

Executive Session 2017:163

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, Personnel, and Finance Personnel  
Motion was made by Councilman Burrows, second by Councilman DiDomenico that Resolution #2017:163 be adopted as read. Voice vote was unanimous in the affirmative. Motion carried.

Motion was made by Councilman Burrows, second by Councilman DiDomenico 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 audio and video recorded for possible later playback.

Flag Salute

Roll Call of Council Members Present: Burrows, DiDomenico, Hess, Jackson, Strippoli, and Mayor Roach  
Excused absence: President Randolph-Sharpe

Motion was made by Councilman Strippoli, second by Councilman Burrows that the Council Minutes and Executive Session for June 14, 2017 be adopted as presented. Roll Call vote was unanimous in the affirmative. Motion carried.

Second Reading Ordinance 2017-11-Bond Ordinance General Capital

BOND ORDINANCE AUTHORIZING THE ACQUISITION OF VARIOUS PIECES OF CAPITAL EQUIPMENT AND THE COMPLETION OF VARIOUS CAPITAL IMPROVEMENTS FOR THE BOROUGH OF LINDENWOLD, COUNTY OF CAMDEN, NEW JERSEY; APPROPRIATING THE SUM OF \$2,379,800 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE BOROUGH OF LINDENWOLD, COUNTY OF CAMDEN, NEW JERSEY, IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$2,260,810 MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

BE IT ORDAINED by the Borough Council of the Borough of Lindenwold, County of Camden, New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), pursuant to the provisions of the Local Bond Law, Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented ("Local Bond Law"), as follows:

**Section 1.** The purposes described in Section 7 hereof are hereby authorized as general improvements to be made or acquired by the Borough of Lindenwold, County of Camden, New Jersey ("Borough").

- Section 2.** It is hereby found, determined and declared as follows:
- (a) the estimated amount to be raised by the Borough from all sources for the purposes stated in Section 7 hereof is \$2,379,800;
  - (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$2,260,810; and
  - (c) a down payment in the amount of \$118,990 for the purposes stated in Section 7 hereof is currently available in accordance with the requirements of Section 11 of the Local Bond Law, N.J.S.A. 40A:2-11.

**Section 3.** The sum of \$2,260,810, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$118,990, which amount represents the required down payment, are hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

**Section 4.** The issuance of negotiable bonds of the Borough in an amount not to exceed \$2,260,810 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

**Section 5.** In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the Borough in an amount not to exceed \$2,260,810 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

**Section 6.** The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, N.J.S.A. 40A:2-20, shall not exceed the sum of \$475,000.

**Section 7.** The improvements hereby authorized and the purposes for which said obligations are to be issued; the estimated costs of each said purpose; the amount of down payment for each said purpose; the maximum amount obligations to be issued for each said purpose and the period of usefulness of each said purpose within the limitations of the Local Bond Law are as follows:

Purpose/Improvement	Estimate d Total Cost	Down Payment	Amount of Obligations	Period of Usefuln ess
---------------------	--------------------------------	-----------------	--------------------------	--------------------------------

A.	Acquisition of Various Heavy Equipment including, but not limited to, a Dump Truck, Front Load Trash Truck, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$578,000	\$28,900	\$549,100	10 years
B.	Acquisition of Various Equipment including, but not limited to, a Pick-Up Truck with Plow and a Stake Body Truck with Lift Gate, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	132,500	6,625	125,875	5 years
C.	Various Improvements to Municipal Buildings including, but not limited to, Installation of New Roof for Public Works Building, Upgrades to the Community Center and Library, and Acquisition of a Generator for the Police Department, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	1,181,600	59,080	1,122,520	15 years
D.	Acquisition of Computer Equipment for Municipal Offices, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	56,500	2,825	53,675	5 years
E.	Acquisition of Various Equipment for the Police Department, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	137,000	6,850	130,150	5 years
F.	Various Improvements to Recreational Areas including, but not limited to, Memorial Park and Carlton Park, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	294,200	14,710	279,490	15 years
TOTALS		\$2,379,800	\$118,990	\$2,260,810	

- Section 8.** The average period of useful life of the several purposes for the financing of which this Bond Ordinance authorizes the issuance of bonds or bond anticipation notes, taking into consideration the respective amounts of bonds or bond anticipation notes authorized for said several purposes, is not less than 12.41 years.
- Section 9.** Grants or other monies received from any governmental entity, if any, will be applied to the payment of, or repayment of obligations issued to finance, the costs of the purposes described in Section 7 above.
- Section 10.** The supplemental debt statement provided for in Section 10 of the Local Bond Law, *N.J.S.A. 40A:2-10*, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the Borough, as defined in Section 43 of the Local Bond Law, *N.J.S.A. 40A:2-43*, is increased by this Bond Ordinance by \$2,260,810 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.
- Section 11.** The full faith and credit of the Borough are irrevocably pledged to the punctual payment of the principal of and interest on the bonds or bond anticipation notes authorized by this Bond Ordinance, and to the extent payment is not otherwise provided, the Borough shall levy *ad valorem* taxes on all taxable real property without limitation as to rate or amount for the payment thereof.
- Section 12.** The applicable Capital Budget of the Borough is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended applicable Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and available for inspection.
- Section 13.** The Borough hereby declares its intent to reimburse itself from the proceeds of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code"), for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the Borough prior to the issuance of such bonds or bond anticipation notes.
- Section 14.** The Borough hereby covenants as follows:

- (a) it shall take all actions necessary to ensure that the interest paid on the bonds or bond anticipation notes authorized by the Bond Ordinance is exempt from the gross income of the owners thereof for federal income taxation purposes, and will not become a specific item of tax preference pursuant to Section 57(a)(5) of the Code;
- (b) it will not make any use of the proceeds of the bonds or bond anticipation notes or do or suffer any other action that would cause the bonds or bond anticipation notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Code and the Regulations promulgated thereunder;
- (c) it shall calculate or cause to be calculated and pay, when due, the rebatable arbitrage with respect to the "gross proceeds" (as such term is used in Section 148(f) of the Code) of the bonds or bond anticipation notes;
- (d) it shall timely file with the Internal Revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and
- (e) it shall take no action that would cause the bonds or bond anticipation notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

**Section 15.** The improvements authorized hereby are not current expenses and are improvements that the Borough may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

**Section 16.** All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

**Section 17.** In accordance with the Local Bond Law, this Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

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

Motion was made by Councilman Strippoli, second by Councilman DiDomenico that Ordinance #2017-11 be adopted as read on second reading. Roll call vote was unanimous in the affirmative. Motion carried.

Second Reading ORDINANCE 2017-12- Bond Ordinance Sewer Capital  
BOND ORDINANCE AUTHORIZING THE ACQUISITION OF VARIOUS PIECES OF EQUIPMENT AND THE COMPLETION OF VARIOUS CAPITAL IMPROVEMENTS FOR THE SEWER UTILITY IN AND FOR THE BOROUGH OF LINDENWOLD, COUNTY OF CAMDEN, NEW JERSEY; APPROPRIATING THE SUM OF \$827,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE BOROUGH OF LINDENWOLD, COUNTY OF CAMDEN, NEW JERSEY, IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$827,000 MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

**BE IT ORDAINED** by the Borough Council of the Borough of Lindenwold, County of Camden, New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), pursuant to the provisions of the Local Bond Law, Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented ("Local Bond Law"), as follows:

**Section 1.** The purposes described in Section 7 hereof are hereby authorized as general improvements to be made or acquired by the Borough of Lindenwold, County of Camden, New Jersey ("Borough").

**Section 2.** It is hereby found, determined and declared as follows:

- (a) the estimated amount to be raised by the Borough from all sources for the purposes stated in Section 7 hereof is \$827,000; and
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$827,000.

**Section 3.** The sum of \$827,000, to be raised by the issuance of bonds or bond anticipation notes, is hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

**Section 4.** The issuance of negotiable bonds of the Borough in an amount not to exceed \$827,000 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

**Section 5.** In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the Borough in an amount not to exceed \$827,000 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

**Section 6.** The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, *N.J.S.A. 40A:2-20*, shall not exceed the sum of \$175,000.

**Section 7.** The improvements hereby authorized and the purposes for which said obligations are to be issued; the estimated costs of each said purpose; the amount of down payment for each said purpose; the maximum amount obligations to be issued for each said purpose and the period of usefulness of each said purpose within the limitations of the Local Bond Law are as follows:

<u>Purpose/Improvement</u>		<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A.	Acquisition of Various Replacement Equipment for the Sewer Utility System including, but not limited to, an Excavator and Generator, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$337,000	\$0	\$337,000	15 years
B.	Various Improvements to the Sewer Utility System including, but not limited to, the Renovation and Upgrade of Pump Stations and Pump Upgrades , together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	490,000	0	490,000	20 years

	TOTALS	\$827,000	\$0	\$827,000
--	--------	-----------	-----	-----------

**Section 8.** The average period of useful life of the several purposes for the financing of which this Bond Ordinance authorizes the issuance of bonds or bond anticipation notes, taking into consideration the respective amounts of bonds or bond anticipation notes authorized for said several purposes, is not less than 17.96 years.

**Section 9.** Grants or other monies received from any governmental entity, if any, will be applied to the payment of, or repayment of obligations issued to finance, the costs of the purposes described in Section 7 above.

**Section 10.** The supplemental debt statement provided for in Section 10 of the Local Bond Law, *N.J.S.A. 40A:2-10*, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the Borough, as defined in Section 43 of the Local Bond Law, *N.J.S.A. 40A:2-43*, is increased by this Bond Ordinance by \$827,000 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

**Section 11.** The full faith and credit of the Borough are irrevocably pledged to the punctual payment of the principal of and interest on the bonds or bond anticipation notes authorized by this Bond Ordinance, and to the extent payment is not otherwise provided, the Borough shall levy *ad valorem* taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

**Section 12.** The applicable Capital Budget of the Borough is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended applicable Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and available for inspection.

**Section 13.** The Borough hereby declares its intent to reimburse itself from the proceeds of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code"), for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the Borough prior to the issuance of such bonds or bond anticipation notes.

**Section 14.** The Borough hereby covenants as follows:

(a) it shall take all actions necessary to ensure that the interest paid on the bonds or bond anticipation notes authorized by the Bond Ordinance is exempt from the gross income of the owners thereof for federal income taxation purposes, and will not become a specific item of tax preference pursuant to Section 57(a)(5) of the Code;

(b) it will not make any use of the proceeds of the bonds or bond anticipation notes or do or suffer any other action that would cause the bonds or bond anticipation notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Code and the Regulations promulgated thereunder;

(c) it shall calculate or cause to be calculated and pay, when due, the rebatable arbitrage with respect to the "gross proceeds" (as such term is used in Section 148(f) of the Code) of the bonds or bond anticipation notes;

(d) it shall timely file with the Internal Revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and

(e) it shall take no action that would cause the bonds or bond anticipation notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

**Section 15.** The improvements authorized hereby are not current expenses and are improvements that the Borough may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

**Section 16.** All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

**Section 17.** In accordance with the Local Bond Law, this Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final passage

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

Motion was made by Councilman Strippoli, second by Councilman DiDomenico that Ordinance #2017-12 be adopted as read on second reading. Roll call vote was unanimous in the affirmative. Motion carried.

First Reading Ordinance 2017-13 Amend Chapter 296-Streets and Sidewalks  
AN ORDINANCE AMENDING CHAPTER 296 ARTICLE I OF THE EXISTING LINDENWOLD STREETS AND SIDEWALKS

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

WHEREAS, the Borough of Lindenwold has reviewed Chapter 296, Article I Excavations and has recommended that this section be revised as follows:

Article I  
Excavations

§ 296-1 Definitions.

For the purpose of this article, the following terms, phrases, words and their derivations shall have the meanings given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

APPLICANT

Any person making written application to the Borough Clerk or designee for an excavation permit hereunder.

BOROUGH

The Borough of Lindenwold.

BOROUGH COUNCIL or COUNCIL

The Borough Council of the Borough of Lindenwold.

DIRECTOR

The Director of the Highway Department of the Borough of Lindenwold.

BOROUGH OFFICIAL

The appointed person who represents the Borough and will perform inspection on the construction to be accomplished under the permit.

**EMERGENCY OPENING**

An urgent and immediate opening and repair operation required to protect the health, safety and welfare of the general public from immediate hazards posed by a broken or leaking main, an eroded and undermined structure, damaged utilities or other similar instance involving a sudden and unforeseen hazard on a public street.

**EXCAVATION**

Is the digging, displacing, undermining, opening, boring, tunneling, auguring, or in any manner breaking up any improved or unimproved street, sidewalk, curb, gutter or other public property in any roadway.

**EXCAVATION WORK**

The excavation and other work permitted under an excavation permit and required to be performed under this article.

**MAINTENANCE GUARANTEE**

A security in the form of a bond, letter of credit, cash or a certified check posted by the applicant to guarantee the proper maintenance of the reconstruction of the work as described on the application and permit forms for a period of two years after final acceptance.

**PERFORMANCE SURETY**

A corporate bond, performance bond, certified check or other similar security acceptable to the Borough Solicitor which is furnished by the applicant as a guaranty of good faith to perform and complete the work as described on the application and permit forms, to full compliance with the construction standards contained herein to assure that any subsequent necessary repairs are accomplished as directed by the Borough Official.

**PERMITTEE**

Any person who has been granted and has in full force and effect an excavation permit issued hereunder.

**PERSON**

Any person, firm, partnership, association, corporation, company or organization of any kind.

**STREET**

Any street, highway, avenue, shoulder, right-of-way or other public way or public grounds in the Borough of Lindenwold.

**§ 296-2 Excavation permit required.**

It shall be unlawful for any person to dig up, break, excavate, tunnel, undermine or in any manner break up any street, right-of-way or public grounds, or to make or cause to be made any excavation in or under the surface of any street or public grounds for any purpose, or to place, deposit or leave upon any street any earth or other excavated material obstructing or tending to interfere with the free use of the street, unless such person shall first have obtained an excavation permit therefor from the Borough Clerk or designee of said Borough as provided herein.

**§ 296-3 Application for permit.**

No excavation permit shall be issued unless a written application for the issuance of an excavation permit is submitted to the Borough Clerk or designee. The written application shall state the name and address of the applicant; the nature, location and purpose of the excavation; the date of commencement and date of completion of the excavation; and other data as may reasonably be required by the Director or the Borough Official. The application shall be accompanied by plans showing the extent of the proposed excavation work, the dimensions and elevations of both the existing ground prior to said excavation and the proposed excavated surfaces, the location of the excavation work and such other information as may be prescribed by the Director or the Borough Official.

**§ 296-4 Fees; scope and period of permit.**

A. A permit fee shall be charged by the Borough Clerk or designee for the issuance of an excavation permit, which shall be in addition to all other fees for permits or charges relative to any proposed work. This fee for the excavation permit charged by the Borough Clerk or designee shall be as prescribed in Chapter 150, Fees, Article I, Fee Schedule, § 150-10, and shall be nonrefundable.

B. Said permit shall be good for only one excavation within one street or block. A permit must be obtained for each excavation proposed, and it must note the date of completion, which shall be within 30 days from the date of issue of the permit or a new permit will be required and an additional permit fee as prescribed in Chapter 150, Fees, Article I, Fee Schedule, § 150-10, must be paid.

**§ 296-5 Permit; form and content, exhibition; misrepresentation.**

The Borough shall provide each permittee, at the time a permit is issued hereunder, with a suitable permit plainly written with the following notice: "Borough of Lindenwold, Permit No. \_\_\_\_\_ Expires \_\_\_\_\_," and in the first blank space there shall be inserted the number of said permit and after the word "expires" shall be stated the date when said permit expires. It shall be the duty of any permittee hereunder to keep the permit posted in a conspicuous place at the site of the excavation work. It shall be unlawful for any person to exhibit such permit at or about any excavation not covered by such permit or to misrepresent the number of the permit or the date of expiration of the permit.

**§ 296-6 Terms of permit.**

The Borough Clerk or designee shall, upon receipt and examination of the application and the deposit and fee referred to hereinabove, issue a permit under his/her hand for the excavation. The Clerk or designee shall specify on the permit that such work shall be completed and the road or sidewalk surface restored within 48 hours after work is commenced or a duration of time which in the opinion of the Borough Official is reasonable and fair.

**§ 296-7 Commencement of Work.**

The applicant or contractor is forbidden to commence work until the items listed in Issuance of Permit, have been compiled and the applicant has notified the Director /Borough Official at least forty-eight (48) hours in advance of the exact date and hour the proposed work is to commence.

**§ 296-8 Bond required.**

Before an excavation permit as herein provided is issued, the applicant shall deposit with the Borough Clerk or designee a surety bond in the amount as prescribed in Chapter 150, Fees, Article I, Fee Schedule, § 150-10, payable to the Borough. The required surety bond must be:

- A. With good and sufficient surety.
- B. By a surety company authorized to transact business in the state.
- C. Satisfactory to the Borough Solicitor in form and substance.
- D. Conditioned upon the permittee's compliance with this article and to secure and hold the Borough and its officers harmless against any and all claims, judgments or other costs arising from the excavation and other work covered by the excavation permit or for which the Borough, the Borough Council or a Borough officer may be made liable by reason of any accident or injury to persons or property through the fault of the permittee either in not properly guarding the excavation or for any other injury resulting from the negligence of the permittee.

#### § 296-8 Performance security; deposits.

The application for an excavation permit to perform excavation work under this article shall be accompanied by a cash deposit or bond, made payable to the Borough of Lindenwold for deposit in a sum as prescribed in Chapter 150, Fees, Article I, Fee Schedule, § 150-10. Any person intending to make openings, cuts or excavations in streets may make and maintain with the Borough Treasurer a general deposit or bond as stated in Chapter 150, Fees, Article I, Fee Schedule, § 150-10 and the person so depositing shall not be required to make the special deposits provided in this section but shall, however, be required to comply with all other applicable provisions of this article. Any special or general deposit made hereunder shall serve as security for the repair and performance of work necessary to put the street in as good condition as it was prior to the excavation if the permittee fails to make the necessary repairs or to complete the proper refilling or the opening and excavation work under the excavation permit. Upon the permittee's completion of the work covered by such permit in conformity with this article as determined by the Director, a certificate of approval shall be submitted to the Borough Clerk or designee, and he/she shall then return 50% of such cash deposit, except in the case of an annual deposit, and the balance shall be refunded by the Borough to the permittee upon the expiration of a six-month period; provided, however, that, as to any annual deposit, 50% shall be refunded by the Borough at the end of the one-year period for which the deposit is made or upon the satisfactory completion of all excavation work undertaken during such period, whichever is later, and the balance of the annual deposit shall be refunded at the expiration of a six-month period following the completion of such excavation work; and provided, further, that the Borough may use any or all of any such deposit to pay the cost of any work that the Borough performs to restore or maintain the street as herein provided in the event that the permittee fails to perform such work; in which event, the amount refunded to the permittee shall be reduced by the amount thus expended by the Borough.

#### § 296-9 Maintenance Bond

In addition to the posting of a performance surety, and as a condition to the release of same, the applicant shall also post a maintenance surety either a bond, letter of credit, cash or a certified check and in the penal sum of 15% of the performance surety.

The maintenance bond will serve to guarantee that the road as reconstructed will remain in good condition and free of defects after acceptance, as follows:

1. The applicant shall be responsible for all maintenance and repairs required at the site for a period of two years after the date of acceptance for which have a depth of 4 or more feet from the road surface; or
2. For a period of two years after the date of final acceptance for all other work which requires a permit as set forth herein.

#### § 296-10 Responsibility for routing and controlling traffic.

The permittee shall take appropriate measures to assure that during the performance of the excavation work traffic conditions as nearly normal as practicable shall be maintained at all times so as to cause as little inconvenience as possible to the occupants of the abutting property and to the general public, provided that the Borough Official may permit the closing of streets to all traffic for a period of time prescribed by him if in his opinion it is necessary. The permittee shall route and control traffic, including its own vehicles, as directed by the Borough Police Department. The permittee will be responsible for any unnecessary damage caused to any highways by the operation of its equipment. A traffic control plan is required if permittee is closing lanes or roads and must be submitted at the time of application.

#### § 296-11 Obstruction of fire stations, equipment and hydrants.

The excavation work shall be performed and conducted so as not to interfere with access to fire stations and fire hydrants. Materials or obstructions shall not be placed within 15 feet of fireplugs. Passageways leading to fire escapes or firefighting equipment shall be kept free of piles of material or other obstructions.

#### § 296-12 Protective barriers around excavations; lights at night.

The permittee shall erect such fence, railing or barriers about the site of the excavation work as shall prevent danger to persons using the Borough streets or rights-of-way, and such protective barriers shall be maintained until the work shall be completed or the danger removed. At twilight there shall be placed upon such place of excavation and upon any excavated materials or structures or other obstructions to streets suitable and sufficient lights, which shall be kept burning throughout the night during the maintenance of such obstructions. It shall be unlawful for anyone to remove or tear down the fence or railing or other protective barriers or any lights provided there for the protection of the public.

#### § 296-13 Guarding of machinery at site.

It shall be unlawful for the permittee to suffer or permit to remain unguarded at the place of excavation or opening any machinery, equipment or other device having the characteristics of an attractive nuisance likely to attract children and hazardous to their safety and/or health.

#### § 296-14 Damage to existing improvements; repair by permittee or Borough.

All damage done to existing improvements during the progress of the excavation work shall be repaired by the permittee. Materials for such repair shall conform to the requirements of any applicable code or ordinance. If, upon being ordered, the permittee fails to furnish the necessary labor and materials for such repairs, the Director shall have the authority to cause said necessary labor and materials to be furnished by the Borough, and the cost shall be charged against the permittee, and the permittee shall also be liable on his or its bond therefor.

§ 296-15 Confinement of work outside property lines and easements.

Property lines and limits of easements shall be indicated on the plan of excavation submitted with the application for the excavation permit, and it shall be the permittee's responsibility to confine excavation work within these limits.

§ 296-16 Cleanup operations.

As the excavation work progresses, all streets and private properties shall be thoroughly cleaned of all rubbish, excess earth, rock and other debris resulting from such work. All cleanup operations at the location of such excavation shall be accomplished at the expense of the permittee and shall be completed to the satisfaction of the Director. From time to time as may be ordered by the Borough Official or by the Director and in any event immediately after completion of said work, the permittee shall at his or its own expense clean up and remove all refuse and unused materials of any kind resulting from said work, and upon failure to do so within 24 hours after having been notified to do so by the Borough Official or by the Director, said work may be done by the Borough and the cost thereof charged to the permittee, and the permittee shall also be liable for the cost thereof under the surety bond provided hereunder.

§ 296-17 Backfilling; use of hydrants.

Backfilling in any street opened or excavated pursuant to an excavation permit issued hereunder shall be compacted to a degree equivalent to that of the undisturbed ground in which the trench was dug. Compacting shall be done by mechanical tampers or vibrators, by rolling in layers or by water settling, as required by the soil in question and sound engineering practices generally recognized in the construction industry. The decision as to whether a trench shall be backfilled by water settling shall be based upon such engineering practices and shall be made by the Borough Official. When water is taken from a fire hydrant, the permittee shall assign one man to operate the hydrant and shall make certain that said man has been instructed by the Director in the operation of the hydrant. The Director shall likewise be notified at both the beginning and end of the job so that the condition of the fire hydrants can be checked on both occasions. Any damage done to the hydrant during the excavation shall be the responsibility of the permittee. Water shall be paid for by the permittee on the terms agreed upon with any water supply system in the Borough.

§ 296-18 Trenches; laying of pipes.

Should any street or rights-of-way be opened transversely, the trench shall not exceed four feet in width, except by special permission of the Borough Official. Except by special permission of the Borough Official, no street or rights-of-way shall be opened longitudinally more than 250 feet in advance of pipe or other conduit installation, nor left un-filled more than 500 feet where pipes or other conduits have been laid. The length of the trench that may be opened at any one time shall not be greater than the length of the pipe and the necessary accessories which are available at the site ready to be put in place. Trenches shall be braced and sheathed according to generally accepted safety standards for construction work as prescribed by the Borough Official. No timber bracing, logging, sheathing or other lumber shall be left in the trench. Upon completion of laying of pipe or other conduit, excavations must not be left open for more than 24 hours or as may be determined by the Director and Borough Official.

§ 296-19 Street surface restoration; incomplete or defective work.

A. The permittee shall restore the surface of all streets broken into or damaged as a result of the excavation work to their original condition in accordance with the specifications set forth by the Borough Official. The permittee may be required to place a temporary surface over openings made in paved traffic lanes. Except when the pavement is to be replaced before the opening of the cut to traffic, the fill above the bottom of the paving slab shall be made with suitable material well tamped into place and this fill shall be topped within a minimum of one inch of bituminous mixture which is suitable to maintain the opening in good condition until permanent restoration can be made. The crown of the temporary restoration shall not exceed one inch above the adjoining pavement. The permittee shall exercise special care in making such temporary restorations and must maintain such restorations in safe traveling condition until such time as permanent restorations are made. The asphalt which is used shall be in accordance with the specifications of the Borough Official. If in the judgment of the Borough Official it is not expedient to replace the pavement over any cut or excavation made in the street upon completion of the work allowed under such permit by reason of the looseness of the earth or weather conditions, he may direct the permittee to lay a temporary pavement of wood or other suitable material designated by him over such cut or excavation, to remain until such time as the repair of the original pavement may be properly made.

B. Permanent restoration of the street shall be made by the permittee in strict accordance with the specifications prescribed by the Borough Official to restore the street to its original and proper condition or as near as may be.

C. Acceptance or approval of any excavation work by the Director and Borough Official shall not prevent the Borough from asserting a claim against the permittee and his or its surety bond required hereunder for incomplete or defective work if discovered within six months from the completion of the excavation work. Said bond shall be held for at least six months after completion of the excavation work and shall be released upon approval of the Borough Council.

§ 296-20 Restoration or completion of work by Borough.

A. If the permittee shall have failed to restore the surface of the street to its original and proper condition upon the expiration of the time fixed by such permit or shall otherwise have failed to complete the excavation work covered by such permit, the Director, if he deems it advisable, shall have the right to do all work and things necessary to restore the street and to complete the excavation work. The permittee shall be liable for the actual cost thereof and, in addition, 25% of such cost for general overhead and administrative expenses. The Borough shall have a cause of action for all fees, expenses and amounts paid out and due it from any funds of the permittee deposited as herein provided, and the Borough shall also enforce its rights under the permittee's surety bond provided pursuant to this article.

B. It shall be the duty of the permittee to guarantee and maintain the site of the excavation work in the same condition it was prior to the excavation for six months after restoring to its original condition.

§ 296-21 Prompt completion of work by permittee.

The permittee shall prosecute with diligence and expedition all excavation work covered by the excavation permit and shall promptly complete such work and restore the street to its original condition or as near as may be as soon as practicable and in any event not later than the date specified in the excavation permit therefor.

§ 296-22 Requirement to perform work as emergency work.

If in his judgment traffic conditions, the safety or convenience of the traveling public or the public interest requires that the excavation work be performed as emergency work, the Director shall have full power to order, at the time the permit is

granted, that a crew of men and adequate facilities be employed by the permittee 24 hours a day so that such excavation work may be completed as soon as possible.

§ 296-23 Emergency repairs.

In the event of any sudden breaking or bursting of any gas, sewer or water main where immediate repair is imperative to prevent loss or damage to life, health, streets or property or discontinuance of service, it shall not be necessary to obtain a permit before commencing such repair. The Borough requests immediate notification by phone and or email of the event. Such permit shall be obtained within three days thereafter, and this section shall not be held or taken in any case to exempt any person repairing said pipes or mains from any other of the provisions of this article.

§ 296-24 Control of noise, dust, debris; noisy equipment.

Each permittee shall conduct and carry out the excavation work in such manner as to avoid unnecessary inconvenience and annoyance to the general public and occupants of neighboring property. The permittee shall take appropriate measures to reduce, to the fullest extent practicable in the performance of the excavation work, noise, dust and unsightly debris, and between the hours of 6:00 p.m. and 7:00 a.m. shall not use, except with the express written permission of the Director or in case of emergency as herein otherwise provided, any tool, appliance or equipment producing noise of sufficient volume to disturb the sleep or repose of occupants of the neighboring properties.

§ 296-25 Inspections; promulgation of rules and regulations.

The Director and Borough Official shall make such inspections as are reasonably necessary in the enforcement of this article. The Director and Borough Official shall have the authority to promulgate and cause to be enforced such rules and regulations as may be reasonably necessary to enforce and carry out the intent of this article.

§ 296-26 Nonapplicability.

The provisions of this article shall not be applicable to any excavation work under the direction of competent Borough authorities, by employees of the Borough or by any contractor of the Borough performing work, in behalf of the Borough, necessitating openings or excavations in streets.

§ 296-27 Public utilities: permit, fee, compliance with requirements.

All persons operating public utilities in the Borough and having the right either by general or special permission to enter upon streets and open and excavate pavements, sidewalks or disturb the surface thereof by excavation or other work shall be required to apply for a permit for a fee as prescribed in Chapter 150, Fees, Article I, Fee Schedule, § 150-10, and shall be required to perform the work and bring it to completion as promptly as practicable and, to that end, shall employ an adequate standing force. Any person operating any such public utility shall comply with all of the requirements of this article, including the surety bond and deposit requirements.

§ 296-28 Insurance required.

A permittee, prior to the commencement of excavation work hereunder, shall furnish to the Borough Clerk or designee satisfactory evidence in writing that the permittee has in force and will maintain in force during the performance of the excavation permit public liability insurance of not less than \$100,000 for any one person and \$300,000 for any one accident and property damage insurance of not less than \$50,000, duly issued by an insurance company authorized to do business in this state.

§ 296-29 Duties of police.

It shall be the duty of any police officer of the Borough to review and approve any and all traffic plans submitted.

§ 296-30 General requirements.

- A. All openings larger than 20 square feet must be saw cut. All others may be cut by other means, but in all cases the edges must be square.
- B. All cuts in pavement surface shall be saw cut, with no cut closer than four feet to a seam, curb or edge of pavement, or the entire section up to four feet must be replaced. Backfill under pavement is to be compacted in accordance with Borough standards.
- C. New clean backfill materials under pavement areas are to be used when excavated material is unsuitable for reuse. Suitability to be determined by Borough inspector.
- D. All paving where areas are excavated is to be replaced with two inches of FABC and the edge sealed with AC 120 or approved equal.
- E. Openings in the roadside area must be graded, top soiled and seeded. Backfill in this area is to be new clean material when excavated material is unsuitable for reuse.

§ 296-31 Violations and penalties.

Any person violating any of the provisions of this article shall, upon conviction thereof, be subject to the penalties as set forth in Chapter 1, § 1-1, of this Code. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.  
Motion was made by Councilman Strippoli, second by Councilman Jackson that Ordinance #2017-13 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 Ordinance 2017-14 Amend Chapter 150-Fee Schedule  
AN ORDINANCE AMENDING CHAPTER 150 OF THE BOROUGH OF LINDENWOLD FEE SCHEDULE  
WHEREAS, the municipal governing body of the Borough of Lindenwold wishes to ensure consistency in its provisions, and  
WHEREAS, an update in the fee schedule has been recommended for the efficiency of the functions for the Borough of Lindenwold.  
NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the municipal governing body of the Borough of Lindenwold, as follows:

Service, License or Permit Provided	Fee
Borough Clerk:	
Bid Specifications	\$ 50



Section 150-4 Mercantile License

Business	License fee
Laundry Plants	\$ 50.00
Meats & Poultry, wholesale	\$120.00
Transient Merchants/itinerant vendors	\$ 50.00

Section 150-10 Excavation of Streets and sidewalks:

Type	Fee
Utility Pole, Beacon & Lights	\$50.00
Monitoring Wells (each opening)	\$200.00
Soil borings:	
1-5	\$100.00
6- 10	\$200.00
each add'l over 10	\$25.00
Test Pit under 16 sf	\$125.00
Test Pit over 16 sf	\$200.00
Direct Burial Cable	
Under 1500 ft.	\$250.00
From 1501 ft. to 2000 ft.	\$325.00
For every 1000 ft. thereafter	\$60.00
Jack/Boring up to 100 ft.	\$200.00
each additional 50 ft.	\$50.00

This ordinance shall take effect upon proper passage and publication according to law.  
Motion was made by Councilman Strippoli, second by Councilman DiDomenico that Ordinance #2017-14 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 Ordinance 2017-15 Amend Chapter 190-Land Use and Development, Adding Article XIII Redevelopment  
ORDINANCE OF THE BOROUGH OF LINDENWOLD, COUNTY OF CAMDEN  
AND STATE OF NEW JERSEY AMENDING CHAPTER 190 LAND USE AND  
DEVELOPMENTADOPTING THE REDEVELOPMENT PLAN FOR BLOCK 243,  
LOTS 7.01, 7.02 AND 7.04, AND ALL QUALIFIERS THERETO, PREVIOUSLY  
DESIGNATED AS “AREAS IN NEED OF REDEVELOPMENT” AND AS A  
“CONDEMNATION REDEVELOPMENT AREA”, PURSUANT TO N.J.S.A. 40A:12-  
7.

**WHEREAS**, in the Master Plan Re-examination Report, adopted by Resolution on October 29, 2007, the Planning Board of the Borough of Lindenwold recognized that certain areas and properties within the Borough of Lindenwold might qualify as “redevelopment areas” or “areas in need of redevelopment” as defined in N.J.S.A. 40A:12A-3; and

**WHEREAS**, the Borough Council of the Borough of Lindenwold, by Resolution No. 2016-65, dated January 25, 2017, referred to the Joint Land Use Board of the Borough of Lindenwold a directive to conduct a preliminary investigation to determine whether the conditions are present on certain properties and areas within the Borough of Lindenwold, as more particularly described as Block 243, Lots 7.01, 7.02 and 7.04, and all Qualifiers thereto on the Official Tax Map of the Borough of Lindenwold, that meet the criteria contained in the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., for these properties to be deemed “in need of redevelopment,” and

**WHEREAS**, in Resolution No. 2016-65, the Borough Council of the Borough of Lindenwold, determined that should the Joint Land Use Board of the Borough of Lindenwold determine that the certain properties and areas within the Borough of Lindenwold, as more particularly described as Block 243, Lots 7.01, 7.02 and 7.04, and all Qualifiers thereto on the Official Tax Map of the Borough of Lindenwold, meet the criteria to be deemed an “area in need of redevelopment,” that the Joint Land Use Board of the Borough of Lindenwold should also determine if the certain properties and areas within the Borough of Lindenwold, as more particularly described as Block 243, Lots 7.01, 7.02 and 7.04, and all Qualifiers thereto on the Official Tax Map of the Borough of Lindenwold, meet the criteria contained in the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., for these properties and areas to be deemed as a “Condemnation Redevelopment Area,” authorizing the Borough of Lindenwold to use all those powers provided by the New Jersey Legislature for use in a redevelopment area, including the power of eminent domain; and

**WHEREAS**, the Joint Land Use Board of the Borough of Lindenwold has reviewed a document entitled “Preliminary Investigation for the Determination of an Area in Need of Condemnation Redevelopment,” dated April 12, 2017, prepared by Environmental Resolutions, Inc. of Mount Laurel, New Jersey, as a part of its preliminary investigation to determine whether certain properties and areas within the Borough of Lindenwold, as more particularly described as Block 243, Lots 7.01, 7.02 and 7.04, and all Qualifiers thereto on the Official Tax Map of the Borough of Lindenwold, to determine whether the proposed land is an area in need of redevelopment; and

**WHEREAS**, the Joint Land Use Board of the Borough of Lindenwold, after conducting a public hearing on April 19, 2017 with due notice to the public and parties required to be noticed under N.J.S.A. 40A:12A-6(b); by its Resolution dated April 27, 2017, found that substantial evidence exists to support a finding that the certain properties and areas within the Borough of Lindenwold, as more particularly described as Block 243, Lots 7.01, 7.02 and 7.04, and all Qualifiers thereto on the Official Tax Map of the Borough of Lindenwold, are in need of redevelopment, and recommended to the

Borough Council that the certain properties and areas be designated as an “area in need of redevelopment” and designated as a “Condemnation Redevelopment Area” pursuant to N.J.S.A. 40A:12A-6; and

**WHEREAS**, the Borough Council of the Borough of Lindenwold, by Resolution 2017:127 dated May 10, 2017, accepted the findings and recommendation of the Joint Land Use Board of the Borough of Lindenwold and designated the certain properties and areas within the Borough of Lindenwold, as more particularly described as Block 243, Lots 7.01, 7.02 and 7.04, and all Qualifiers thereto on the Official Tax Map of the Borough of Lindenwold, to be an “area in need of redevelopment” and a “Condemnation Redevelopment Area” pursuant to N.J.S.A. 40A:12A-6; and

**WHEREAS**, the Borough Council of the Borough of Lindenwold, by Resolution 2017:141, dated June 14, 2017, directed the Joint Land Use Board of the Borough of Lindenwold to prepare a Redevelopment Plan, pursuant to N.J.S.A. 40A:12A-7, for the certain properties and areas within the Borough of Lindenwold, as more particularly described as Block 243, Lots 7.01, 7.02 and 7.04, and all Qualifiers thereto on the Official Tax Map of the Borough of Lindenwold, designated as an “area in need of redevelopment” and as a “Condemnation Redevelopment Area,” pursuant to N.J.S.A. 40A:12A-6, by Resolution 2017:127 of the Borough Council of the Borough of Lindenwold dated May 10, 2017.

**WHEREAS**, on July 20, 2017, the Joint Land Use Board of the Borough of Lindenwold adopted a Resolution, attached hereto as “Exhibit A,” recommending to the Mayor and Borough Council of the Borough of Lindenwold the adoption of the Redevelopment Plan, attached hereto as “Exhibit B,” for those areas so designated as an “area in need of redevelopment” and designated as a “Condemnation Redevelopment Area” pursuant to N.J.S.A. 40A:12A-6; and

**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and Borough Council of the Borough of Lindenwold, that the Redevelopment Plan, prepared by Environmental Resolutions, Inc. of Mount Laurel, New Jersey, dated June 9, 2017, revised June 22, 2017, attached hereto as “Exhibit B,” for those areas of land within the Borough of Lindenwold, more particularly described as Block 243, Lots 7.01, 7.02 and 7.04, and all Qualifiers thereto on the Official Tax Map of the Borough of Lindenwold, designated as an “area in need of redevelopment” and designated as a “Condemnation Redevelopment Area” pursuant to N.J.S.A. 40A:12A-6, for approval by the Mayor and Borough Council of the Borough of Lindenwold, be and hereby is adopted.

Motion was made by Councilman Strippoli, second by Councilman DiDomenico that Ordinance #2017-15 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.

#### RESOLUTION 2017:164-Tax Refunds

**WHEREAS**, it has been determined by the Tax Collector that the taxpayers listed below are entitled to a refund for overpayment of taxes and;

**WHEREAS**, it is the desire of the Governing Body to have these overpayments returned to the respective tax payers;

**NOW, THEREFORE, BE IT RESOLED**, by Mayor and Council of the Borough of Lindenwold, Camden County, and State of New Jersey that the tax collector is hereby authorized to refund the overpayments to:

Deutsche Bank Nat'l Trust Co., Block 51 Lot 1, \$1379.97, property sold

Corelogic, Block 244.03 Lot 20, \$1,272.24, Ocwen already paid

Gregory T Forest, Block 75 Lot 6, \$1,540.97, refinance

Therese Huber, Block 172 Lot 1.05, \$1,179.03, refinance

Miriam G Coleman, Block 240.02 Lot 25, \$1,636.59, refinance

Kellee Sigwart, Block 190 Lot 4.01, \$757.95, due to refinance

**THEREFORE, BE IT RESOLVED**, by the Mayor and Borough Council of the Borough of Lindenwold, that the above refunds be issued.

Motion was made by Councilman Strippoli, second by Councilman DiDomenico that Resolution #2017:164 be adopted as read. Roll call vote was unanimous in the affirmative. Motion carried.

#### RESOLUTION 2017:165-Chapter 159 NJDOT

**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 \$229,840 from the New Jersey Department of Transportation and wishes to amend its 2017 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 2017 in the sum of \$229,840 which is now available as a revenue from the State of New Jersey, and

**BE IT FURTHER RESOLVED** that a like sum of \$229,840 and the same is hereby appropriated under the caption of:

New Jersey Transportation Trust Fund - Reconstruction of South Carlton Street

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

Motion was made by Councilman Strippoli, second by Councilman Jackson that Resolution #2017:165 be adopted as read. Roll call vote was unanimous in the affirmative. Motion carried.

#### Resolution 2017:166- Hire Police Officers

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

**WHEREAS**, Civil Service guidelines have been followed, and

**WHEREAS**, it is the procedure of the Borough of Lindenwold to hire employees by resolution; and

THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Lindenwold that Giovanni Maldonado and Nichole Davis be appointed to the position of Patrolman/Patrolwoman starting August 9, 2017 with the oath of office at the next council meeting.

Motion was made by Councilman Strippoli, second by Councilman DiDomenico that Resolution #2017:166 be adopted as read. Roll call vote was unanimous in the affirmative. Motion carried.

Resolution 2017:167-Property Maintenance Liens

WHEREAS, the following properties 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:

Date	Block	Lot	Address	Amount
7/13/17	170	7.07	58 Carver Ave. (Grass)	\$225.02
7/13/17	110	11	40 East Walnut Ave. (Grass)	\$225.02
7/13/17	288.03	8	208 Chatham Ave. (Grass)	\$225.02
7/20/17	48	76	730 Myrtle Ave. (Grass)	\$225.02
7/20/17	116	6	135 E. Maple Ave. (Grass)	\$250.03
7/25/17	291	1.01	2219 Brighton Ave. (Grass)	\$250.03
7/25/17	185	1	358 Lake Blvd. (Grass)	\$250.03
7/25/17	122	8	112 N. White Horse Pike (Grass)	\$250.03
7/25/17	45	1	901 East Linden Ave. (Grass)	\$
7/25/17	98	6	110 N. Berlin Rd. (Grass)	\$250.03
7/25/17	224	8.01	520 Tenth Ave. (Grass)	\$250.03
7/25/17	193	5	17 Wright Ave. (Grass)	\$250.03

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

Borough Solicitor requested that 901 East Linden Avenue be removed from the Resolution as it is property owned by the Borough.

Motion was made by Councilman Strippoli, second by Councilman Jackson that Resolution #2017:167 be adopted as read. Roll call vote was unanimous in the affirmative. Motion carried.

Resolution 2017:168-To Adopt The 3 Year Cooperation Agreement With The County Of Camden

WHEREAS, the Borough of Lindenwold and the County of Camden wish to establish a cooperative means of conducting certain eligible community development and affordable housing activities; and

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

WHEREAS, Title 1 of the Housing and Community Development Act of 1974, the Housing and Urban-Rural Act of 1983, and the HOME Program Act of 1991, and the Emergency Solutions Grant, as amended, provides federal funds being made available to Camden County for use to carry out eligible Community Development Activities therein; and

WHEREAS, the Borough of Lindenwold will propose certain activities to be carried out under the 39th, 40th & 41st Year Community Development, HOME Programs and Emergency Solutions Grant programs; and

WHEREAS, the aforesaid activities are in the best interest of the Borough of Lindenwold and the County of Camden.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Lindenwold that the 39th, 40th & 41st Year Cooperation Agreement be adopted.

BE IT FUTHER RESOLVED that this resolution shall take effect immediately upon its enactment as provided by law.

Motion was made by Councilman Strippoli, second by Councilman DiDomenico that Resolution #2017:168 be adopted as read. Roll call vote was unanimous in the affirmative. Motion carried.

RESOLUTION 2017:169-Apt. Emergency Mgmt. Coordinator C. Wells

WHEREAS, there is a need for a Emergency Management Coordinator for the Borough of Lindenwold, and

WHEREAS, Craig Wells has held this position, and

WHEREAS, the term expired December 31, 2016.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Lindenwold that the following be re-appointed as Emergency Management Coordinator for the Borough of Lindenwold for the period commencing January 1, 2017 and ending December 31, 2019:

Craig Wells

Motion was made by Councilman Strippoli, second by Councilman Burrows that Resolution #2017:169 be adopted as read. Roll call vote was unanimous in the affirmative. Motion carried.

RESOLUTION 2017:170 Authorizing The Issuance And Sale Of Up To \$7,018,000 Of General Obligation Bonds, Series 2017, Of The Borough Of Lindenwold; Making Certain Covenants To Maintain The Exemption Of The Interest On Said Bonds From Federal Income Taxation; And Authorizing Such Further Actions And Making Such Determinations As May Be Necessary Or Appropriate To Effectuate The Issuance And Sale Of The Bonds

BACKGROUND

WHEREAS, pursuant to the Local Bond Law, constituting Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented ("Local Bond Law"), the Borough Council of the Borough of Lindenwold, County of Camden, New Jersey ("Borough"), has, pursuant to bond ordinances 1362, 1363, 2014-02, 2014-03, 2015-11, 2015-12, 2015-19, 2017-11 and 2017-12, each duly and finally adopted and published in accordance with the requirements of the Local Bond Law (collectively, the "Bond

Ordinances"), authorized the issuance of general obligation bonds or bond anticipation notes of the Borough to finance the costs of certain capital improvements, as set forth in and authorized by the Bond Ordinances, all as more particularly described in Exhibit "A" attached hereto and made a part hereof; and

**WHEREAS**, on December 8, 2016, the Borough issued its bond anticipation notes of 2016, Series B, in the principal amount of \$2,614,765 ("2016 Note"), to temporarily finance the costs of the improvements authorized by bond ordinances 1362, 1363, 2014-02, 2014-03, 2015-11 and 2015-12 ("2016 Improvements"); and

**WHEREAS**, the 2016 Note matures on September 29, 2017; and

**WHEREAS**, on April 18, 2017, the Borough issued its bond anticipation notes of 2017, Series A, in the principal amount of \$1,315,750 ("2017 Note," and together with the 2016 Note, the "Prior Notes"), to temporarily finance the costs of the improvements authorized by bond ordinance 2015-19 ("2017 Improvements," and together with the 2016 Improvements, the "Prior Improvements"); and

**WHEREAS**, the 2017 Note matures on September 29, 2017; and

**WHEREAS**, the Borough has not yet issued any obligations to finance the costs of certain improvements authorized by bond ordinances 2017-11 and 2017-12 ("New Improvements"); and

**WHEREAS**, it is the desire of the Borough to issue its general obligation bonds in the aggregate principal amount of up to \$7,018,000, as further described in Exhibit "A", the proceeds of which, together with other available funds of the Borough, will be used to: (i) permanently finance the costs of various capital improvements and the acquisition of various capital equipment by the repayment at maturity of the Prior Notes; (ii) permanently finance the costs of the New Improvements for which obligations have been authorized but not yet issued; and (iii) pay certain costs and expenses incidental to the issuance and delivery of the Bonds (collectively, the "Project"); and

**WHEREAS**, pursuant to the Local Bond Law and the Bond Ordinances, it is the intent of Borough Council hereby to authorize, approve and direct the issuance and sale of such bonds, to ratify and confirm certain actions heretofore taken by or on behalf of the Borough, and to make certain related determinations and authorizations in connection with such issuance and sale.

NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF LINDENWOLD, COUNTY OF CAMDEN, NEW JERSEY, PURSUANT TO THE LOCAL BOND LAW, AS FOLLOWS:

**Section 1.** Pursuant to the Local Bond Law and the Bond Ordinances, the issuance and sale of general obligation bonds of the Borough, to be designated substantially "Borough of Lindenwold, County of Camden, New Jersey, General Obligation Bonds, Series 2017" ("Bonds"), in an aggregate principal amount of up to \$7,018,000 for the Project, is hereby authorized and approved. The Bonds consist of: (i) \$4,791,000 General Improvement Bonds; and (ii) \$2,227,000 Sewer Utility Bonds.

**Section 2.** The Bonds shall be dated their date of delivery and shall mature on March 15 in the years and amounts set forth below:

<u>Year</u>	<u>General Improvement</u>	<u>Sewer Utility</u>	<u>Combined Amount</u>	<u>Year</u>	<u>General Improvement</u>	<u>Sewer Utility</u>	<u>Combined Amount</u>
2018	\$351,000	\$157,000	\$508,000	2024	\$410,000	\$190,000	\$600,000
2019	350,000	165,000	515,000	2025	425,000	195,000	620,000
2020	355,000	170,000	525,000	2026	440,000	205,000	645,000
2021	365,000	170,000	535,000	2027	665,000	310,000	975,000
2022	365,000	175,000	540,000	2028	680,000	310,000	990,000
2023	385,000	180,000	565,000				

The term of the Bonds is equal to or less than the average period of usefulness of the Project being financed through the issuance of the Bonds. Interest on the Bonds shall be payable initially on March 15, 2018 and semiannually thereafter on September 15 and March 15 in each year until maturity. The Bonds are not subject to redemption prior to maturity.

The Chief Financial Officer is hereby authorized to revise the principal amounts and/or interest payment dates set forth in the maturity schedules above in accordance with the Local Bond Law.

**Section 3.** The Bonds shall be general obligations of the Borough. The full faith and credit of the Borough are irrevocably pledged to the punctual payment of the principal of and interest on the Bonds and, to the extent payment is not otherwise provided, the Borough shall levy ad valorem taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

**Section 4.** The Bonds will be issued in fully registered book entry only form. One certificate shall be issued for the aggregate principal amount of Bonds maturing in each year. Both the principal of and interest on the Bonds will be payable in lawful money of the United States of America. Each certificate will be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("DTC"), which will act as securities depository ("Securities Depository"). The certificates will be on deposit with DTC. DTC will be responsible for maintaining a book-entry system for recording the interests of its participants or the transfers of the interests among its participants. The participants will be responsible for maintaining records recording the beneficial ownership interests in the Bonds on behalf of individual purchasers. Individual purchases may be made in the principal amount of \$5,000 through book-entries made on the books and the records of DTC and its participants. The principal of and interest on the Bonds will be paid to DTC by the Borough on the respective maturity dates and due dates and will be credited on the respective maturity dates and due dates to the participants of DTC as listed on the records of DTC as of the first (1<sup>st</sup>) day of the month containing an interest payment date. The Bonds will be executed on behalf of the Borough by the manual or facsimile signatures of the Mayor and Chief Financial Officer, attested by the Borough Clerk or the Deputy Borough Clerk, and shall bear the affixed, imprinted or reproduced seal of the Borough thereon.

**Section 5.** The Borough is hereby authorized to make representations and warranties, to enter into agreements and to make all arrangements with DTC, as may be necessary in order to provide that the Bonds will be eligible for deposit with DTC and to satisfy any obligation undertaken in connection therewith.

**Section 6.** In the event that DTC may determine to discontinue providing its service with respect to the Bonds or is removed by the Borough and if no successor Securities Depository is appointed, the Bonds which were previously issued in book-entry form shall be converted to Registered Bonds in denominations of \$5,000, or any integral multiple thereof ("Registered Bonds"). The beneficial owner under the book-entry system, upon registration of the Bonds held in the beneficial owner's name, will become the registered owner of the Registered Bonds. The Borough shall be obligated to provide for the execution and delivery of the Registered Bonds in certified form.

**Section 7.** The preparation of a preliminary official statement ("Preliminary Official Statement") relating to the Bonds, and the distribution of said Preliminary Official Statement to prospective purchasers of the Bonds and others having an interest therein, are hereby authorized and directed. The Mayor, Administrator, Chief Financial Officer and Borough Clerk are each hereby authorized to deem the Preliminary Official Statement "final", as contemplated by paragraph (b)(1) of Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934, as amended ("Rule 15c2-12").

**Section 8.** The appointment of Bowman & Company, LLP, Voorhees, New Jersey ("Printer"), to provide electronic and/or physical dissemination of the Preliminary Official Statement and Official Statement (hereinafter defined) is hereby authorized, approved, ratified and confirmed. The Chief Financial Officer of the Borough is hereby authorized and directed to enter into an agreement with Printer for the services to be provided.

**Section 9.** The appointment of Phoenix Advisors LLC, Bordentown, New Jersey, to serve as municipal advisor and dissemination agent ("Municipal Advisor" and "Dissemination Agent") to the Borough in connection with the issuance and sale of the Bonds is hereby authorized, approved, ratified and confirmed. The Chief Financial Officer of the Borough is hereby authorized to enter into an agreement with the Municipal Advisor and Dissemination Agent for the services to be provided.

**Section 10.** The Chief Financial Officer is hereby authorized to solicit proposals for, and engage the services of, a qualified institution to serve as paying agent ("Paying Agent") for the Bonds. The Chief Financial Officer is hereby authorized to execute and deliver an agreement with the Paying Agent.

**Section 11.** Pursuant to the Local Bond Law, the Chief Financial Officer ("Sale Official") is hereby authorized to sell and award the Bonds at a public sale. The sale of the Bonds shall be in accordance with the provisions of the Local Bond Law and the advertised terms of such public sale. If necessary or desirable, the Sale Official is hereby authorized to postpone, from time to time, the date and time established for receipt of bids for the sale of the Bonds in accordance with the Local Bond Law. If any date fixed for receipt of bids and the sale of the Bonds is postponed, the Sale Official is hereby authorized to announce an alternative sale date at least forty-eight (48) hours prior to such alternative sale date. The Sale Official is hereby authorized and directed to cause a summary notice of sale and a notice of sale of the Bonds to be prepared and disseminated in accordance with the Local Bond Law. At the next meeting of the Borough Council after the sale and award of the Bonds, the Sale Official shall report, in writing, to the Borough Council the principal amount, the rate or rates of interest, the maturity dates, the dates upon which interest on the Bonds shall be paid, the price and the purchaser or purchasers of the Bonds.

**Section 12.** The utilization of i-Deal LLC, New York, New York, to provide electronic bidding services to the Borough in connection with the competitive sale of the Bonds ("Bidding Agent") through the use of the Bidding Agent's BiDCOMP/PARITY auction system, pursuant to the Local Bond Law and the regulations promulgated thereunder, is hereby authorized, approved, ratified and confirmed.

**Section 13.** The preparation of a final official statement ("Official Statement") with respect to the Bonds is hereby authorized and directed. Within seven (7) business days of the sale of the Bonds and in sufficient time to accompany any confirmation that requests payment from a customer, the Borough will deliver sufficient copies of the Official Statement to the purchaser of the Bonds in order for the same to comply with Paragraph (b)(4) of Rule 15c2-12. The Mayor, Administrator, Chief Financial Officer and Borough Clerk are each hereby authorized to execute the Official Statement, and the distribution thereof to purchasers and others is hereby authorized and directed. The execution of the final Official Statement by the Mayor, Administrator, Chief Financial Officer and Borough Clerk shall constitute conclusive evidence of approval by the Borough of the changes therein from the Preliminary Official Statement. The Mayor, Administrator, Chief Financial Officer and Borough Clerk are each hereby authorized to approve any amendments of or supplements to the Official Statement.

**Section 14.** In order to assist the underwriters of the Bonds in complying with the secondary market disclosure requirements of Rule 15c2-12, the Mayor, Administrator, Chief Financial Officer and Borough Clerk are each hereby authorized to execute on behalf of the Borough before the issuance of the Bonds an agreement with the Dissemination Agent, providing for the preparation and filing of the necessary reports in accordance with Rule 15c2-12.

**Section 15.** The Borough hereby covenants that it will not make any use of the proceeds of the Bonds or do or suffer any other action that would cause: (i) the Bonds to be "arbitrage bonds" as such term is defined in Section 148(a) of the Internal Revenue Code of 1986, as amended ("Code") and the Income Tax Regulations promulgated thereunder; (ii) the interest on the Bonds to be included in the gross income of the owners thereof for federal income taxation purposes; or (iii) the interest on the Bonds to be treated as an item of tax preference under Section 57(a)(5) of the Code.

**Section 16.** The Borough hereby covenants as follows: (i) it shall timely file such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and (ii) it shall take no action that would cause the Bonds to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

**Section 17.** To the extent not otherwise exempt, the Borough hereby covenants that it shall make, or cause to be made, the rebate required by Section 148(f) of the Code in the manner described in Treasury Regulation Sections 1.148-1 through 1.148-11, 1.149(b)-1, 1.149(d)-1, 1.149(g)-1, 1.150-1 and 1.150-2, as such regulations and statutory provisions may be modified insofar as they apply to the Bonds.

**Section 18.** The Borough hereby designates the Bonds as "qualified tax-exempt obligations" as defined in and for the purposes of Section 265(b)(3) of the Code. For purposes of this designation, the Borough hereby represents that it reasonably anticipates that the amount of tax-exempt obligations to be issued by the Borough during the period from January 1, 2017 to December 31, 2017, and the amount of obligations designated as "qualified tax-exempt obligations" by it, will not exceed \$10,000,000 when added to the aggregate principal amount of the Bonds.

For purposes of this Section 18, the following obligations are not taken into account in determining the aggregate principal amount of tax-exempt obligations issued by the Borough: (i) a private activity bond as defined in Section 141 of the Code (other than a qualified 501(c)(3) bond, as defined in Section 145 of the Code); and (ii) any obligation issued to refund any other tax-exempt obligation (other than to advance refund within the meaning of Section 149(d)(5) of the Code) as provided in Section 265(b)(3)(c) of the Code.

**Section 19.** Application to S&P Global Ratings, acting through Standard & Poor's Financial Services LLC, and/or Moody's Investors Service for a rating of the Bonds, and the furnishing of certain information concerning the Borough and the Bonds, for the purpose of qualifying the Bonds for municipal bond insurance, are hereby authorized, ratified, confirmed and approved.

**Section 20.** All actions heretofore taken and documents prepared or executed by or on behalf of the Borough by the Mayor, Administrator, Chief Financial Officer, Borough Clerk, other Borough officials or by the Borough's professional advisors, in connection with the issuance and sale of the Bonds are hereby ratified, confirmed, approved and adopted.

**Section 21.** The Mayor, Administrator, Chief Financial Officer and Borough Clerk are each hereby authorized to determine all matters and execute all documents and instruments in connection with the Bonds not determined or otherwise directed to be executed by the Local Bond Law, the Bond Ordinances, or by this or any subsequent resolution, and the signatures of the Mayor, Administrator, Chief Financial Officer or Borough Clerk on such documents or instruments shall be conclusive as to such determinations.

**Section 22.** All other resolutions, or parts thereof, inconsistent herewith are hereby rescinded and repealed to the extent of any such inconsistency.

**Section 23.** This resolution shall take effect immediately upon adoption this 26th day of July, 2017.

Motion was made by Councilman Strippoli, second by Councilman DiDomenico that Resolution #2017:170 be adopted as read. Roll call vote was unanimous in the affirmative. Motion carried.

**WHEREAS**, the Tax Collector of the Township of Lindenwold has prepared and presented to the Mayor and Council of the Borough of Lindenwold an In Rem Foreclosure List. The list includes Schedule Numbers One (1) through Two Hundred, One (201); and

**WHEREAS**, N.J.S.A 54:5-104.35 provides in pertinent part that the Governing Body may, by Resolution, foreclose any of the tax sale certificates held by it, by the summary proceedings In Rem as provided in the In Rem Foreclosure Act [L.1948, c. 96];

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Lindenwold, in the County of Camden and the State of New Jersey that Borough Solicitor, David A. Capozzi, Esquire, is hereby authorized to foreclose the property schedule as noted below on the In Rem Foreclosure List, a copy of which is attached hereto and made a part hereof:

<u>No.</u>	<u>Cert #</u>	<u>Block, Lot &amp; Qualifier</u>	<u>Property Name</u>
001	12-00246	Block 243, Lot 7.01, Qual C2601	2601 Arborwood
013	12-00256	Block 243, Lot 7.01, Qual C2712	2712 Arborwood
015	12-00386	Block 243, Lot 7.01, Qual C2804	2804 Arborwood
017	11-00228	Block 243, Lot 7.01, Qual C2809	2809 Arborwood
026	14-00210	Block 243, Lot 7.01, Qual C3007	3007 Arborwood
028	13-00305	Block 243, Lot 7.01, Qual C3012	3012 Arborwood
037	13-00311	Block 243, Lot 7.01, Qual C3317	3317 Arborwood
038	13-00313	Block 243, Lot 7.01, Qual C3320	3320 Arborwood
039	14-00218	Block 243, Lot 7.01, Qual C3401	3401 Arborwood
046	14-00220	Block 243, Lot 7.01, Qual C3510	3510 Arborwood
056	13-00328	Block 243, Lot 7.01, Qual C3808	3808 Arborwood
062	11-00251	Block 243, Lot 7.01, Qual C3906	3906 Arborwood
063	10-00233	Block 243, Lot 7.01, Qual C3907	3907 Arborwood
065	10-00235	Block 243, Lot 7.01, Qual C3912	3912 Arborwood
069	10-00237	Block 243, Lot 7.01, Qual C3917	3917 Arborwood
072	14-00225	Block 243, Lot 7.01, Qual C4012	4012 Arborwood
075	14-00227	Block 243, Lot 7.01, Qual C4103	4103 Arborwood
076	12-00306	Block 243, Lot 7.01, Qual C4105	4105 Arborwood
087	10-00243	Block 243, Lot 7.01, Qual C4301	4301 Arborwood
089	11-00259	Block 243, Lot 7.01, Qual C4306	4306 Arborwood
094	12-00317	Block 243, Lot 7.02, Qual C0704	704 Arborwood
097	13-00350	Block 243, Lot 7.02, Qual C0709	709 Arborwood
100	13-00353	Block 243, Lot 7.02, Qual C0801	801 Arborwood
109	14-00232	Block 243, Lot 7.02, Qual C1002	1002 Arborwood
111	12-00332	Block 243, Lot 7.02, Qual C1005	1005 Arborwood
125	10-00258	Block 243, Lot 7.02, Qual C1216	1216 Arborwood
127	13-00375	Block 243, Lot 7.04, Qual C1301	1301 Arborwood
131	14-00236	Block 243, Lot 7.04, Qual C1312	1312 Arborwood
137	11-00282	Block 243, Lot 7.04, Qual C1416	1416 Arborwood
139	10-00263	Block 243, Lot 7.04, Qual C1511	1511 Arborwood
142	10-00264	Block 243, Lot 7.04, Qual C1605	1605 Arborwood
143	10-00265	Block 243, Lot 7.04, Qual C1606	1606 Arborwood
144	10-00266	Block 243, Lot 7.04, Qual C1607	1607 Arborwood
145	12-00360	Block 243, Lot 7.04, Qual C1608	1608 Arborwood
147	10-00267	Block 243, Lot 7.04, Qual C1615	1615 Arborwood
152	11-00286	Block 243, Lot 7.04, Qual C1714	1714 Arborwood
155	14-00241	Block 243, Lot 7.04, Qual C1808	1808 Arborwood
156	10-00272	Block 243, Lot 7.04, Qual C1811	1811 Arborwood
164	12-00348	Block 243, Lot 7.04, Qual C2011	2011 Arborwood
165	15-00401	Block 243, Lot 7.04, Qual C2014	2014 Arborwood
166	10-00258	Block 243, Lot 7.04, Qual C2016	2016 Arborwood
174	11-00297	Block 243, Lot 7.04, Qual C2116	2116 Arborwood
180	10-00284	Block 243, Lot 7.04, Qual C2210	2210 Arborwood
186	10-00289	Block 243, Lot 7.04, Qual C2311	2311 Arborwood
187	11-00304	Block 243, Lot 7.04, Qual C2313	2313 Arborwood
188	11-00305	Block 243, Lot 7.04, Qual C2315	2315 Arborwood
191	14-00248	Block 243, Lot 7.04, Qual C2407	2407 Arborwood
200	10-00296	Block 243, Lot 7.04, Qual C2507	2507 Arborwood

Motion was made by Councilman Strippoli, second by Councilman DiDomenico that Resolution #2017:171 be adopted as read. Roll call vote was unanimous in the affirmative. Motion carried.

**RESOLUTION # 2017:172**

WHEREAS, there is a need for the Borough of Lindenwold to have a review, preparation of specifications and construction oversight for the FY2016 NJDOT Trust Fund for Laurel Road Pedestrian Improvements in the Borough of Lindenwold; and

WHEREAS, under the Fair and Open process, the Borough of Lindenwold received and awarded an Engineering Services contract for the year 2017 to Remington and Vernick of which includes writing of specifications and contract administration in their scope of work, and

WHEREAS, Remington and Vernick submitted a cost proposal on July 14, 2017.

THEREFORE, BE IT RESOLVED by the Mayor and the Borough Council, County of Camden, State of New Jersey to authorize Remington & Vernick Engineers to prepare the review specifications for FY2016 NJDOT Trust Fund for Laurel Road Pedestrian Improvements with a cost for engineering and construction oversight to be funded by the grant with the estimated cost to the Borough not to exceed \$16,606.

Motion was made by Councilman Strippoli, second by Councilman DiDomenico that Resolution #2017:172 be adopted as read. Roll call vote was unanimous in the affirmative. Motion carried.

**RESOLUTION # 2017:173**

WHEREAS, there is a need for the Borough of Lindenwold to have a review, preparation of specifications and construction oversight for the reconstruction of South Carlton Street from East Elm Avenue to Gibbsboro Road in the Borough of Lindenwold financed by CDBG Year 37 and Year 38 and FY2017 NJDOT Trust Fund; and

WHEREAS, under the Fair and Open process, the Borough of Lindenwold received and awarded an Engineering Services contract for the year 2017 to Remington and Vernick of which includes writing of specifications and contract administration in their scope of work, and

WHEREAS, Remington and Vernick submitted a cost proposal on July 14, 2016.

THEREFORE, BE IT RESOLVED by the Mayor and the Borough Council, County of Camden, State of New Jersey to authorize Remington & Vernick Engineers to review, prepare specifications and provide construction oversight for the reconstruction of South Carlton Street from East Elm Avenue to Gibbsboro Road funded by the above grants.

Motion was made by Councilman Strippoli, second by Councilman DiDomenico that Resolution #2017:173 be adopted as read. Roll call vote was unanimous in the affirmative. Motion carried.

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

Motion was made by Councilman Strippoli, second by Councilman Burrows that the meeting be adjourned. Voice vote was unanimous in the affirmative. Motion carried.

DATED: September 27, 2017

---

Deborah C. Jackson, RMC  
Borough Clerk