

AGENDA
LINDENWOLD BOARD OF HEALTH
December 27, 2023

- 1. Call Meeting to Order**
- 2. Flag Salute**
- 3. Roll Call**
- 4. Approval of Minutes from December 28, 2022**
- 5. Matters for Discussion**
- 6. Open to Public**
- 7. Adjournment**

AGENDA
COUNCIL BUSINESS MEETING
December 27, 2023

- 1. Call Meeting to Order**
- 2. 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.
- 3. Flag Salute**
- 4. Roll Call**
- 5. Resolution 2023:218 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.

- a. Legal updates
- b. Personnel

6. Resolution 2023:219 Hiring of Police Officer – Donald Alexander

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

WHEREAS, Governor Murphy signed into law P.L. 2021, Chapter 7(N.J.S.A. 11A:4-1.3) providing for the hiring of individuals by an alternative hiring practice under Civil Service, and

WHEREAS, the Borough of Lindenwold adopted this alternative hiring practice under Ordinance 2021-14 on August 25, 2021, 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 Donald Alexander to the position of Patrolman.

THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Lindenwold that Donald Alexander be appointed to the position of Patrolman.

7. Oath of Office for Patrolman

8. Payment of Bills

9. Second Reading Ordinance 2023-20 Amending Chapter 276 Solid Waste and Recyclables

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

Resolution 2023:220-224

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| Resolution 2023: 220 Authorize Acceptance of Chief of Police Contract |
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WHEREAS, an Agreement has been prepared between the Borough of Lindenwold and the Lindenwold Chief of Police for January 1, 2024 through December 31, 2026, and

WHEREAS, this Agreement has been reviewed by the solicitor for the Borough of Lindenwold.

THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Lindenwold that the Governing Body accepts this Agreement as presented and authorizes the signing of this Agreement between the Borough of Lindenwold and the Chief of Police.

Resolution 2023:221 Authorize Acceptance of Deputy Chief of Police Contract

WHEREAS, an Agreement has been prepared between the Borough of Lindenwold and the Lindenwold Deputy Chief of Police for January 1, 2024 through December 31, 2027, and

WHEREAS, this Agreement has been reviewed by the solicitor for the Borough of Lindenwold.

THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Lindenwold that the Governing Body accepts this Agreement as presented and authorizes the signing of this Agreement between the Borough of Lindenwold and the Deputy Chief of Police.

Resolution 2023:222 Change Order for Bilper Avenue

WHEREAS, the Borough of Lindenwold awarded Asphalt Paving Systems, Inc. the Reconstruction of Bilper Avenue, and

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

THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Lindenwold that, based upon the recommendation of Remington and Vernick, Engineers, that Change Order #1 Final to the contract for Reconstruction of Bilper Avenue with Asphalt Paving Systems, Inc., PO Box 530, Hammonton, New Jersey is hereby approved as follows:

| | |
|--------------------------|----------------|
| Original Contract Amount | \$214,600.00 |
| Extra | \$ 1,728.00 |
| Supplemental | \$ 0.00 |
| Reductions | (\$ 32,892.23) |
| Total change | (\$ 31,164.23) |

Adjustment Amount Based on

Change Order No. 1 \$183,435.77

The reason for the change is "Final Adjustment of As-Built Quantities"

Resolution 2023:223 Change Order for Lindenwold Municipal Building Parking Lot Improvements

WHEREAS, the Borough of Lindenwold awarded Think Pavers Hardscaping, LLC the Reconstruction for Municipal Building Parking Lot Improvements, and

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

THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Lindenwold that, based upon the recommendation of Remington and Vernick, Engineers, that Change Order #1 Final to the contract for Reconstruction for Lindenwold Municipal Building Parking Lot Improvements with

Think Pavers Hardscaping, LLC., 125 Kings Highway, Mount Royal, New Jersey is hereby approved as follows:

| | | |
|--------------------------|-----|--------------|
| Original Contract Amount | | \$160,576.00 |
| Extra | \$ | 2,872.50 |
| Supplemental | \$ | 750.00 |
| Reductions | (\$ | 16,280.00) |
| Total change | (\$ | 12,657.50) |

Adjustment Amount Based on
 Change Order No. 1 \$147,918.50
 The reason for the change is “Final Adjustment of As-Built Quantities”

The release of the associated 2% retainage in the amount of \$2,914.65 is hereby authorized.

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| Resolution 2023:224 Budget Transfers |
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BE IT RESOLVED by the Mayor and Borough Council of the Borough of Lindenwold that the following transfers be made to the 2023 Budget in accordance with N.J.S 40A:4-58:

| | <u>From</u> | <u>To</u> |
|--------------------------------|--------------------|--------------------|
| <u>General Fund</u> | | |
| Tax Collector S &W | \$16,000.00 | |
| Compliance OE | 20,500.00 | |
| Electricity OE | | \$4,000.00 |
| Fuel Oil OE | | 2,500.00 |
| Unemployment Compensation | | 15,000.00 |
| Accumulated Leave Compensation | | 15,000.00 |
| Total | \$36,500.00 | \$36,500.00 |

11. **Open to Public**

12. **Open to Council**

13. **Adjournment**

Second Reading – Ordinance 2023-20

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| Ordinance 2023-20 Amending Chapter 276 Solid Waste and Recyclables |
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276-5 Definitions.

Construction and demolition waste.....

Waste building material and rubble resulting from construction, remodeling, repair, and demolition operations on houses, commercial buildings, pavements and other structures. Construction and demolition waste shall include, but not be limited to the following: treated and untreated wood scrap; tree parts, tree stumps and brush; concrete, asphalt, bricks, blocks and other masonry; plaster and wallboard; roofing materials; corrugated cardboard and miscellaneous paper; ferrous and nonferrous metal; non-asbestos building insulation; plastic scrap; dirt; contractors carpets and padding; glass (window and door); doors; door frames, window frames and sills; stairs; furnishings; railings; moulding; drop ceilings; and other miscellaneous materials; but shall not include other solid waste types.

Multifamily dwellings.....

Any building, structure, or complex of buildings, including but not limited to three or more dwelling units owned by the same individual and/or entity which are located on the same lot and block, which are located on the same lot and block, which are rented or leased, or offered for rental or lease, for residential purposes (See N.J.S.A. 13:1E-99.13a) and shall include apartment complexes, condominiums, and senior housing.

Solid Waste.....

All trash, garbage, refuse and/or items generated, disposed of, or otherwise placed for collection by residents or residential users. Solid Waste shall not include aluminum cans, antifreeze, asbestos, asbestos-containing materials, batteries, business waste, cardboard, commercial solid waste, concrete and asphalt recycling, construction and demolition waste, designated recyclable materials, electronics/e-waste, hazardous materials, household hazardous materials, metal cans, motor oil, newspaper, paper recyclables, plastics, recyclable waste, stumps and logs, tires, furniture, bedding, carpeting, vegetative yard waste, or wood scrap.

Sec. 276-8 D. **Penalties/remedies.** See Sec. 1-1(C)

In addition to any other remedy and/or penalty provided in the Municipal Code of the Borough of Lindenwold for a violation of this Ordinance, the Borough of Lindenwold reserves the right to refrain from collecting any solid waste cart container, recycling cart container, solid waste dumpster container, or recycling dumpster container which contains materials or items not authorized or permitted in the container under the provisions of this Chapter.

276-10 Preparation of residential solid waste for curbside collection.

A.

Residential solid waste shall be placed into the Borough-issued black ninety-six-gallon solid waste cart containers with the wording "trash only" on the black lid, which are property of the Borough and are the responsibility of the homeowner to maintain in a safe and sanitary manner. When placed curbside, the container lid should be closed shut with nothing protruding from the top opening of the container. It is the responsibility of the homeowner to report any damage to the container which would threaten to hinder its use effectively for the purpose of solid waste collection. In all instances, it is the responsibility of the resident to ensure that all possible precautions are being taken to protect their solid waste containers and any contents from vermin, insect, and other animal intrusions.

1)

Additionally, there shall be a limit of one piece of furniture, per residential unit, per week. The single piece of furniture is to be placed curbside at the property from which it is to be collected. For furniture collection, the resident or residential user must contact the Lindenwold Public Works Department and schedule the pick up of the furniture for that week's collection. Public Works may be contacted by telephone at 856-783-1848, 6:30 AM-3:00 PM weekdays. The furniture collection may also be scheduled by accessing the Lindenwold Borough website and submitting a request.

2)

Items of furniture to be collected must be placed at least 10 feet from any motor vehicle and no more than 3 feet in front of the curb or edge of the roadway, and maintain a space of at least 3 feet between the item of furniture and any other obstructions. The item of furniture is to be placed in such a manner as to not obstruct any sidewalks, driveways, streets, or rights of way.

3)

For purposes of this section, residential units shall be defined as a structure, or an entirely self-contained portion thereof, which is designated for occupancy principally as a place of residence of one house keeping unit, and which contains facilities for cooking, sleeping, bathing, and human sanitation which are used for the exclusive use of the occupants of the dwelling.

An individual apartment unit within a multifamily dwelling, an individual condominium unit within a Condominium Association, and a single family home shall all be classified as a single residential unit.

4)

Solid waste shall be thoroughly and completely drained of all liquids, wrapped securely and placed in the solid waste cart container.

276-11 Preparation of recyclable materials for curbside collection.

[Amended 7-28-2021 by Ord. No. 2021-09]

All residential recyclable material, including yard waste, shall be placed for collection according to the following minimum standards:

B.

Appliances/scrap iron/white goods, as defined above, are collected on a scheduled day one time per week. Residents must contact the Lindenwold Department of Public Works to schedule collection of these items on the weekday assigned for collection.

E.

Vegetation/yard waste collection, as defined above, is collected on a scheduled day, one time per week only, January through October.

(2)

Monthly bulk brush collection, tree brush/shrubs that are unable to fit in the weekly yard waste container: not to consist of more than one pile of vegetation/yard waste, not to exceed two cubic yards will be collected per residence. Yard waste must be placed curbside, behind or beside the solid waste and recycling containers, a maximum of four feet behind the curb or edge of the roadway, in front of the residential structure. No individual item bundle shall weigh in excess of 50 pounds. Larger branches and limbs shall be cut into four-foot lengths and securely tied in bundles with total weight not in excess of 50 pounds. Recyclables shall not be mixed with solid waste. Commingling of solid waste and recyclables is a violation and will be subject to a penalty described in Sec. 1-1, et seq.

276-12 Nonresidential establishment compliance requirements.

B.

The arrangement for collection of designated recyclables hereunder shall be the responsibility of the commercial, institutional or industrial property owner or its designee, unless the municipality provides for the collection of designated recyclable materials.

All commercial, institutional or industrial properties which provide outdoor litter receptacles and disposal service for their contents shall also provide receptacles for designated recyclable materials, for those materials commonly deposited, in the location of the litter receptacle, and shall provide for separate recycling service for their contents.

(1)

Requests for curbside collection of designated recyclables must be in writing to the Municipal Recycling Coordinator. If the request is granted, the property owner will be responsible to pay the same fee as the one-time fee for an additional solid waste/recycling cart container, which is outlined in Chapter 150. The solid waste/recycling cart container will remain property of the Borough and will be subject to all rules and regulations of the Borough provided for solid waste/recycling cart containers and their collection.

276-13 Solid waste, recycling cart, and vegetative yard waste containers.

[Amended 7-28-2021 by Ord. No. 2021-09]

E.

Borough-issued and any additionally requested cart containers are the property of the Borough of Lindenwold. Cart containers assigned to every address must remain at the property location to which they are assigned at all times. If the property is transferred or sold, the cart container shall stay with the property; otherwise, the cart container will be considered stolen and reported to the authorities.

276-14 Solid waste and recycling dumpster containers.

C.

Contents placed into the dumpster containers shall not have items protruding through the top side opening of the dumpster container which would prevent the lid from properly closing.

It is the responsibility of the residential user or nonresidential user property owner to maintain the dumpster container in a clean, sanitary, and overall safe manner. It is the responsibility of the residential user and/or nonresidential user property owner to ensure that the lids to the dumpster containers close properly. Additionally, it is the responsibility of the residential user and/or nonresidential user property owner to alert the Borough of damage to the dumpster container that prohibits the ability for the container to be effectively used for collection and disposal of materials. It is the responsibility of the residential user and/or property owner to ensure that the dumpster container does not contain any unauthorized material, substance, or item that is not permitted pursuant to provisions of this Ordinance.

A276-15 Additional collections.

E.

For purposes of this section, residential units shall be defined as a structure, or an entirely self contained portion thereof, which is designated for occupancy principally as a place of residence of one house keeping unit, and which contains facilities for cooking, sleeping, bathing, and human sanitation which are used for the exclusive use of the occupants of the dwelling. An individual apartment unit within a multifamily dwelling, an individual condominium unit within a Condominium Association, and a single family home shall all be classified as a single residential unit.

F.

The additional solid waste collection offered by the Borough is optional, and participation is voluntary, and subject to the discretion of the Borough, to provide additional collections.

276-16 Unacceptable wastes.

A.

Unacceptable. The following materials shall not be collected as part of the Borough's solid waste and recyclable materials program. This list is not exhaustive. Prohibited materials include, but are not limited to: asbestos, asbestos-containing waste materials, asphalt roofing products containing more than 1% asbestos, resilient floor coverings, demolition materials, excavation materials; commercial, industrial, hazardous and medical waste generated from commercial facilities or medical offices. Also included are construction materials generated by the residents or private contractors, yard wastes which are not generated at the property of the residential user and on premises yard waste generated by a lawn service, landscaper, or tree service contractor.

(1)

Construction/remodeling/building materials. Private contractors or Property Owner shall remove the debris materials from the site and shall dispose of the debris properly at their own cost. This debris is not to be placed for normal residential collection.

(3)

Residential Unit Clean Outs. Subject to the provisions of Section 276-10, furniture, carpets, bedding, and similar household items resulting from the sale of a residential unit, change in occupancy of a residential unit, rental of a residential unit, vacancy of a residential unit, and/or renovations/remodeling of a residential unit will not be collected by the Borough of Lindenwold. Disposal of all such items shall be the responsibility of the residential user.

For purposes of this section, residential units shall be defined as a structure, or an entirely self-contained portion thereof, which is designated for occupancy principally as a place of residence of one house keeping unit, and which contains facilities for cooking, sleeping, bathing, and human sanitation which are used for the exclusive use of the occupants of the dwelling.

An individual apartment unit within a multifamily dwelling, an individual condominium unit within a Condominium Association, and a single family home shall all be classified as a single residential unit.

Chapter 276 Solid Waste and Recycling

276-24 Solid waste/recycling drop off center.

Solid waste/recycling municipal drop-off center: The Borough shall provide a Solid Waste/Recycling drop off site center, which shall be located at the Lindenwold Public Works Building, during regular business hours of the Public Works Department. This drop-off is to be used for residential solid waste/recycling that is inconvenient to place at curbside for scheduled bulk pickup. No construction debris in excess of 50 pounds generated by an individual, or from a single site, shall be deposited at the municipal drop-off site. All debris in excess of 50 pounds shall be taken to an approved recycling center or landfill. Proof of residency in the Borough of Lindenwold is required in order to use the municipal solid waste/recycling drop-off site. Such proof may be provided by a resident showing his or her driver's license or vehicle registration. In the event that a nonresident contractor is hauling bulk trash for a resident to the municipal drop-off site, a letter stating the resident's name, address and telephone number and the contractor's authorization to haul bulk trash from that residence with the resident's signature, is required. Notwithstanding the foregoing, and within the discretion of the Public Works Superintendent,

in-person authorization, given directly by the resident to the Public Works Superintendent or his designee, may be required before admittance of the nonresident contractor to the drop-off site.

276-25 Dumping restricted.

A.

It shall be unlawful for any person to discard or dump along any street, road, or public right-of-way, any item, object, substance, or material, including but not limited to: household or commercial solid waste, vegetative yard waste, rubbish, refuse, junk, litter, vehicle or vehicle parts, rubber tires, appliances, aluminum cans, antifreeze, asbestos, asbestos-containing materials, batteries, business waste, cardboard, commercial solid waste, concrete and asphalt, bricks and cinder blocks, sheet rock, paint, construction and demolition waste, designated recyclable materials, electronics/e-waste, hazardous materials, household hazardous materials, metal cans, glass, bottles, bags, motor oil, newspaper, paper recyclables, plastics, recyclable waste, stumps and logs, furniture, bedding, carpeting, wood scrap, or any other items of personal property.

B.

Solid Waste Containers, Recycle Cart Containers, Solid Waste Dumpster Containers, and Recycling Dumpster Containers shall only be used by the residents and residential users to whom they have been provided by the Borough. Placement of any material by an unauthorized individual or entity in any Container provided by the Borough for use by a resident or residential user, is a violation of this Article, subjecting the offender, upon conviction, to the penalties enumerated in Sec.1-1(C).

C.

Placement of any material or item not authorized or permitted pursuant to the provisions of this Chapter in any Solid Waste Container, Recycle Cart Container, Solid Waste Dumpster Container, or Recycling Dumpster Container is a violation of this Article.

This Ordinance shall take effect upon proper passage and publication according to Law.