

Resolution 2018:147 - Executive Session

BE IT RESOLVED by the Mayor and Council of the Borough of Lindenwold that the Mayor and Council are now going into closed session to discuss legal matters, summer hours, Personnel and Animal Fostering Motion was made by Councilman Jackson, second by Councilwoman Sinon that Resolution 2018:147 be adopted as read. Voice vote was unanimous in the affirmative. Motion carried.

Executive Session

Motion was made by President Randolph-Sharpe, second by Councilman Jackson 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: Hess, Jackson, Sinon, Strippoli, President Randolph-Sharpe, and Mayor Roach  
Excused absence: Councilman DiDomenico

Motion was made by President Randolph-Sharpe, second by Councilman Jackson that the Council Minutes and Executive Session for April 11, 2018 be adopted as presented. Roll call vote was unanimous in the affirmative. Motion carried.  
Motion was made by Councilman Strippoli, second by Councilman Jackson that the Council Minutes and Executive Session for April 25, 2018 be adopted as presented. Roll call vote was in the affirmative with President Randolph-Sharpe abstaining. Motion carried.

Motion was made by President Randolph-Sharpe, second by Councilwoman Hess that all bills that have been properly audited be approved for payment. Roll call vote was unanimous in the affirmative. Motion carried.

The following reports have been filed and are available in the respective offices for review and will be included in the minutes:

a. Tax Collector’s Report	\$4,845,690.56
b. Sewer Report	51,293.26
c. Treasurer’s Report	19,611.40

CONSENT AGENDA: The items listed below are considered routine by the Borough of Lindenwold and will be enacted by one motion. There will be no formal discussion of these items. If discussion is desired, this item will be removed from the Consent Agenda and will be considered separately.  
Motion was made by President Randolph-Sharpe, second by Councilman Jackson that Resolution 2018:148 to 2018:57 be adopted as read. Roll call vote was unanimous in the affirmative. Motion carried.

RESOLUTION 2018:148 -Approve Liquor Licenses

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Lindenwold that the following liquor licenses are hereby approved for the year 2018-2019:

<u>LICENSEE</u>	<u>NUMBER</u>
Wah-Way, Inc., t/a Paul’s Tavern	#0422-33-002-004
Famiglia Affari LLC (Balsamo)	#0422-33-003-006
Veer Liquors, t/a Pike Liquors	#0422-44-015-007
AN & VR Inc.(Canal’s)	#0422-32-011-010
La Esperanza Inc.	#0422-33-007-012

CLUB LICENSEE

Lindenwold Moose Lodge #548	#0422-31-014-001
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POCKET LICENSEE

Kuber Ganga LLC (former Iron Hrs)	#0422-33-010-005
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RESOLUTION 2018:149 – CDBG Yr 39 S. Carlton

WHEREAS, the Borough of Lindenwold will be awarded Community Development Block Grant funding, and  
WHEREAS, the Mayor and Council authorized the Borough Engineers, Remington and Vernick to submit an application for the Program Year 39 (2017-2018), and  
WHEREAS, the grant allocation for Year 39 for the Borough of Lindenwold is \$66,000 and  
WHEREAS, the Governing Body applied for funding for the following activities:  
Repaving South Carlton Avenue from East Elm to Gibbsboro Road and/or other CDBG eligible activity  
NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Lindenwold that the Mayor was authorized to sign the project description agreement for Program Year 39 (2017-2018).

RESOLUTION 2018:150-Award Engineering for Pump Station #12

WHEREAS, the Borough of Lindenwold is in need of Engineering Services for Pump Station #12, and  
WHEREAS, the Borough did advertise and appoint Environmental Resolutions as Municipal Engineers for 2018, and

WHEREAS, Environmental Resolutions has submitted a proposal for the Engineering Design and Construction Management Services for Pump Station #12 in the amount of \$32,500, and

WHEREAS, the Sewer Superintendent has reviewed this proposal and has recommended that it be awarded to Environmental Resolutions.

THEREFORE, BE IT RESOLVED by the Mayor with Council award the Engineering Design and Construction Management Services for Pump Station #12.

#### Resolution 2018:151-Extend Redeveloper

RESOLUTION OF THE BOROUGH OF LINDENWOLD, COUNTY OF CAMDEN, AND STATE OF NEW JERSEY EXTENDING THE DESIGNATION OF BNF MANAGEMENT, LLC, AS THE REDEVELOPER FOR PURPOSES OF IMPLEMENTING THE ARBORWOOD REDEVELOPMENT PLAN AS IT RELATES TO BLOCK 243, LOTS 7.01, 7.02 AND 7.04, AND ALL QUALIFIERS THEREIN, IN THE BOROUGH OF LINDENWOLD, AND AUTHORIZING THE EXECUTION OF A REDEVELOPER'S AGREEMENT WITH BNF MANAGEMENT, LLC, OR ITS ASSIGNS, RELATIVE TO THIS DESIGNATION

WHEREAS, on November 8, 2017, the Borough of Lindenwold designated BNF Management, LLC as the Redeveloper for purposes of implementing the Arborwood Redevelopment Plan as it relates to block 243, lots 7.01, 7.02 and 7.04, and all qualifiers therein, in the Borough of Lindenwold; and

WHEREAS, on August 9, 2017 by Ordinance No. 2017-15, the Borough Council of the Borough of Lindenwold adopted the Redevelopment Plan relative to the property known and designated as Block 243, Lots 7.01, 7.02 and 7.04, and all Qualifiers therein, of the Official Tax Maps of the Borough (hereinafter designated as the ("Real Property")) commonly known as Arborwood Redevelopment Plan ("Redevelopment Plan"), for the Borough of Lindenwold ("Borough"); and

WHEREAS, in order to implement the Redevelopment Plan and carry out the redevelopment projects in the area designated by this Redevelopment Plan, the Mayor and Council of the Borough of Lindenwold has determined that it is necessary to designate a redeveloper for same, subject to certain conditions; and

WHEREAS, the Borough as determined to designate BNF Management, LLC of New York, New York, as the redeveloper for the purpose of carrying out the Redevelopment Plan as it relates to Block 243, Lots 7.01, 7.02 and 7.04, and all Qualifiers therein, on the Official Tax Map of the Borough of Lindenwold, subject to certain conditions; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Lindenwold that the Borough Council hereby extends the designation of BNF Management, LLC of New York, New York, as the Redeveloper for the purpose of carrying out the redevelopment project in the area designated by the Arborwood Redevelopment Plan as it relates to Block 243, Lots 7.01, 7.02 and 7.04, and all Qualifiers therein, on the Official Tax Map of the Borough of Lindenwold; and

IT IS FURTHER RESOLVED by the Mayor and Council of the Borough of Lindenwold that this redeveloper designation is subject to the following conditions: (1) dismissal of the lawsuit entitled Pine Ridge Investments, LLC and Wakefield Holdings, LLC vs. Borough Council of the Borough of Lindenwold and the Joint Land Use Board of the Borough of Lindenwold, venued in the Superior Court of New Jersey, Law Division, Camden County under Docket No. L-2562-17; (2) presentation of sufficient documents evidencing, in the opinion of the Borough, the financial and economic capability of the redeveloper to undertake and complete a project of this size and magnitude; and (3) the execution of the appropriate Redeveloper's Agreement with the Borough for the purpose of carrying out the redevelopment project in the area designated by the Arborwood Redevelopment Plan; and

IT IS FURTHER RESOLVED by the Mayor and Council of the Borough of Lindenwold that this designation, unless renewed, shall terminate on July 15, 2018; and

IT IS FURTHER RESOLVED that Richard E. Roach, Jr., Mayor of the Borough of Lindenwold and Deborah C. Jackson, Borough Clerk of the Borough of Lindenwold, is hereby authorized to execute the appropriate Redeveloper's Agreement with BNF Management, LLC of New York, New York, for the purpose of carrying out the redevelopment projects in the area designated by the Arborwood Redevelopment Plan as it relates to Block 243, Lots 7.01, 7.02 and 7.04, and all Qualifiers therein on the Official Tax Map of the Borough of Lindenwold, subject to the advise and consent of the Borough Council of the Borough of Lindenwold.

#### RESOLUTION 2018:152 Appraiser Services

WHEREAS, the Borough of Lindenwold advertised for Appraisal Services for the Arborwood Redevelopment Area and received bids on October 12, 2017, and

WHEREAS, under Resolution 2017:237 J. McHale & Associates was appointed the Real Estate Appraiser for the Arborwood Redevelopment Area on October 25, 2017, and

WHEREAS, an agreement has been prepared between BNF Management, LLC and the Borough of Lindenwold for payment of appraisal services to be performed by J. McHale & Associates for the Arborwood Redevelopment Area, and

WHEREAS, the Mayor is hereby authorized to sign an agreement, authorizing McHale & Associates to perform appraisals for various units to be designated by the Borough of Lindenwold, in furtherance of the Redevelopment of the Arborwood Condominiums.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Lindenwold accepts the agreement between BNF Management, LLC and the Borough of Lindenwold for payment of appraisal services to be performed by J. McHale & Associates and hereby authorizes the Mayor to execute the Agreement with BNF Management, LLC, and any necessary Agreements with McHale & Associates to perform Appraisals of units to be designated by the Borough in furtherance of the Arborwood Redevelopment Project.

#### RESOLUTION 2018:153- Chapter 159 Yr. 39 CDBG S. Carlton

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 \$66,000 from the Camden County Community Development Block Grant and wishes to amend its 2018 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

BE IT FURTHER RESOLVED that a like sum of \$66,000 and the same is hereby appropriated under the caption of:

Community Development Block Grant – YR 39

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

RESOLUTION 2018:154 Chapter 159 Clean Communities

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 \$31,947.46 from the New Jersey Solid Waste Administration and wishes to amend its 2018 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 2018 in the sum of \$31,947.46 which is now available as a revenue from the State of New Jersey, and

BE IT FURTHER RESOLVED that a like sum of \$31,947.46 and the same is hereby appropriated under the caption of:

Clean Communities Program

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

RESOLUTION 2018:155- Property Maintenance Liens

WHEREAS, the following property in the Borough of Lindenwold had property maintenance work done by the Lindenwold Public Works for Code Compliance, and

WHEREAS, lien should be put on the following property for the cost of performing this work:

Date	Block	Lot	Address	Amount
6/5/18	238.12	4	810 Aston Martin Dr.	\$250.03
6/11/18	186	9	612 Scott Ave.	\$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.

RESOLUTION 2018:156 Urging the Legislature to Amend S-716, S-477 and S-1766

Whereas: While it is commendable that legislation is being considered to provide additional compensation to Firefighters with cancer, S-716 as currently written, without responsible amendments, will prove to be very expensive to municipalities and taxpayers, and

Whereas: While it is also commendable that the statute of limitations is being extended for claims involving sexual abuse, S-477 as currently written would eliminate the statute of limitations entirely leaving officials and volunteers with the near impossible task of defending a claim that is decades old.

Whereas: Under current law family members can already collect substantial compensation for actual losses such as medical bills, lost income as well as loss of companionship.

Whereas: Without appropriate amendments, the combined impact of these bills would devastate local government insurance budgets at a time when the local taxpayers are being squeezed because of changes in the Federal Tax code.

Now therefore be it resolved by the Mayor and Council of the Borough of Lindenwold that:

- S-716 be amended to provide that the cancer presumption be limited to types of cancer that scientific evident establishes that Firefighters develop at a higher rate than the general public, and
- S-716 be amended to end the presumption at age 65 when the firefighter becomes eligible for Medicare. Alternatively, S-716 should be amended to remove volunteers and establish a special program for them along the lines recently adopted by New York, Connecticut, Michigan, Colorado and Georgia, and
- S-716 also be amended so that the standard to rebut the presumption remains at the current “preponderance of the evidence”, and
- S-477 be amended to increase statute of limitation on claims involving sexual molestation against public entities to 7 years, subject to no limitation against the molester, and
- S-1766 be amended to remove public entities from “emotional distress” compensation for wrongful death claims subject to Title 59, and

A copy of this resolution be forwarded to the Governor, the legislative delegation in the Fourth District, the Senate President and the Speaker of the Assembly.

RESOLUTION 2018:157 Refund Duplicate Construction Payment

WHEREAS, Rekrutnet LLC paid for a permit for 811 Laurel Road under check number 1008 on April 13, 2018 in the amount of \$82.00, and

WHEREAS, Rekrutnet LLC paid again for the same permit under check number 1007 on April 20, 2018 in the amount of \$82.00, and

WHEREAS, the Construction Department has requested the duplicate fee of \$82.00 be returned.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Lindenwold that the amount of \$82.00 be refunded to Rekrutnet LLC for the duplicate payment.

RESOLUTION 2018:158 Part-Time Code Enforcement

WHEREAS, there is a need in the Code Enforcement Department to hire Part-Time/Seasonal Code Enforcement Officers, and

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

WHEREAS, Brian S. Penilla and Mark Poulton have been recommended for this position, and

THEREFORE BE IT RESOLVED by the Mayor and Borough Council of the Borough of Lindenwold that Brian S. Penilla and Mark Poulton be hired as a Part-Time/Seasonal Code Enforcement Officer after successfully completing employment screening at a rate of \$18.36 per hour.

Motion was made by President Randolph-Sharpe, second by Councilman Jackson that Resolution 2018:158 be adopted as read. Roll call vote was unanimous in the affirmative. Motion carried.

RESOLUTION 2018:159

WHEREAS, the Mayor and Council of the Borough of Lindenwold recognize that it is imperative to search for efficient means for the daily operations as well as innovative ideas which benefit their community, and

WHEREAS, there is a vacancy in the Deputy Clerk and Deputy Registrar position due to a resignation, and

WHEREAS, the position was advertised and candidates were interviewed, and

WHEREAS, it is in the best interest of the Borough of Lindenwold to combine this position with the Finance Department, and

WHEREAS, Nadeen Randall has been recommended for the position of Deputy Clerk and Deputy Registrar, and

WHEREAS, this is a lateral transfer at her current salary while maintaining payroll responsibilities with an additional amount of \$1,000.

THEREFORE, BE IT RESOLVED that Mayor and Council that Nadeen Randall be appointed Deputy Clerk and Deputy Registrar at her current salary with an additional amount of \$1,000 to continue Finance responsibilities starting June 18, 2018.

Motion was made by President Randolph-Sharpe, second by Councilwoman Hess that Resolution 2018:159 be adopted as read. Roll call vote was unanimous in the affirmative. Motion carried.

Department Reports

Councilwoman Hess announced that on Friday, June 22 in the Lindenwold Park will be the concert, Cintron.

President Randolph-Sharpe stated that the newsletters were mailed over a week ago. Lindenwold High School graduation will be held next Thursday at 6:30pm. She is very proud of all the graduates.

Business Administrator had nothing to report at this time.

Councilman Jackson updated that the Borough is working on removing the abandoned buildings, especially on the White Horse Pike.

Councilman Strippoli reported on the trash and recycling collected for last month as well as the filling of potholes.

Councilwoman Sinon announced that the Delta Sigma Theta Sorority will host their annual luncheon for the seniors on Thursday, June 21 from 11am to 1pm.

Mayor Roach congratulated the Construction Department for finally taking down the dry cleaners.

Engineer's Report was presented by Anthony Chadwell of Remington and Vernick. He updated Council on the funding awarded for Laurel Road Phase II, survey will be performed for Chews Landing Road and the contractor will be starting of the Reconstruction of South Carlton.

Mayor Roach opened the meeting to the public.

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

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

DATED: August 8, 2018

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Deborah C. Jackson, RMC  
Borough Clerk