the conditions that were presented tonight. The public was informed of the various inspections required. She explained to the resident that the Borough tries to inform the public of upcoming events. She has received positive feedback from talking to residents.

Mayor Roach responded to the resident that lighting is through Atlantic City Electric and that he will contact Public Works to look into. The Mayor stated that Verizon has not removed the unused lines as he has also requested removal. Councilwoman Hess informed the resident that the dog park has not officially open, as there are still items that the Borough is waiting to receive to complete the project.

Business Administrator explained the ordinance and the cap law that the state allows in order to create funding for future budgets without affecting the taxes. The budget will be introduced on April 12.

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

DATED: April 12, 2023

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Deborah C. Jackson, RMC  
Borough Clerk