

Mayor Roach called the meeting to order.

Borough Solicitor held a hearing for the vacant property located at 2219 Brighton Ave. Borough Solicitor reviewed the history of the property and notifications filed. One of the owners had been located and an agreement had been signed. The Solicitor swore in the Construction Officer who testified to the dangerous and vacant structure. He did not believe the property could be remediated and recommended demolition. In addition, the Borough has had to maintain the property. Council approved the Resolution.

Resolution 2019:162 - 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 matters, Computer updates, Personnel-Police, Tax Department and Public Works, and 2019 NJ League Convention

Motion was made by President Randolph-Sharpe, second by Councilman DiDomenico that Resolution 2019:162 be adopted as read. Voice vote was unanimous in the affirmative. Motion carried.

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

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

Flag Salute

Roll Call of Council Members Present: DiDomenico, Jackson, Sinon, Strippoli, President Randolph-Sharpe, and Mayor Roach. Councilwoman Hess had an excused absence.

Motion was made by President Randolph-Sharpe, second by Councilman Strippoli that the Council Meeting and Executive Session for July 10, 2019 be adopted as presented. Roll call vote was unanimous in the affirmative. Motion carried.

Motion was made by President Randolph-Sharpe, second by Councilman Strippoli that the Council Meeting and Executive Session for July 24, 2019 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 Strippoli 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 | \$475,693.04 |
| b. Sewer Report | \$282,695.21 |
| c. Treasurer's Report | \$ 73,793.48 |

Second Reading of Ordinance 2019:220 Adding Health Legislation

Ordinance 2019-220 An Ordinance Adding Health Legislation To Chapter 375, Board Of Health To The Lindenwold Code

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

WHEREAS, the Board of Health in the Borough of Lindenwold works with the Camden County Health Department, and

WHEREAS, there is a need to adopt the New Jersey State House Code N.J.A.C. 5:28-1 et seq.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the municipal governing body of the Borough of Lindenwold to add the following to Chapter 375 Board of Health, Article III Legislation:

ARTICLE III Adoption of N.J.A.C. 5:28-1 et seq.

§ 375-9 Adoption of N.J.A.C. 5:28-1 et seq.

The State of New Jersey adopted the New Jersey State House Code N.J.A.C. 5:28-1 et seq. that constitutes the standards to guide Public Officers such as the Camden County Health Officer or the Lindenwold Health Officer and/or their agents in determining the fitness of a building for human habitation, use or occupancy.

§ 375-10 Standards

The Borough of Lindenwold hereby adopts this Chapter of the New Jersey State Housing Code N.J.A.C. 5:28-1, et. Seq. which shall set the health standards to determine the fitness of buildings for human habitation, use or occupancy in the Borough of Lindenwold. A copy of which shall be on file in the office of the Lindenwold Borough Clerk for the use and examination of the public.

§ 375-11 Enforcement

The above referred to Housing Code may be enforced by the Camden County Health Officer or the Lindenwold Health Officer, and/or their agents.

§ 375-12 Violations and Penalties

Any person who is not in full compliance with this chapter or who otherwise violates any provision of this chapter or of the rules and regulations issued hereunder shall, upon conviction thereof, be subject to the penalties as set forth in Chapter 1, § 1-1, of this Code.

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.

Mayor 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 President Randolph-Sharpe, second by Councilman Jackson that Ordinance 2019-220 be adopted as read on second reading. Roll call vote was unanimous in the affirmative. Motion carried.

First Reading of Ordinances:

Ordinance 2019:221 Amending Chapter 105 Certificates of Occupancy

ORDINANCE NO. 2019- 221

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 added 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

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) In the event the contract purchaser has engaged the services of a New Jersey licensed and insured home inspection company to provide a report of the condition of the residential unit and structures located on the property upon which the unit is located, the report is dated within sixty days of closing date and contains all of the information necessary to determine if the unit conforms to the provisions of the Property Maintenance Code, the Construction Official shall accept the report in lieu of an inspection as required in Section B (1)(a).

(c) 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.

(d) 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.

(e) 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.

Motion was made by President Randolph-Sharpe, second by Councilwoman Sinon that Ordinance 2019-221 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.

First Reading by Title of Ordinance 2019:222 Amending Chapter 150

Addition of Continued Certification of Occupancy fees

Motion was made by President Randolph-Sharpe, second by Councilman Jackson that Ordinance 2019-222 be adopted on first reading, published according to law, with second reading being held at next regular scheduled meeting. Roll call vote was in the affirmative with Councilman Strippoli abstaining. Motion carried.

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

Motion was made by President Randolph-Sharpe, second by Councilwoman Sinon that Resolution 2019: 163 to Resolution 2019:168 be adopted as read. Roll call vote was in the unanimous in the affirmative. Motion carried.

RESOLUTION 2019:163 Renewal Of Camden County Municipal Joint Insurance Fund

WHEREAS, the Borough of Lindenwold is a member of the Camden County Municipal Joint Insurance Fund; and

WHEREAS, said renewed membership terminates as of December 31, 2019 unless earlier renewed by agreement between the Municipality and the Fund; and

WHEREAS, the Municipality desires to renew said membership;

NOW THEREFORE, be it resolved as follows:

1. The Borough of Lindenwold agrees to renew its membership in the Camden County Municipal Joint Insurance Fund and to be subject to the Bylaws, Rules and Regulations, coverage's, and operating procedures thereof as presently existing or as modified from time to time by lawful act of the Fund.
2. The Mayor and Clerk shall be and hereby are authorized to execute the agreement to renew membership annexed hereto and made a part hereof and to deliver same to the Camden County Municipal Joint Insurance Fund evidencing the Municipality's intention to renew its membership.

RESOLUTION 2019:164 2019 Justice Assistance Grant

WHEREAS, the Uniform Shared Services and Consolidation Act (N.J.S.A. 40A:65-4 et seq.) permits local units such as counties and municipalities to enter into agreements for the provision of joint services, and

WHEREAS, the Borough of Lindenwold wishes to apply for the 2019 Justice Assistance Grant which is a shared service/inter-local services agreement, and

WHEREAS, the Business Administrator is hereby authorized to sign documents for the JAG Grant in the absence of the Mayor.

THEREFORE, BE IT RESOLVED by Mayor and Borough Council of the Borough of Lindenwold that the Police Department of the Borough of Lindenwold is hereby authorized to participate in a collaborative effort with Camden City, Camden County, Cherry Hill Township, Pennsauken Township, and Gloucester Township in applying to the Bureau of Justice Assistance for Justice Assistance Grant. The amount for the Borough of Lindenwold is \$12,200.00.

RESOLUTION 2019:165 Amend Resolution 2019:161 Police Vehicles

WHEREAS, the Borough of Lindenwold passed Resolution 2019:153 to participate in the Cooperative Purchasing Program pursuant to Resolution 2019:88 with National Intergovernmental Purchasing Alliance Co. and administered by Sourcewell for the purchase of goods, products and services; and

WHEREAS, a revision was necessary to purchase fleet management services and leasing from ENTERPRISE FLEET MANAGEMENT based on Fleet Management Services Request for Proposal #060618 bid

conducted by Sourcewell opened on June 7th, 2018 and based on proposal #P44047 from Enterprise Fleet Services and under Resolution 2019:161; and

WHEREAS, the Borough of Lindenwold received additional reductions from the leasing and management program for a revised amount with a not to exceed \$290,464.80 with the equity lease agreement shall be made over a period of five years according to the following schedule. Year 1 \$58,092.96, Year 2 \$58,092.96, Year 3 \$58,092.96, Year 4 \$58,092.96, Year 5 \$58,092.96.

THEREFORE BE IT FURTHER RESOLVED that the Borough of Lindenwold revises all previous Resolutions and the agreement with Enterprise Fleet Management Services as stated above.

RESOLUTION 2019:166 Property Maintenance Lien

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
8/13/2019	200	4	427 Chews Landing Rd.(cleanup)	\$206.00

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

RESOLUTION 2019:167 Declaring And Determining That Lot 1.01 Block 291, Located At 2219 Brighton Ave., Lindenwold, NJ 08021, Is In Violation Of Borough Ordinance 160

WHEREAS, the Borough of Lindenwold having notified April Hogan, Leslie Hogan, Patrick Hogan, Dolly Hogan, and the Estate of Cynthia Hogan, Christopher Hogan, Cory Works, and Brandon Works as the owners and/or successors in interest to the real property located at Lot 1.01 Block 291, 2219 Brighton Ave., Lindenwold, NJ 08021 of a potential violation of Borough Ordinance 160, which prohibits dangerous, damaged, and unfit structures; and

WHEREAS, the Borough of Lindenwold having executed a Settlement Agreement with April Hogan, a potentially interested party in the property by Agreement and Release dated August __, 2019; and

WHEREAS, the Borough of Lindenwold having placed all individuals with an interest in the property on notice pursuant to ordinance, via regular and certified mail and the Borough having published the Notice of Hearing in the Courier Post on July 10, 2019, and the Borough having recorded in the Camden County Clerk's Office a copy of the Notice and Complaint on July 22, 2019; and

WHEREAS, notice of the potential violation was provided to the owner of the property, April Hogan, Leslie Hogan, Patrick Hogan, Dolly Hogan, and the Estate of Cynthia Hogan, Christopher Hogan, Cory Works, and Brandon Works, LLC, by regular and certified mail, where possible, which was received by the owner and the return receipt card returned to the Borough, and notice was provided to all lien holders, mortgage holders, and interested parties maintaining an encumbrance and/or lien on the property, consistent with the requisites of Ordinance 160; and

WHEREAS, on August 14, 2019, the Mayor and Council heard testimony from the Construction Official and interested members of the community concerning the real property located at Lot 1.01 Block 291, more commonly known as 2219 Brighton Ave., Lindenwold, NJ 08021 concerning the conditions and circumstances of the real property, and no interested party having appeared or otherwise filing opposition to the Notice and Complaint; and

WHEREAS, the Mayor and Council of the Borough of Lindenwold after hearing the testimony of the Construction Official and interested members of the community, and having made a factual determination that Lot 1.01 Block 291; 2219 Brighton Ave., Lindenwold, NJ 08021, is in violation of Borough Ordinance 160, and maintains conditions on the property to include without limitation the following:

Defects increasing the hazard of accident, fire, or other calamities.

Dilapidation, to include a hole in the roof permitting water penetration.

Disrepair or structural defects, to include the flooring subsurface rotting out of the property.

Lack of adequate light, sanitary facilities or ventilation, to include a mold contamination on the property.

Uncleanliness, to include overgrown vegetation on the property and an infestation of mice, rats, and/or other vermin.

Failure to comply with the property maintenance code.

Failure to comply with applicable Health Ordinances Rules and Regulations.

Is otherwise in violation of N.J.S.A. 40:48-1 et seq., and the provisions of Borough Ordinance 160; and

NOW THEREFORE, be it resolved by the Mayor and Council of the Borough of Lindenwold, County of Camden, State of New Jersey on this 14th day of August, 2019, that Lot 1.01 Block 291, located at 2219 Brighton Ave., Lindenwold, NJ 08021 is in violation of Borough Ordinance 160. The Borough further finds that it is unreasonable and untenable to remediate the property, given the dilapidated and damaged status of the property. The Borough finds that it is in the best interest of the Community to demolish the property, for the safety and general welfare of the residents of the Borough of Lindenwold, and the public in general. The Construction Official is authorized to obtain bids to demolish the property, and place a lien for all costs associated with demolition, and this

application, upon the property to indemnify the Borough for all costs associated with the violation of Borough Ordinance 160.

RESOLUTION 2019:168 Change Order for Safe Routes to School

WHEREAS, the Borough of Lindenwold awarded Paving Plus LLC the Safe Routes to School Project-Concrete Sidewalk Installation: School #5, School #4 and High School, and

WHEREAS, Remington and Vernick Engineers submitted a change order for the adjustment of as-build quantities, additional time added, repair to ADA ramp at Laurel Road and Linden Hill Road, and two additional signs due to one being damaged and one stolen.

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 #3Final to the contract for Safe Routes to School Project-Concrete Sidewalk Installation: School #5, School #4 and High School with Paving Plus LLC, P.O. Box 20, Milmay, New Jersey is hereby approved as follows:

Original Contract Amount	\$466,500.90
Change Order #1	\$488,069.67
Change Order #2	\$502,453.07
Additions:	\$13,701.44
Reductions Change Order #3:	(\$74,441.84)
Adjustment Amount Based on	
Change Order No. 3	\$441,712.67

The reason for the change is “Final Adjustment of As-Built Quantities, additional time added, repair to ADA ramp at Laurel Road and Linden Hill Road, and two additional signs due to one being damaged and one stolen”

Department Reports

Councilman DiDomenico presented the Police Department report for July including 1,810 calls serviced.

President Randolph-Sharpe reported that there will be a meeting to discuss Channel 192 in the fall. She thanked the Business Administrator who presented the proclamation to Lighthouse of Deliverance Gospel Church. She thanked everyone involved with National Night Out for all their efforts for a successful event. She also thanked the Police Chief for allowing the bench to be placed for a “Safe Meet Up Spot” in honor of Maribely Lopez.

Business Administrator had nothing at this time.

Councilman Jackson presented the July Code Enforcement Report including violations. Free lunches will be served to children at the Lindenwold Park, Monday through Friday from 12:30 to 1:15 with the program ending August 23. Lindenwold football has begun its season. Lindenwold High School fall sports will start August 12. Lindenwold basketball will start in November. Mayor added that it is a great program with good food for children.

Councilman Strippoli presented the July report for Public Works with a collection of 765 tons of trash and 89 tons of recycling. No accidents or injuries were reported. Next, he presented the report for the Sewer Department with 125 service calls.

Councilwoman Sinon recapped the Municipal Alliance had another successful National Night Out which was well attended and a beautiful night. The Lopez family was very surprised to learn of the bench in Maribely’s honor.

She announced Grandparents Day on September 8 at Adventure Aquarium sponsored by Camden County.

Registration is required.

Mayor Roach announced the Movie in the Park on August 16th entitled Wonder Park. On August 30th, Satisfaction-A Rolling Stones Tribute band will be performing.

Engineer’s Report was presented by Anthony Chadwell of Remington and Vernick including the design for the 2019 NJDOT repaving of Linden Town. He also provided an update on the Public Works Roof project.

Mayor Roach opened the meeting to the public.

Anne Way, resident, requested the definition of a single family home. The Mayor referred to the Code Enforcement Supervisor. She described the situation with new neighbors including the 8 vehicles parked on the street for this property. She continued to explain the problems that she is experiencing. Next she questioned the sidewalks which the Mayor explained was the homeowner’s responsibility. The Mayor will have the Code Enforcement Supervisor look into this matter.

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

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

DATED: September 11, 2019

Deborah C. Jackson, RMC
Borough Clerk