

AGENDA
COUNCIL BUSINESS MEETING
April 10, 2024

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 2024:88 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. Hardenbergh Presentation
- b. Legal updates
- c. Personnel

6. Payment of Bills

7. 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
- b. Sewer Report
- c. Treasurer's Report
- d. Engineer's Report

8. First Reading Ordinance 2024:07 – COLA Ordinance Year 2024

9. First Reading Ordinance 2024:08 – NJDOT ADA Sidewalk Agreement

10. Second Reading Ordinance 2024:05 – Amend Fee Schedule Chapter 150-31 Park and Recreation Use Fees

11. Second Reading Ordinance 2024:06 – Police Salaries

12. Resolution 2024:89 Introduce 2024 Budget

BE IT RESOLVED that the following statements and revenues and appropriations shall constitute the Municipal Budget for the year 2024, and

1. Appropriations within “CAPS”	
(a) Municipal Purposes	\$ 17,264,479.28
2. Appropriations excluded from “CAPS”	
(a) Municipal Purposes	\$ 1,468,049.10
Total General Appropriations excluded from “CAPS”	\$ 1,468,049.10
3. Reserve for Uncollected Taxes	\$ 998,483.62
4. Total General Appropriations	\$ 19,731,012.00
5. Less: Anticipated Revenues Other than Current Property Tax	\$ 8,692,640.91
6. Difference: Amount to be Raised by Taxes for Support of Municipal Budget:	
(a) Local Tax for Municipal Purposes Including Reserve for Uncollected Taxes	\$ 11,038,371.09

BE IT FURTHER RESOLVED that said budget be published in The Courier Post April 24th edition.

The Governing Body of the Borough of Lindenwold does hereby approve the following budget for the year 2024.

13. **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 2024:90 – 2024:94

Resolution 2024:90 Promote and Appoint Construction Official

WHEREAS, the Borough of Lindenwold hired Kevin Bagnell as the part-time Construction Official/Building/Electrical/Plumbing/Fire Inspector to assist with inspections and other related tasks in the Construction Department by Resolution 2023:202; and

WHEREAS, there is a need in the Construction Department to promote and appoint Kevin Bagnell to Construction Official/Building and Plumbing Subcode/Building and

Mechanical /Electrical/Plumbing/Fire Inspector effective May 1, 2024 as a result of the retirement of John Holroyd.

WHEREAS, it is the procedure of the Borough of Lindenwold to promote and appoint employees by resolution.

WHEREAS, the Borough of Lindenwold has reviewed the qualifications of Kevin Bagnell, and is satisfied that Mr. Bagnell maintains the licenses and experience necessary to fill the vacancy; and

THEREFORE BE IT RESOLVED by the Mayor and Borough Council of the Borough of Lindenwold to promote and appoint Kevin Bagnell to the position of Construction Official/Building and Plumbing Subcode/Building and Mechanical /Electrical/Plumbing/Fire Inspector at a salary of \$44,000.

Resolution 2024:91 Release Performance Bond - Rita's Water Ice

WHEREAS, Rita's Water Ice submitted a Performance Bond in the amount of \$24,000 for the development project and

WHEREAS, Environmental Resolutions, Inc. has completed their review and confirmed all site improvements on the above referenced development have been completed in substantial compliance with the Borough Ordinance Requirements and authorized the release of the aforementioned Performance Bond, and

WHEREAS, the Governing Body determined it is appropriate to waive the two (2) year Maintenance Bond requirements due to the limited scope of bondable improvements for this project.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council of the Borough of Lindenwold that the Performance Bond submitted by Rita's Water Ice for development be released.

Resolution 2024:92 NJDOT Sidewalk Agreement
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AUTHORIZING THE MAYOR AND THE BOROUGH ADMINISTRATOR TO EXECUTE THE PERMANENT SIDEWALK AGREEMENT FOR ADA SOUTH CONTRACT #4, ROUTE 30 SECTION 1, PARCEL E92, BLOCK 116 LOT 1, FEDERAL PROJECT NO. STBGP-0030(360).

WHEREAS, the Borough has received and reviewed an Agreement between the Borough of Lindenwold and the State of New Jersey Acting through its Commissioner of Transportation; and

WHEREAS the State construction Project: ADA South Contract #4, Route 30, Section 1, Parcel E92, Federal Project No. STBGP-0030(360, Block 116, Lot 1, requires Borough property that will be acquired in accordance with the Eminent Domain Act.

WHEREAS the improvements will affect Borough sidewalks at 15 White Horse Pike N;

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Lindenwold that the Mayor and Borough Administrator, are hereby authorized to execute documents submitted by the New Jersey Department of Transportation, in relation to Federal Project No. STBGP-0030(360), ADA South Contract #4, Route 30, Section 1, Parcel E92, Block 116, Lot 1;

APPROVED by the Governing Body the Borough of Lindenwold, County of Camden. State of New Jersey at a meeting held on April 10, 2024.

<p>Resolution 2024:93 AUTHORIZING APPLICATION TO THE BPU COMMUNITY ENERGY PLAN IMPLEMENTATION GRANT PROGRAM (CEPI)</p>

WHEREAS, a sustainable community seeks to ensure that its 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 2019 Energy Master Plan: Pathway to 2050 ("EMP") established that community-level action is necessary to achieve the state's goal of 100% clean electricity by 2050; and

WHEREAS, the New Jersey Board of Public Utilities has created a Community Energy Plan Implementation Grant Program for municipalities to implement initiatives identified in their Community Energy Plan ("CEP") or a plan equivalent to a CEP that has been approved by municipal resolution ("Equivalent Plan"); and

WHEREAS, the Community Energy Plan Implementation ("CEPI") Grant Program will help the Borough of Lindenwold to invest in various projects including but not limited to the infrastructure and equipment necessary for implementing solar energy power and electric vehicle charging stations, and to work toward a better environment for all residents by using the State's EMP as a guide to develop sustainable strategies that increase clean energy production, reduce energy use, and cut emissions.

NOW THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Lindenwold that the Borough of Lindenwold shall apply for the aforementioned CEPI Grant Program; and

BE IT FURTHER RESOLVED, Lindenwold Borough will commit to providing staff support for the duration of the Community Energy Plan implementation process, including seeking utility, State, or other available funding to combine with funding requested under the CEPI Grant Program.

BE IT FURTHER RESOLVED, that the Borough of Lindenwold authorizes the submission of the aforementioned Application to the CEPI Grant Program.

Resolution 2024:94 Approve Raffle License for Friends of Camden Animal Shelter d/b/a Animal Adoption Center
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BE IT RESOLVED by the Mayor and Borough Council of the Borough of Lindenwold that Raffle License #RA662 be approved for Friends of Camden Animal Shelter d/b/a Animal Adoption Center for an on-premises 50/50 raffle and an on-premise merchandise raffle on June 1, 2024 at 501 Berlin Road North, Lindenwold.

14. **Open to Council**

15. **Open to Public**

16. **Close to Public**

17. **Adjournment**

<u>FIRST Reading of Ordinances</u>

**ORDINANCE 2024:07
CALENDAR YEAR 2024
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

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 2024 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 \$166,396.39 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 2024 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 \$582,387.35, and that the CY 2024 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.

ORDINANCE 2024:08 NJDOT ADA Sidewalk Agreement

AN ORDINANCE AUTHORIZING THE EXECUTION OF THE PERMANENT SIDEWALK AGREEMENT BETWEEN THE BOROUGH OF LINDENWOLD AND THE NEW JERSEY DEPARTMENT OF TRANSPORTATION BY THE COMMISSIONER OF TRANSPORTATION FOR THE ADA SOUTH CONTRACT #4, ROUTE 30 SECTION 1, PARCEL E92, BLOCK 116, LOT 1, FEDERAL PROJECT NO. STBGP-0030(360).

WHEREAS, there is a need to obtain Permanent and Temporary Sidewalk Easements by the State of New Department of Transportation within the Borough of Lindenwold, across property, more particularly described as Block 116, Lot 1; ("Property"), on the Official: Tax Map of the Borough of Lindenwold and

WHEREAS, this property is owned by the Borough of Lindenwold; and

WHEREAS, the State of New Jersey Department of Transportation needs the Permanent and Temporary Sidewalk Easements for the ADA SOUTH CONTRACT #4, ROUTE 30 SECTION 1, PARCEL E92, FEDERAL PROJECT NO. STBGP-0030(360); and

WHEREAS the State of New Jersey Department of Transportation has agreed to pay to the Borough of Lindenwold the sum of \$1,000.00 under a Permanent Sidewalk Agreement attached here to and incorporated herein as Exhibit A, said Agreement being on file and is available for inspection by the public in the Office of the Borough Clerk

NOW, THEREFORE BE IT ORDAINED by the Borough Council of the Borough of Lindenwold as follows:

1. That the Mayor and/or Borough Administrator be and is hereby authorized to execute the Permanent Sidewalk Agreement attached hereto as Exhibit A across Block 116, Lot 1, with the New Jersey Department of Transportation for the sum of One Thousand Dollars (\$1,000.00).

2. That the Mayor or Borough Administrator, and other such Borough officials as the law provides, are hereby authorized to prepare, and execute any documents as may be required for the Permanent Sidewalk Easement across the Property to the New Jersey Department of Transportation.
3. Exhibit "A" shall remain on file in the Borough Clerk's Office and may be viewed during regular business hours.