

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, and Mayor Roach

Excused absence: President Randolph-Sharpe

Resolution 2023:160 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 Councilman Lenkowski, second by Councilwoman Hess, that Resolution 2023:160 be adopted as read. Voice vote was unanimous in the affirmative. Motion carried.

Motion was made by Councilman Lenkowski, second by Councilwoman Sinon to go out of executive session. Voice vote was unanimous in the affirmative. Motion carried.

Motion was made by Councilman Morrissey, second by Councilwoman Sinon that the Council Meeting and Executive Session for August 9, 2023 be adopted as presented. Roll call vote was in the affirmative with Councilwoman Hess and Councilman Lenkowski abstaining. Motion carried.

Motion was made by Councilwoman Hess, 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:

- a. Tax Collector’s Report \$5,872,214.17
- b. Sewer Report \$ 58,353.43
- c. Treasurer’s Report \$ 125,362.60

Mayor Roach opened the meeting for the Public Hearing on the 2023 Community Energy Plan. Jenizza Corbin, Planner, from Remington and Vernick Engineers provided the residents with the background on the adoption of the New Jersey Clean Energy Master Plan in 2020 and the need for municipalities to start planning in order to meet these goals. She reviewed the various strategies as well as the qualifications that would be required to implement. She also informed the residents of the grant that was received to complete this community plan, which will serve as a guide. A question and answer period with the residents followed her presentation. A copy of the plan will be provided on the Lindenwold website.

Second Reading Ordinance 2023-16 Amend Chapter 386 Sanitary Standards

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

Motion was made by Councilwoman Hess, second by Councilman Morrissey that Ordinance 2023-16 be adopted as read on second reading. Roll call vote was unanimous in the affirmative. Motion carried.

Ordinance 2023-16 Amending Part II: Health Legislation, Chapter 386 Sanitary Standards of the Borough of Lindenwold Codes

WHEREAS, the Mayor and Municipal Governing Body of the Borough of Lindenwold wishes to ensure consistency in its provisions and to protect the health and welfare of its residents, and

WHEREAS, the State of New Jersey has enacted new legislation, and

WHEREAS, after a careful review of the Lindenwold Codes, an amendment is needed to address Part II Health Legislation of the Lindenwold Codes.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Mayor and Municipal Governing Body of the Borough of Lindenwold, to amend as follows:

§ 386-7 **Conditions and acts declared to be nuisances.**

The following specific acts, conditions and things are each declared to be or may become public health nuisance and are prohibited:

F. Burning – repealed (see Chapter 100)

V. Beehives.

(1) Permitting or allowing of beehives to be less than 150 feet from any adjacent building occupied by human beings except that of the owner. This section shall not apply to the breeding or keeping of honeybees, or any action related thereto, as proscribed in N.J.S.A. 40:48-1.5.

W. Smoke – repealed (see Chapter 100)

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

First Reading Ordinance 2023-17 Amend Chapter 100 Burning, Outdoor

Motion was made by Councilwoman Hess, second by Councilman Lenkowski that Ordinance 2023-17 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.

Ordinance 2023-17 Amending Chapter 100 Burning, Outdoor of the Borough of Lindenwold Codes

WHEREAS, the Mayor and Municipal Governing Body of the Borough of Lindenwold wishes to ensure consistency in its provisions and to protect the health and welfare of its residents, and

WHEREAS, a careful review of the Lindenwold Codes, an amendment is needed to address Chapter 100, Section 100-1(E) of the Lindenwold Codes, and

WHEREAS, the Lindenwold Fire Commission was consulted regarding the revision.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Mayor and Municipal Governing Body of the Borough of Lindenwold, to amend as follows:

§ 100-1 **Burning of rubbish prohibited.**

E. The location for open burning shall not be less than 50 feet (15,240 mm) from any structure, and provisions shall be made to prevent the fire from spreading to within 50 feet (15,240 mm) of any structure. Exceptions:

(1) Fires in approved containers must be kept at least 15 feet from any property line, combustible exterior wall, or other combustibles that may ignite and permit the spread of a fire. Example: shrubs, trees, fences, house, sheds, etc.

(2) The minimum required distance from a structure shall be 25 feet (7,620 mm) where the fire size is three feet (914 mm) or less in diameter and two feet (610 mm) or less in height.

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 Councilwoman Hess, second by Councilman Lenkowski that Resolution 2023:161 to 169 be adopted as read. Roll call vote was unanimous in the affirmative. Motion carried.

Resolution 2023:161 Authorizing Settlement Of Employment Dispute

WHEREAS, there is a pending employment dispute between the Borough of Lindenwold and employee Wayne Hans; and

WHEREAS, the Borough of Lindenwold and the employee have negotiated a resolution of the pending dispute; and

WHEREAS, the Borough of Lindenwold believes that it is in the best interests of the Borough to resolve the dispute, pursuant to the negotiated agreement with the employee.

NOW THEREFORE BE IT RESOLVED, that the Mayor of the Borough of Lindenwold is authorized execute all documents necessary to effectuate resolution of the employment dispute on behalf of Lindenwold Borough.

Resolution 2023:162 Equipment Pump Station #15

Whereas, the Borough of Lindenwold, pursuant to N.J.S.A. 52:34-6.2 (B) (2) may, by Resolution and without advertising for bids, purchase any goods or services through The North Jersey Wastewater Cooperative Pricing System; and

Whereas, the Borough of Lindenwold desires to purchase of (2) Sulzer/ABS XFP100E-CBI wet/dry pit submersible pumps with all needed attachments through The North Jersey Wastewater Cooperative Pricing System Contract # B270-4 ; and

Whereas, The North Jersey Wastewater Cooperative Pricing System has been awarded the contract of (2) Sulzer/ABS XFP100E-CBI wet/dry pit submersible pumps with (2) Sulzer/ABS XFP 4" PE2-3 Guide Rail Assembly with Integral Elbow & Hardware & all needed attachments; and

Whereas, the Mayor and Council of the Borough of Lindenwold recommend the utilization of this contract on the grounds as the best means available to obtain the equipment; and

Whereas, of (2) Sulzer/ABS XFP100E-CBI wet/dry pit submersible pumps with (2) Sulzer/ABS XFP 4" PE2-3 Guide Rail Assembly with Integral Elbow & Hardware & all needed attachments shall not exceed the amount of \$ \$33,528.00; and

Whereas, funding for this resolution is available from the Borough of Lindenwold Sewer Department Sewer Capital Account; and

Now, Therefore, Be It Resolved by the Mayor and the Borough of Lindenwold, County of Camden and State of New Jersey as follows:

1. The Borough of Lindenwold hereby authorizes the purchase of (2) Sulzer/ABS XFP100E-CBI wet/dry pit submersible pumps with (2) Sulzer/ABS XFP 4" PE2-3 Guide Rail Assembly with Integral Elbow & Hardware & all needed attachments through The North Jersey Wastewater Cooperative Pricing System Contract # B270-4
2. The total fee also authorized for this contract shall not exceed \$33,528.00 without prior written approval from the Borough Council.
3. The Mayor, Borough Clerk and/or such other officials as is necessary and proper are hereby authorized to execute documents necessary to implement this resolution.
4. A copy of this resolution shall be provided to the Borough Treasurer and The North Jersey Wastewater Cooperative Pricing System for their information and guidance.

Resolution 2023:163 Authorizing A Shared Services Agreement Between The Borough Of Lindenwold And The Borough Of Clementon For The Road Reconstruction Of Wallace Avenue

WHEREAS, the Borough of Lindenwold recognizes that it is imperative to search for efficient means to reduce spending through creative and innovative ideas and programs which benefit their community, and

WHEREAS, the "Uniform Shared Services and Consolidation Act", N.J.S.A 40A:65-1 et seq. (the "Act"), authorizes local units of the State of New Jersey to enter into an agreement with any other local unit or units to provide or receive any service that each local unit participating in the agreement is empowered to provide or receive in its own jurisdiction, and

WHEREAS, the Borough of Clementon and the Borough of Lindenwold have decided to improve Wallace Avenue that connects both towns; and

WHEREAS, the Borough of Clementon has agreed to act as the lead agency for the Wallace Avenue resurfacing project through the Cooperative Pricing System with the Township of Cherry Hill; and

WHEREAS, DiMeglio Construction Co., Inc. has been hired to perform all work as indicated on the submitted proposal; and

WHEREAS, the initial agreement was approved under Resolution 2023:94; and

WHEREAS, the total cost for this project is \$33,675.00 with the Borough of Lindenwold amount to not exceed \$16,837.50.

THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Lindenwold that the Mayor and Borough Clerk are hereby authorized to execute the Shared Service Agreement with the Borough of Clementon for Road Reconstruction of Wallace Avenue.

Resolution 2023:164 Authorizing the Purchase of 8 - 8 C.Y. Front Load Containers through the Sourcewell Contract #040621-WQI

Whereas, the Borough of Lindenwold, pursuant to N.J.S.A. 52:34-6.2 (B) (3) may, by Resolution and without advertising for bids, purchase any goods or services through Sourcewell, and

Whereas, the Borough of Lindenwold desires to purchase of 8 - 8 C.Y. Front Load Containers through the Sourcewell contract # 040621-WQI

Whereas, Wastequip, Inc. has been awarded the contract for the 8 - 8 C.Y. Front Load Containers; and

Whereas, the Mayor and Council of the Borough of Lindenwold recommend the utilization of this contract on the grounds as the best means available to obtain the equipment; and

Whereas, the 8 - 8 C.Y. Front Load Containers shall not exceed the amount of \$12,500; and

Whereas, funding for this resolution is available by the Recycling Trust Fund; and

Now, Therefore, Be It Resolved by the Mayor and the Borough of Lindenwold, County of Camden and State of New Jersey as follows:

1. The Borough of Lindenwold hereby authorizes the purchase of 8 - 8 C.Y. Front Load Containers from Wastequip, Inc. through the Sourcewell Contract # 040621-WQI.
2. The total fee also authorized for this contract shall not exceed \$12,500 without prior written approval from the Borough Council.
3. The Mayor, Borough Clerk and/or such other officials as is necessary and proper are hereby authorized to execute documents necessary to implement this resolution.
4. A copy of this resolution shall be provided to the Borough Treasurer and Wastequip, Inc. for their information and guidance.

Resolution 2023:165 The Adoption of the Lindenwold Borough Community Energy Plan

WHEREAS, a sustainable community seeks to ensure that it's environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, the Borough of Lindenwold strives to assure clean land, air and water for current and future generations; and

WHEREAS, New Jersey's Energy Master Plan: Pathway to 2050 ("EMP") established that community-level action is necessary to achieve the state's goal of 100% clean energy by 2050; and

WHEREAS, the New Jersey Board of Public Utilities has created a Community Energy Plan Grant program for municipalities to develop a community energy plan to meet the goals of the state's Energy Master Plan; and

WHEREAS, the Borough of Lindenwold is invested in developing a community energy plan to help the state achieve the goal of 100% clean energy by 2050; and

WHEREAS, the Community Energy Plan Grant program enabled Lindenwold to plan for and invest in renewable energy and to work towards a better environment for all residents by using the state's Energy Master Plan (EMP) as a guide to develop sustainable strategies that increase clean energy production, reduce energy use, and cut emissions.

WHEREAS, the Mayor and Council Members of the Borough of Lindenwold applied for and received a grant for the aforementioned Community Energy Plan Grant program under Resolution 2022:85; and

WHEREAS, the Borough of Lindenwold conducted two public hearings for engagement of the community in the creation of the Community Energy Plan; and

WHEREAS, The Borough of Lindenwold committed to providing staff support for the duration of the Community Energy Planning process, including for gathering of relevant data and for convening public meetings as necessary.

THEREFORE, BE IT RESOLVED, that the Mayor and Council Members of the Borough of Lindenwold, State of New Jersey, authorizes the adoption of the aforementioned Community Energy Plan.

Resolution 2023:166 Chapter 159 NJDOT Colonial Square Drive and Colonial Square Place

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount, and
WHEREAS, the Borough of Lindenwold will receive \$450,782 from the New Jersey Department of Transportation and wishes to amend its 2023 Budget to include this amount as a revenue

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Borough Council of the Borough of Lindenwold hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2023 in the sum of \$450,782 which is now available as a revenue from the State of New Jersey, and

BE IT FURTHER RESOLVED that a like sum of \$450,782 and the same is hereby appropriated under the caption of: New Jersey Department of Transportation Municipal Aid for Improvements to Colonial Square Drive and Colonial Square Place

BE IT FURTHER RESOLVED that copies of this resolution be sent to the Director of Local Government Services for certification.

Resolution 2023:167 Code Enforcement Promotions

WHEREAS, the Borough of Lindenwold has a need to promote employees in the Code Enforcement Office, and
WHEREAS, it has been recommended that Mark Poulton and Brian Penilla be promoted from Housing Inspector II to Housing Inspector I, and

WHEREAS, the salaries for the Housing Inspector I is \$49,370 effective as of September 1, 2023.

THEREFORE BE IT RESOLVED by the Mayor and Borough Council of the Borough of Lindenwold that the above named employees be appointed to the position of Housing Inspector I as of September 1, 2023.

Resolution 2023:168 Authorizing the Acceptance of a Grant from the Camden County Municipal Joint Insurance Fund for Police Accreditation Services and Execution of a Grant Agreement

WHEREAS, the Commission on the Accreditation of Law Enforcement Agencies ("CALEA") and the State of New Jersey Associations of Chiefs of Police offer a program to obtain accreditation in order to attain the highest standards of police department management; and

WHEREAS, the Camden County Municipal Joint Insurance Fund is seeking to encourage police departments to pursue such excellence by providing a grant in the amount of twenty-five percent (25%) of cost to support the Borough of Lindenwold's Police Department's efforts to attain accreditation from New Jersey Chiefs of Police or CALEA; and

WHEREAS, the Chief of Police and the governing body believe that the attaining of such certification is consistent with the goals of the Borough of Lindenwold Police Department; and

WHEREAS, the Chief of Police is committed to taking necessary action in order to support the accreditation process.

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

1. The Mayor and Chief of Police are hereby required to enter into an agreement with the Camden County Municipal Joint Insurance Fund (JIF) for the receipt of funding of twenty-five percent (25%) of accreditation cost.
2. The Municipality agrees to provide funding for the remaining costs associated with becoming accredited. In addition, the Municipality shall attach a certification from their CFO that the balance of the funds are available to complete the police accreditation process.
3. The Member Municipality understands that the JIF shall not be responsible nor will it commit to provide any additional funding to maintain said accreditation, and this is a one time only grant per municipality.
4. If the Municipality does not renew its membership in the JIF while the accreditation is taking place, said grant would be due back to the JIF immediately upon membership expiration.
5. The 2022-23 program will allow for six (6) municipalities to receive the grant monies to become accredited. The Executive Committee of the JIF will consider the grant applications on a first come, first served basis. This Resolution shall take effect immediately.

Resolution 2023:169 Amend Resolution 2023:60 for Qualified Purchasing Agent

WHEREAS, the Borough of Lindenwold recognizes that it is imperative to search for efficient means to reduce spending through creative and innovative ideas and programs which benefit their community, and

WHEREAS, the "Uniform Shared Services and Consolidation Act", N.J.S.A 40A:65-1 et seq. (the "Act"), authorizes local units of the State of New Jersey to enter into an agreement with any other local unit or units to provide or receive any service that each local unit participating in the agreement is empowered to provide or receive in its own jurisdiction, and

WHEREAS, the Borough of Lindenwold entered into an agreement with Brooklawn Borough for the services for a Qualified Purchasing Agent under Resolution 2023:60, and

WHEREAS, Brooklawn Borough is willing to extend this shared service with the Borough of Lindenwold for this service for a period of three (3) years commencing on January 1, 2023 and terminating on December 31, 2025.

THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Lindenwold that the Mayor and Borough Clerk are hereby authorized to execute the agreement with the Borough of Brooklawn for the services of a Qualified Purchasing Agent for the salary of \$2,500 for a period of three (3) years commencing on January 1, 2023 and terminating on December 31, 2025.

Resolution 2023:170 Execution of Memorandum of Understanding with UFCW

Motion was made by Councilwoman Hess, second by Councilman Lenkowski that Resolution 2023:170 be adopted as read. Roll call vote was unanimous in the affirmative. Motion carried.

WHEREAS, a new contract was negotiated between the Borough of Lindenwold and UFCW representing various office positions for the Borough of Lindenwold, and

WHEREAS, the Borough of Lindenwold received a Memorandum of Understanding, hereafter known as the MOU, based on the negotiations for a new contract, and

WHEREAS, the Mayor and Borough Council have reviewed the above MOU, and

WHEREAS, the Mayor and Borough Council accept this MOU except for the clause that contains “the automatic promotion of Clerk I to Clerk II position after five (5) years”.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Lindenwold accepts the MOU with the UFCW, with the exception of the automatic promotion provision from Clerk I to Clerk II. The Business Administrator is authorized to execute the Memorandum of Understanding and formal contract agreement, with the exception of the aforementioned automatic promotion provision.

Resolution 2023:171 Amend Salary for Public Defender

Motion was made by Councilwoman Hess, second by Councilwoman Sinon that Resolution 2023:171 be adopted as read. Roll call vote was unanimous in the affirmative. Motion carried.

WHEREAS, the Borough of Lindenwold is required to appoint a Public Defender for the Lindenwold Municipal Court, and

WHEREAS, the Borough of Lindenwold adopted Ordinance 2023-10 on June 14, 2023 which listed the salaries of all non-contractual employees including the Public Defender, and

WHEREAS, the Borough of Lindenwold needs to amend the salary of the Public Defender that was adopted to reflect the correct salary as \$8,400 annually.

THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Lindenwold that the salary for the Public Defender be amended to \$8,400 annually.

Resolution 2023:172 Sewer Promotion

Motion was made by Councilwoman Hess, second by Councilman Lenkowski that Resolution 2023:172 be adopted as read. Roll call vote was unanimous in the affirmative. Motion carried.

WHEREAS, the Borough of Lindenwold has a need to promote an employee in the Sewer Department due to an upcoming retirement, and

WHEREAS, it has been recommended that Tom Pace be promoted in the Sewer Department as having obtained the necessary C3 Operator certification, and

WHEREAS, Civil Service guidelines have been followed.

THEREFORE BE IT RESOLVED by the Mayor and Borough Council of the Borough of Lindenwold that the above named employees be promoted to C3 Operator as of October 1, 2023.

Engineer’s Report was presented by Dennis McNulty of Remington and Vernkick. He presented an update on the Municipal Parking Lot Improvements with a projected completion date in 30 days. He also was able to speak with the representative from the New Jersey Department of Transportation. There has been a preliminary review of the survey for the traffic signal on White Horse Pike and United States Avenue. The project is expected to move forward.

Mayor Roach opened the meeting to Council.

Councilman Morrisey presented the Fire Department Report for August, which included 84 calls. The tower ladder has been repaired and returned to service. The new command vehicle has been received. The Department will be making a decision on the aged command vehicle. He reminded the residents that smoke alarms are still available to homeowners. Councilwoman Hess presented the August Public Works report included 781 tons of trash collected and 99 tons of recycling. There were 36 calls for the Sewer Department. She presented the August Police Department report, which included 1,766 calls for service. She informed the residents how fast and efficient it was to use the new electronic request form to schedule a bulk pick up. She also presented the Construction Department, which included 150 inspections and 21 smoke inspections and 102 violations written.

Councilman Lenkowski informed the residents that the vacant School Board position has been filled. The residents were informed of the grant that has been given to the Lindenwold School District for facility repairs. The school is looking for language teachers, which is a hard position to fill. Alternate methods are being used in order to meet the state requirements. A survey was conducted on the average number of books in homes, which was only 10, which speaks to the need for the library. The schools have been able to increase in their proficiency scores after COVID. As Council has reported on different scams, he informed the residents not to use a link that has been sent to their phone. This scam can also steal personal data.

Councilwoman Patton presented the August Library report with monthly circulation of books and materials at 263. Computer usage was 146. Public Events is hosting Lindenwold Day next Saturday, September 23 from 12 to 7. There will be amusements, music, and vendors. On Saturday, September 30, there will be a community yard sale. Library hours have been updated.

Councilwoman Sinon presented the upcoming events for seniors that are being offered by Camden County including Spooktacular Bingo and After Hours Ceramics. Events require registration. Camden County will also be hosting a Senior Health Fair on October 4 at the Voorhees Town Center. She informed the residents of programs that are available to assist with tax relief. Flyers were available with the information. For the Health Report, the FDA has approved the new COVID vaccine. CDC again recommends everyone to be vaccinated.

Mayor Roach opened the meeting to the public.

Diane Veteri, resident, asked about the cost of the municipal parking lot and questioned the need for the expense when there were other areas of financial need in Lindenwold. Mayor Roach responded that there was a need for increased public parking at the municipal building without burdening the taxpayers.

Joe Amodeo, resident, asked about his state pension fund that has not been released. The Business Administrator will look into the matter.

Valerie Carr, resident, thanked the Mayor and all involved with the cleanup of the recycling dumpster. She asked about the continued mice problem at the complex. Business Administrator informed the resident that there was an inspection and the complex has been notified to correct.

Roxanne Burger, resident, made the recommendation for the new Public Works electronic system to add another tab for "other" so that the resident can explain what is needed. She asked about the availability of the Community Energy Plan, which will be made available on the Borough website.

Ed Hankin, resident, informed Council on the conditions on Scott Avenue including the overgrowth and patching which is becoming a safety issue for drivers. In addition, there is a problem with drainage. The Mayor will look into the matter.

Trevor Shaw, resident, thanked Public Works and Councilwoman Patton for the Community Concert. He questioned the position of the Community Outreach Coordinator. He questioned the website updates that had been announced. He also questioned the placement of the new dumpsters that were authorized and the use of the Community Center.

Rosanne Burger, resident, questioned if the Outreach Coordinator was a paid position, which was addressed by the Business Administrator.

Gladys Harding, resident, thanked the Borough for the recycling container being emptied and spoke of the mice problem. She stated that the owners are not addressing this issue. She also expressed concern that the Borough ordinances do not benefit the tenants and only the owners. She provided several examples including rent control and tenant maintenance.

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

DATED: October 11, 2023

Deborah C. Jackson, RMC
Borough Clerk