

Mayor Roach called the meeting to order.

Sunshine Law - Notice of this meeting has been duly advertised in compliance with the provisions of the open public meetings law. Please be advised that this meeting will be recorded for possible later playback.

Flag Salute. Mayor Roach requested a moment of silence for the Lindenwold residents who have died from the virus as well as in the State of New Jersey.

Roll Call of Council Members Present: DiDomenico, Hess, Jackson, Sinon, Strippoli, President Randolph-Sharpe, and Mayor Roach.

Motion was made by President Randolph-Sharpe, second by Councilwoman Sinon that the Council Meeting and Executive Session for March 11, 2020 be adopted as presented. Roll call vote was unanimous in the affirmative. Motion carried.

Motion was made by President Randolph-Sharpe, second by Councilman Strippoli 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 | \$ 233,975.89 |
| b. Sewer Report | \$ 141,039.25 |
| c. Treasurer's Report | \$ 10,064.26 |

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. Second Reading Ordinances: 2020-06 to 2020-08

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 Strippoli that Ordinances 2020-06 to 2020-08 be adopted as read on second reading. Roll call vote was unanimous in the affirmative. Motion carried.

Ordinance 2020-06 Ordinance Amending Chapter 365 Signs of the Code of the Borough of Lindenwold

WHEREAS, the Municipal Governing Body of the Borough of Lindenwold wishes to ensure consistency in its provisions, and

WHEREAS, a review of Chapter 365 Sign Regulations for the Borough of Lindenwold have been reviewed, and

WHEREAS, the Mayor and Governing Body have approved these recommendations to Chapter 365-88 Permitted Signs, Section L regarding temporary signs of the Code of the Borough of Lindenwold as follows:

L. Temporary signs announcing or advertising any political, educational, charitable, civic, professional, religious or like campaign or event for a consecutive period not to exceed 30 days in any calendar year, provided that they do not exceed 50 square feet in size, and must be removed 5 days after the date of event.

1. Temporary election signs shall not be erected, installed, posted and/or placed in any municipal right-of-way.

2. Temporary election signs shall be limited to one sign per lot per campaign and shall contain no commercial message or logo. For purposes of this section, the term "campaign" shall mean a candidate or group of candidates running together for one office or position or several seats on one governmental or quasi-governmental body or board.

3. All temporary election signs shall be ground-mounted. No temporary sign shall be temporarily or permanently affixed to a utility pole, telephone pole, light standard, traffic sign, fire hydrant, fence or other public utility or structure or posted, painted or otherwise affixed to trees, rocks or other natural features on any lot or within any street right-of-way or in another manner placed within any street right-of-way or placed on any property owned by the Borough.

If any section, subsection, paragraph, sentence, clause or phrase of the Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance which shall continue in full force and effect, as to this end the provisions of the Ordinance are hereby declared to be severable.

This ordinance shall take effect immediately upon passage and publication as required by law.

Ordinance No. 2020-07 Ordinance Amending Chapter 296 Streets And Sidewalks Of The Code Of The Borough Of Lindenwold

WHEREAS, the Municipal Governing Body of the Borough of Lindenwold wishes to ensure consistency in its provisions, and

WHEREAS, a review of Chapter 296, Section 46 Failure to Comply for the Borough of Lindenwold has been reviewed, and

WHEREAS, the Mayor and Governing Body has approved the recommendations to Chapter 296-46 Failure to Comply with the Code of the Borough of Lindenwold as follows:

§ 296-46 Failure to Comply

If the owner of the lands in question shall refuse or neglect to abate or remedy the condition within the time allowed following receipt of notice pursuant to this article, the Director of Public Works may, at their discretion, cause the condition to be remedied and shall certify the cost to the Borough Administrator or representative, who shall cause the costs as shown to be charged against the lands. The amount so charged shall forthwith become a lien upon such lands and shall be added to and become and form a part of the taxes next to be assessed and levied upon such lands, and such amount shall bear interest at the same rate as taxes and shall be collected and enforced in the same manner as taxes.

If any section, subsection, paragraph, sentence, clause or phrase of the Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance which shall continue in full force and effect, as to this end the provisions of the Ordinance are hereby declared to be severable.

This ordinance shall take effect immediately upon passage and publication as required by law.

ORDINANCE 2020-08 TO AMEND ORDINANCE 2016-13, CHAPTER 276 SOLID WASTE AND RECYCLING OF THE BOROUGH OF LINDENWOLD, COUNTY OF CAMDEN AND STATE OF NEW JERSEY

WHEREAS, the Municipal Governing Body of the Borough of Lindenwold wishes to ensure consistency in its provisions, and

WHEREAS, a review of Chapter 276, Solid Waste and Recycling of the Borough of Lindenwold has been reviewed, and

WHEREAS, the Mayor and Governing Body has approved the recommendations to various sections of Chapter 276 Solid Waste and Recycling of the Borough of Lindenwold is complete as follows:

276-1 SOLID WASTE AND RECYCLABLE.

276-1.1 Adoption of Statute and Code by Reference.

Law and regulations regulating the manner in which refuse may be stored, collected, transported and disposed of declaring and defining certain conditions as nuisances; fixing the duties and responsibility of persons storing, collecting or disposing of refuse and recyclables, regulating the municipal disposal, collection and bidding procedure for solid waste collection, and other such laws and regulation as defined within the "Solid Waste Management Act," N.J.S.A. 13:1E1 et seq. and N.J.A.C. 7:26-1.1 et seq. are hereby adopted by.

276-1.2 Title.

The New Jersey Statute established and adopted by this section is described and commonly known as the "Solid Waste Management Act," N.J.S.A. 13:1E1 et seq., 13:1B-3, 13:1D-9 and N.J.A.C. 7:26-1.1 et seq.

276-2 SOLID WASTE AND RECYCLABLE COLLECTION PROGRAM.

276-2.1 Purpose.

The purpose of this section is to regulate, control, dispose of, manage and collect solid waste and appropriate recycling materials within the Borough of Lindenwold.

276-2.2 Responsibility for Collection and Disposal.

It shall be the responsibility of the Mayor and Council or his/her designee to collect and dispose of all appropriate solid waste materials and recyclables, as defined within, with the exception of demolition, excavation, business, commercial, industrial, medical, hazardous, building/remodeling waste, lawn service, landscaper and tree removal, contractor's waste or refuse.

276-2.3 Definitions.

As used in this article, the following terms shall have the meanings indicated:

Aluminum Cans shall mean and include all disposable containers fabricated primarily of aluminum and commonly used for soda, beer, or other beverages.

Antifreeze shall mean an automotive engine coolant consisting of a mixture of ethylene glycol and water or propylene glycol and water.

Appliances/Scrap Iron (white goods) shall mean washers, dryers, hot water heaters, refrigerators, freezers, compactors, dishwashers, stoves, and air conditioners.

Asbestos shall mean the asbestiform varieties of serpentinite (chrysotile), riebeckite (crocidolite), cummingtonite-grunerite, anthophyllite, and actinolite-tremolite.

Asbestos-Containing Waste Materials (ACWM) shall mean mill tailings or any waste that contains commercial asbestos and is generated by a source subject to the provisions of 40 C.F.R. 61.140. This term includes filters from control devices, friable asbestos waste material, and bags or other similar packaging contaminated with commercial asbestos. As applied to demolition and renovation operations. This term also includes regulated asbestos-containing material waste and materials contaminated with asbestos including disposable equipment and clothing.

Automated Solid Waste/Recycle Collection shall mean the method of collecting solid waste and recycling through the use of mechanical collection equipment and special containers to accommodate the collection.

Batteries shall mean batteries from automobiles, trucks, other vehicles, machinery and equipment, which shall be stored in a manner that protects them from the elements to avoid corrosion and leakage.

Biodegradable Bags shall mean a paper bag which is designed and manufactured to decompose by a natural biological process.

Borough shall mean the Borough of Lindenwold.

Business Waste shall mean any solid waste or recycling materials that are generated as a result of operating, conducting or performing a business or service. (See also "commercial waste")

Cardboard shall mean corrugated cardboard, paperboard boxes (cereal, pasta, and tissue), paper towel rolls, and cardboard beverage carriers.

Collection Day shall start no earlier than 6:30 a.m. and end no later than 6:00 p.m. or as designated by any contract.

Collection or Collecting shall mean the act of picking up solid waste and/or recycling at its point of generation.

Concrete & Asphalt Recycling shall mean the weekly collection that is neatly stacked or in containers of no more than 50 lbs. per container. (100 lbs. max)

Commercial Landscaper shall be any business, trade or industry providing the service of grass cutting, tree and brush removal, trimming, stump removal, mulching or any other yard maintenance or improvement.

Commercial landscaper shall include tree surgeon, arborist, gardener or horticulturist.

Commercial Solid Waste shall mean solid waste generated by wholesale, retail, service businesses or waste generated by maintenance departments of multi-unit residential dwellings. (See also "business waste")

Commercial User shall mean any person utilizing the services of a business, trade, industry or other nonresidential activity for the purpose of landscaping.

Construction and Demolition Waste shall mean waste building material and rubble resulting from construction, remodeling, repair, and demolition operations on houses, commercial buildings, pavements and other structures. The following materials may be found in construction and demolition waste: treated and untreated wood scrap; tree parts, tree stumps and brush; concrete, asphalt, bricks, blocks and other masonry; plaster and wallboard; roofing materials; corrugated cardboard and miscellaneous paper; ferrous and nonferrous metal; non-asbestos building insulation; plastic scrap; dirt; contractors carpets and padding; glass (window and door); and other miscellaneous materials; but shall not include other solid waste types.

Contract(s) shall be between the Borough and an independent contractor(s) for the collection and disposal of solid waste and/or recyclable material.

Contractor shall mean any individual or firm engaged in providing a service of repairing, constructing, refurbishing, remodeling, or demolishing buildings or grounds within the Borough.

Contractor shall mean a person or firm engaged in a business of service, construction, repairing, refurbishing, remodeling or demolition of buildings or grounds within the Borough.

Contractor's Waste (See "construction and demolition waste")

Designated Recyclable Materials shall mean those materials designated within the Camden County District Solid Waste Management Plan to be source-separated for the purpose of recycling.

Dumpster Container shall mean either black eight (8) yard solid waste metal container or green/blue four (4) yard recycling container issued by the Borough for the purpose of disposing of solid waste/recyclable material intended to be mechanically collected and dumped into a solid waste/recyclable truck. These dumpster containers are the property of the Borough.

Electronics/E-waste shall mean items with electronic components and circuit boards, including but not limited to computers, monitors, printers, computer peripherals, cameras, VCRs, DVD players, stereos, cell phones, telephones and etc.

Garbage/Food Waste shall mean any animal or vegetable waste solids resulting from the preparation, cooking, or consumption of food, but not including human waste.

Generation shall mean the act or process of producing solid waste.

Glass shall mean all products made from silica or sand, soda ash and limestone, the product being transparent or translucent and being used for packaging or bottling of various matter and all other material commonly known as glass, excluding, however, blue and flat glass commonly known as window glass.

Hazardous Material shall mean wastes presenting a clear danger to health and safety by reason of their biological, pathological, explosive, radiological, or toxic characteristics.

Household Hazardous Materials shall mean oil based paints, solvents, Thinners, pesticides, gasoline, cleaning fluids, Etc. that must be recycled.

Landscaper/ Lawn Service Contractor/ Tree Removal Contractor shall mean a person or firm engaging in a commercial enterprise or business which designs, constructs, alters, demolishes, excavates, plants, weeds, fertilizes, mows, elevates, trims, prunes and/or completely removes trees, stump removal and/or grind roots from the premises of another's property and is paid for such endeavors or otherwise alters and/or cares for the outdoor natural premises of a property.

Metal Cans shall mean and include all disposable containers fabricated primarily of metal and commonly used for soda, beer, or other beverages.

Motor Oil shall mean petroleum base or synthetic oil whose use includes, but is not limited to, lubrication of internal combustion engines.

Multifamily Dwelling shall mean any building or structure or complex of buildings in which three or more dwelling units are owner-occupied or rented or leased, or offered for rental or lease, for residential purposes (see N.J.S.A. 13:1E-99.13a) and shall include apartment complexes, condominiums, senior housing.

Municipal Recycling Coordinator shall mean the person or persons appointed by the municipal governing body and who shall be authorized to, among other things; enforce the provisions of this article, and any rules and regulations which may be promulgated hereunder.

Municipal Solid Waste (MSW) Stream shall mean all solid waste generated at residential, commercial and institutional establishments within the boundaries of the Borough of Lindenwold.

Newspaper shall mean and include paper of the type commonly referred to as newsprint and distributed at stated intervals, usually daily or weekly, having printed thereon news and opinions and containing advertisements and other matters of public interest.

Nonresidential Users shall mean all retail, organizational, and other commercial locations and/or properties, as well as government, school and other institutional locations and/or properties within the Borough of Lindenwold, which utilize, or purport to utilize, the Borough or its authorized agent for the collection of solid waste, rubbish, trash and recyclables.

Paper Recyclables shall mean newspaper, white paper, magazines, junk mail, paper bags, phone books, office paper, and file folders.

Plastics shall mean disposable containers made and fabricated primarily of plastic, and having imprinted on them a recycling code of #1, #2, #4, #5 and #7 only.

Recyclables shall mean that portion of the solid waste generated that can be separated and reused and returned to the economic mainstream in the form of raw materials or products.

Recyclable Waste shall mean any material that can be separated at the source of generation, which can be reused in manufacture of new products or goods.

Recycle Cart Container shall mean a wheeled black ninety-six (96) gallon plastic receptacle with blue lid issued by the Borough to its residents for the purpose of disposing of single-stream recyclable material intended to be mechanically collected and dumped into a recycling truck. These containers are the property of the Borough.

Residential Solid Waste shall mean residential user generated solid waste that has resulted from normal household activities and is collected and disposed of at an approved disposal location.

Residential User shall mean all owners of real property, to include single-family homes and multi-family residential dwellings, which utilize, or purport to utilize, the Borough or its authorized agent for the collection of solid waste, rubbish, trash and recyclables.

Resident shall mean any person occupying or maintaining a place of residence within the Borough, occupying a single-family house or multi-family dwelling of two (2) units or less.

Route shall mean a specific path of a trash or recycling collection vehicle.

Scavengers shall mean any unauthorized or unlicensed person, firm or corporations collecting rubbish, trash or recyclable materials placed at the collection point for Borough collection.

Seasonal Leaf Collection shall mean the special collection of loose leaves raked for curbside collection, completed in scheduled neighborhoods, weekly during the months of November, December and first week of May only.

Single Stream Recycling shall mean the method of placing mixed paper, cardboard, glass, tin, aluminum and plastics #1, #2, #4, #5, and #7 only together in one (1) container for collection. Then collected in one (1) noncompartmentalized vehicle and delivered to the materials recovery facility (MRF). All recyclable materials are collected in one (1) "stream."

Solid Waste Container shall mean a specially designed wheeled Black ninety-six (96) gallon container with black lid issued by the Borough to its residents to accommodate the automated collection operation to be used for the deposit, disposal, and collection of solid waste. These containers shall remain the property of the Borough.

Solid Waste/Recycling Drop-Off Center shall mean the municipal center located at the Lindenwold Public Works at 861 Gibbsboro Rd. open 8 a.m. – 3 p.m. Monday – Friday.

Source Separation shall mean separating recyclables from solid waste at the point of generation.

Source-Separated Recyclable Materials shall mean recyclable materials which are separated at the point of generation by the generator thereof from solid waste for the purposes of recycling.

Solid Waste Contractor shall mean a person or firm for hire properly licensed by the State Department of Environmental Protection (N.J.A.C. 7:26-3.2 et. seq.).

Stumps and Logs shall mean the weekly collection that is neatly stacked of 12" diameter or larger and/or over 50 lbs. per log.

Textiles shall mean items such as clean unsoiled cloth, fabric and etc., including but not limited to clothing, drapes, curtains, sheets, towels, belts, shoes, handbags and small stuffed animals.

Tires shall mean a rubber-based scrap automotive and light truck tire that is not on rims.

Vegetation / Yard Waste Collection shall mean the weekly collection of brush, tree parts, grass clippings and garden recyclables. (Shall not mean dirt or soil)

White Goods (See "appliances/scrap iron ")

Wood scrap shall mean unfinished lumber from construction or demolition projects, including pallets.

Unfinished shall mean non-chemically treated (not pressure treated, impregnated with preservatives, insecticides, fungicides, creosote or other chemicals, and not painted, resin-coated or otherwise surface treated, and not laminated or bonded, and not similarly altered from its natural condition).

276-2.4 Intention.

It is the intention of the Borough to provide automated curbside solid waste and automated recycling collection to residential users. Automated curbside collection does not apply to certain multi-family structures that are located in areas that have been deemed unsuitable for the automated curbside collection process.

a. Residential curbside solid waste must be properly placed into Borough issued black ninety-six (96) gallon solid waste cart containers with the wording (Trash only) on the black lid, not exceeding the container's 335 pound container rating. Residential recyclables must be properly placed in black ninety-six (96) gallon cart containers with the wording (Recycling only) on the blue lid, not exceeding the container's 335 pound container rating. These containers must be placed in the roadway within three (3') feet from the curb and within the limits of the residence.

Where the residence lies within an area deemed unsuitable for automated pick-up (multi-family structures), residents shall use approved dumpster containers and follow the same regulations.

b. It is the responsibility of all residential users and nonresidential users to ensure source separation of recyclable material from solid waste, as set forth in this Chapter.

c. Such waste must be generated within the premises collected.

d. Waste must conform to all other requirements specified by the Borough.

276-2.5 Collection Schedule.

The Mayor and Council or designee shall have the authority to establish, alter or amend the schedule for the collection of residential solid waste and recyclables.

a. *Holidays.* There will be no collection on Borough Holidays.

b. *Recyclables.* Recyclable material, including yard waste/ shall be collected one (1) time per week.

c. *Solid waste.* Solid waste shall be collected at no additional charge one (1) time per week.

Additional collections will be provided for a fee, which is outlined in Chapter 150 (Additional Solid Waste Removal).

d. *Time and Placement for Collection.* Residents shall only use areas suitable for curbside solid waste and recyclable collection, and shall not be permitted to place solid waste and recyclables at the collection point earlier than 4:00 p.m. on the evening before the scheduled collection day for that location. Thereafter, empty containers shall be removed from curb no later 8:00 p.m. after the regular collection day for that location. All solid waste and recyclables must be placed at the collection point prior to 6:00 a.m. on the scheduled collection day.

276-2.6 Mandatory Source Separation requirements; exemption.

Within the Borough of Lindenwold, it shall be mandatory for all residential users, and nonresidential users, which shall include but not be limited to retail and other commercial locations, as well as government, school and other institutional locations within the Borough of Lindenwold, to separate designated recyclable materials from all solid waste. Designated recycling of paper, cardboard, glass, metal and aluminum cans, plastics, motor

oil and yard waste and e-waste recyclables materials shall be deposited separate and apart from other solid waste generated by the owners, tenants or occupants of such premises.

Exemptions: Pursuant to N.J.S.A. 13:1E-99.16d, the governing body of a municipality may exempt persons occupying commercial or institutional premises within its municipal boundaries from the source separation requirements of the ordinance which requiring persons generating municipal solid waste within its municipal boundaries to source-separate from the municipal solid waste stream the specified recyclable materials, if those persons have otherwise provided for the recycling of all designated recyclable materials. To be eligible for an exemption pursuant to this section, a commercial or institutional generator of solid waste shall file an application for exemption with the Municipal Recycling Coordinator. The following information is needed: the name of the commercial or institutional entity; the street address location and lot and block designation; the name, official title and phone number of the person making application on behalf of the commercial or institutional entity; the name, address, official contact person and telephone number of the facility which provides the service of recycling those designated recyclable materials, and a certification that the designated recyclable materials will be recycled and that, at least on an annual basis, said recycling service provider or commercial/institutional generator shall provide written documentation to the Municipal Recycling Coordinator of the total number of tons collected and recycled for each designated material.

- a. *Violations.* It is a violation of this section for the residential user and/or nonresidential property owner to fail to properly separate recyclables and yard waste from solid waste.
- b. *Penalties/Remedies.* See Section 276-9

276-2.7 Points of Collection.

- a. All Borough issued black ninety-six (96) gallon solid waste cart containers with the wording (Trash only) on the black lid and Borough issued black ninety-six (96) gallon recycling cart containers with the wording (Recycling only) on the blue lid are to be placed in the roadway within the limits of the residence. Cart containers must be placed at least ten (10') feet from any motor vehicle and no more than three (3') feet in front of the curb or edge of the roadway, and maintaining a minimum of three (3') feet of spacing between containers and any other obstructions which may be present in the roadway. When placed in the roadway, carts should be situated in a manner by which the handles of the carts are facing the front of the residential structure and the arrow on lid facing the roadway.
- b. A second black ninety-six (96) gallon solid waste cart container with the wording (Trash only) on the black lid and /or a second black ninety-six (96) gallon solid waste cart container with the wording (Recycling only) on the blue lid (maximum of two solid waste/recycling cart containers per residence) may be requested, however, there is a one-time fee associated with this service, which is outlined in chapter 150 (Additional Solid Waste/Recycling Cart Container). The solid waste/recycling cart container will remain property of the Borough, and will be subjected to all of the same rules and regulations of the Borough concerning solid waste/recycling cart containers.
- c. Only one (1) collection point shall be permitted per residential user. In the case of corner lots, solid waste, recyclables and yard waste shall be placed at the curbside of an improved roadway which is most convenient to the collection vehicle or as directed by the Public Works Superintendent.
- d. The Public Works Superintendent has the right to designate collection points located on dead-end and one way streets, which provide the most efficient and safe route to accommodate automated solid waste and recyclables collection.
- e. No collection of solid waste or recyclables will be provided to dwellings under construction, dwellings being remodeled, vacant or unoccupied dwellings, vacant lots or vacant lands or those properties/residences without a valid certificate of occupancy.
- f. Dumpster collection of multifamily dwellings will be collected at the designated collection points on the scheduled day(s) set forth by the Public Works Superintendent. Optional additional collections will be provided for a fee, which is outlined in chapter 150 (Additional Solid Waste Removal). Contracts and payments must be made for entire year by January 1 and are non-refundable.

276-2.8 Preparation of Residential Solid Waste for Curbside Collection.

a. Residential solid waste, shall be placed into the Borough issued black ninety-six (96) gallon solid waste cart containers with the wording (Trash only) on the black lid, which are property of the Borough and are the responsibility of the homeowner to maintain in a safe and sanitary manner. When placed curbside, the container lid should be closed shut with nothing protruding from the top opening of the container. It is the responsibility of the homeowner to report any damage to the container which would threaten to hinder its use effectively for the purpose of solid waste collection. In all instances, it is the responsibility of the resident to ensure that all possible precautions are being taken to protect their solid waste containers and any contents from vermin, insect, and other animal intrusions.

1. Additionally there shall be a limit of one piece of furniture per weekly solid waste collection.

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

276-2.9 Preparation of Recyclable Materials for Curbside Collection.

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

a. Preparation of residential recycling, shall be placed into Borough issued black ninety-six (96) gallon solid waste cart containers with the wording (recycling only) on the blue lid, which are property of the Borough and are the responsibility of the homeowner to maintain in a safe and sanitary manner. When placed curbside, the container lid should be closed shut and nothing protruding from the top opening of the container. It is the responsibility of the homeowner to report any damage to the container which would threaten to hinder its use effectively for the purpose of solid waste collection. In all instances, it is the responsibility of the resident to ensure that all possible precautions are being taken to protect the solid waste containers and any contents from vermin, insect, and other animal intrusions.

1. *Single Stream Recycling* Newspaper, corrugated cardboard, phonebooks, chipboard paperboard boxes, beverage cartons, cardboard beverage carriers, paper bags, file folders, office paper and paper towel rolls, paperback books, magazines, brochures, inserts, greeting cards, regular and junk mail, aluminum and metal cans, #1, #2, #4, #5 and #7 plastic bottles, steel bottle caps and metal jar lids, shall be placed together in the Borough issued black ninety-six (96) gallon recycling cart containers with the wording (Recycling only) on the blue lid provided by the Borough.

2. All containers must be empty and rinsed, plastic lids and caps must be removed.

3. No plastic bags are to be placed in recyclable containers.

4. Loose recyclables placed outside the cart or bucket is prohibited.

b. *Appliances/Scrap Iron/White Goods* as defined above, are collected on a scheduled day, one time per week. Residents must call the Department of Public Works to schedule collection of these items on a weekday assigned.

c. *Concrete/Asphalt* as defined above, are collected on a scheduled day, one time per week. Residents must call the Department of Public Works to schedule collection of these items on a weekday assigned. These items must be neatly stacked at curbside or contained for collection. (100 lbs. maximum)

d. *Stumps and Logs* as defined above, are collected on a scheduled day, one time per week. Residents must call the Department of Public Works to schedule collection of these items on a weekday assigned. These items must be 12" diameter or larger and/or over 50 lbs. per log and be neatly stacked curbside.

e. *Vegetation/Yard Waste* collection as defined above, are collected on a scheduled day, one time per week.

1. Yard Waste, Grass clippings, leaves, vegetative waste from lawns/flower beds and tree brush/shrubs and vegetative debris shall be placed in biodegradable paper bags or open containers. A maximum of five (5) no larger than 32 gallon containers or no more than one pile of Vegetation/Yard Waste, not to exceed two (2) cubic yards will be collected per residence. Yard waste must be placed curbside, behind or beside the solid waste and recycling containers, a maximum of four (4') feet behind the curb or edge of the roadway, in front of the residential structure. No individual item (bag, container

or bundles) shall weigh in excess of fifty (50) pounds. Larger branches and limbs shall be cut into four (4') foot lengths and securely tied in bundles with total weight not in excess of fifty (50) pounds. Containers are prohibited from having hinged or attached lid. Recyclables shall not be mixed with solid waste. Commingling of solid waste and recyclables is a violation and will be subject to a penalty described in subsection 276-2.6b.

2. Placement of all yard waste including but not limited to grass clippings, leaves and brush in plastic bags for Borough collection is prohibited and will not be collected by the Borough. It is recommended that residents consider a "cut it and leave it" program where grass cuttings are left on the lawn.

3. Any yard waste generated from a commercial Landscaper/ Lawn Service Contractor/ Tree Removal Contractor will not be collected by the Borough. Any Landscaper/ Lawn Service Contractor/ Tree Removal Contractor performing services within the Borough shall remove all trimmings, branches, trees, stumps, grass cuttings and other waste materials generated from the services performed by them from the premises in which they service.

f. *Seasonal Leaf Collection*, Municipal collection of leaves is limited to the months of November, December and first week of May only. Municipal collection schedules are annually identified by Newsletter and development yard signs noting the week of collection. Sweeping, raking, blowing or otherwise placing leaves that are not containerized at the curb or along the street is only allowed during the fourteen (14) days prior to a scheduled and announced collection, and shall not be placed closer than ten (10') feet from any storm drain inlet. Leaf waste generated from a commercial Landscaper/ Lawn Service Contractor/ Tree Removal Contractor will not be collected by the Borough. If such placement of leaves occurs, the party responsible for placement of the leaves must remove the leaves from the street or said party shall be deemed in violation of this section.

Prohibited Curbside Recycling Material: Electronics, motor oil, automotive batteries, CFLs, fluorescent lamps and household hazardous materials shall not be placed curbside and are to be brought to the Department of Public Works for recycling.

276-2.10 Nonresidential establishment compliance requirements.

a. All commercial and institutional generators of solid waste shall be required to comply with the provisions of this article.

b. The arrangement for collection of designated recyclables hereunder shall be the responsibility of the commercial, institutional or industrial property owner or its designee, unless the municipality provides for the collection of designated recyclable materials. All commercial, institutional or industrial properties which provide outdoor litter receptacles and disposal service for their contents shall also provide receptacles for designated recyclable materials, for those materials commonly deposited, in the location of the litter receptacle, and shall provide for separate recycling service for their contents.

1. Requests for curbside collection of designated recyclables must be in writing to the Municipal Recycling Coordinator. If request is granted, the property owner will be responsible to pay the same fee as the one-time fee for an Additional Solid Waste/Recycling Cart Container, which is outlined in chapter 150. The solid waste/recycling cart container will remain property of the Borough even though you paid the one-time fee and will be subjected to all of the same rules and regulations of the Borough provided for solid waste/recycling cart containers and their collection.

c. All food service establishments, as defined in the Health Code, shall, in addition to compliance with all other recycling requirements, be required to recycle grease and/or cooking oil created in the processing of food or food products and maintain such records as may be prescribed for inspection by any code enforcement officer.

d. Every business, institution or industrial facility shall report on an annual basis to the Municipal Recycling Coordinator, on such forms as may be prescribed, on recycling activities at its premises, including the amount of recycled material, by material type, collected and recycled and the vendor or vendors providing recycling service.

276-2.11 Solid Waste and Recycling Cart Containers.

- a. *Solid Waste Cart Containers:* All solid waste is to be placed into Borough issued black ninety-six (96) gallon solid waste cart containers with the wording (Trash only) on the black lid. Additional cart container can be obtained for a fee, which is outlined in chapter 150 (additional solid waste and recycling cart containers).
- b. *Recycle Cart Containers:* All recycling is to be placed into Borough issued black ninety-six (96) gallon recycling cart containers with the wording (Recycling only) on the blue lid. Additional cart containers may be obtained for a fee, which is outlined in chapter 150 (additional solid waste and recycling cart containers).
- c. Contents placed into the cart container *shall* not exceed the maximum rating of three hundred thirty-five (335) pounds, and shall not have items protruding through the top side opening of the cart container which would prevent the lid from properly closing. It is the responsibility of the residential user to maintain the cart container in a clean, sanitary, and overall safe manner. Additionally, it is the residential user's sole responsibility to alert the Borough of damage to the cart container that prohibits the ability for the container to be effectively used for collection and disposal of materials.
- d. Borough issued and any additionally requested cart containers are the property of the Borough of Lindenwold. Cart containers assigned to every address must remain with the property at all times. If the property is transferred or sold, the cart container shall stay with the property, otherwise the cart container will be considered stolen and reported to the authorities.
- e. The containers shall not be defaced, marked, or painted upon. Every cart container is registered and recorded with a serial number and no other identification is necessary. If the serial number is unknown, it can be obtained by calling the public works during regular business hours. Defacement of the container in any way shall cause the responsible party to incur the cost of replacing the container.
- f. *Storage of Cart Containers.* Solid waste /recyclable cart containers stored outside residential buildings shall be placed behind the extended front face of the structure. Cart containers shall be concealed to the extent that they are not visible from the public right-of-way or adjacent properties.
- g. Regular trash cans and/or carts purchased privately cannot be used with the automated solid waste/recycle collection system. *Plastic Disposal Bags; Grocery Bags*, shall not be considered acceptable solid waste containers and are thereby also prohibited.
- h. *Spill.* Residential users shall remove any solid waste spilled by animals or vandals as a result of defective or inadequate lids on cart containers.
- i. *Vermin/Animals.* All cart containers should be stored and placed for collection in such a way so as to discourage intrusion by vermin and animals.
- j. *Placement of Cart Containers.* See subsections 276-2.5 and 276-2.7 for permitted schedule of cart containers and placement at the collection point.

276-2.12 Solid Waste and Recycling Dumpster Containers.

- a. *Solid Waste Dumpster Container:* All solid waste is to be placed into Borough issued black eight (8) yard solid waste dumpster containers with the wording (Trash only) on the front of the container. Solid waste shall be thoroughly and completely drained of all liquids, wrapped securely and placed in the solid waste cart container.
- b. *Recycle Dumpster Container:* All recycling is to be placed into Borough issued green or blue four (4) yard recycling dumpster containers with the wording (Recycling only) on the front of the container. All residential recyclable material shall be placed for collection according to the following minimum standards:
 1. *Single Stream Recycling:* Newspaper, corrugated cardboard, phonebooks, chipboard paperboard boxes, beverage cartons, cardboard beverage carriers, paper bags, file folders, office paper and paper towel rolls, paperback books, magazines, brochures, inserts, greeting cards, regular and junk mail, aluminum and metal cans, #1, #2, #4, #5 and #7 plastic bottles, steel bottle caps and metal jar lids, shall be placed together in the recycling dumpster container.
 2. All containers must be empty and rinsed, plastic lids and caps must be removed.

3. No plastic bags are to be placed in recyclable containers.

c. *Contents placed into the dumpster containers shall not have items protruding* through the top side opening of the dumpster container which would prevent the lid from properly closing. It is the responsibility of the residential user or non-residential user property owner to maintain the dumpster container in a clean, sanitary, and overall safe manner. It is the responsibility of the residential user and/or nonresidential user property owner to ensure that the lids to the dumpster containers close properly. Additionally, it is the responsibility of the residential user and/or non-residential user property owner to alert the Borough of damage to the dumpster container that prohibits the ability for the container to be effectively used for collection and disposal of materials.

d. The containers shall not be defaced, marked, or painted upon. Every cart container is registered and recorded with a serial number and no other identification is necessary. If the serial number is unknown, it can be obtained by calling the public works during regular business hours. Defacement of the container in any way shall cause the responsible party to incur the cost of replacing the container.

e. *Storage of Trash/Recyclable Dumpster Containers.* Solid waste /recyclable dumpster containers are to be placed and stored in solid waste enclosures. Dumpster containers shall be concealed to the extent that they are not visible from the public right-of-way or adjacent properties.

f. *Solid Waste/Recycling Enclosures*

1. Solid waste /recyclable enclosures shall be large enough to handle the trash and recycling dumpster container.

2. The solid waste /recyclable enclosure shall be constructed on three sides by masonry walls not less than six feet or more than eight feet in height with a facade treatment that is aesthetically similar with the facade treatment of the building.

3. Solid waste /recyclable enclosures shall be located a minimum of 15 feet away from the building wall unless specifically approved by the Fire Marshal.

4. The trash and recycling area shall have an enclosure gate of durable material that will be kept closed when solid waste /recyclable is not being picked up.

5. Solid waste /recyclable containers may not be located anywhere on the property without a trash enclosure.

6. The inside and outside of the dumpster enclosure must remain clean and free of debris of any kind. The Borough shall only collect the Borough issued solid waste /recyclable dumpster containers. Property owner must ensure area is clean and free of debris at all times or shall be subjected to fines from the Borough of Lindenwold Code Enforcement.

g. Privately purchased Regular trash cans and/or carts cannot be used with the dumpster solid waste/recycle collection system. *Plastic Disposal Bags; Grocery Bags*, shall not be considered acceptable solid waste containers and are thereby prohibited outside of the dumpster.

h. Appliances/Scrap Iron/White Goods, Concrete/Asphalt, Stumps and Logs and Vegetation/Yard Waste, as defined above, shall not be included in the weekly solid waste/recycling dumpster container collection.

i. All hazardous materials, including but not limited to waste materials which present a clear danger to health and safety by reason of their biological, pathological, explosive, radiological or toxic characteristics shall not be permitted into the solid waste/recycling dumpster container collection.

j. *Spill.* Property owners shall remove any solid waste spilled by animals or vandals as a result of defective or inadequate lids on dumpster containers.

k. *Vermin/Animals.* All dumpster containers shall be stored with lid tightly closed for collection in such a way so as to discourage intrusion by vermin and animals.

276-2.13 Additional Collections

a. The Borough of Lindenwold shall make available to all residential properties within the Borough, optional additional solid waste collections on a weekly basis, upon request of the owner. The Borough shall impose an annual service charge upon the owners of those properties, which elect to utilize optional

additional solid waste collections. The service charge for the optional additional collection shall be assessed for each residential unit for which the optional additional solid waste collection is being provided by the Borough. Upon an owner electing additional collections, the Borough shall provide the additional collection for the entire calendar year and the owner shall receive the service for an entire year, without right of refund.

b. The owner of a residential property, which elects additional weekly solid waste collections, shall notify the Borough in writing no later than December 1, of the calendar year, of their intent to discontinue service for the following calendar year. In the event the owner fails to timely notify the Borough in writing to discontinue or cancel service, the service shall continue into the succeeding calendar year.

c. The Borough shall bill the owner of each property based upon the number of residential units for which each additional solid waste collection is being provided by the Borough. An owner electing an additional collection shall pay the entire service charge for the year, at time of the initial request, and thereafter, within thirty (30) days of receiving an invoice from the Borough.

d. The funds collected pursuant to this section, shall be paid to the Borough of Lindenwold. The charges set forth herein, shall draw the same interest as taxes upon real estate beginning thirty (30) days after the due date and shall be a lien upon the property for which the service was requested, until paid. In the event of non-payment of the service charge, the Borough shall have the right to discontinue additional solid waste collections without notice to the Owner.

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

f. For calendar year 2016, an owner of a residential property electing to utilize optional additional solid waste collections, shall notify the Borough no later than July 1, 2016, and pay a prorated yearly fee, based upon the number of months of service to be provided through 2016.

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

276-2.14 Unacceptable Wastes.

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

1. Construction/Remodeling/Building Materials. Private contractors shall remove the debris materials from the site and shall dispose of the debris properly at their own cost. This debris is not to be placed for normal residential collection.

2. Hazardous Materials. All chemical and corrosive wastes and other hazardous materials as defined within are prohibited to be placed for residential pick up.

3. House Cleanouts. Furniture, carpets, bedding and similar household items resulting from the sale of a house (house clean-out or move-ins/move-outs) will not be collected by the Borough. Disposal of such items shall be the responsibility of the owner (at time of disposal) of the property.

4. Cardboard Boxes. Cardboard boxes may not be used to dispose of regular household trash. Cardboard is recyclable and must be placed into Borough supplied recyclable cart containers in accordance with the requirements of subsection 276-2.9. Any cardboard boxes containing household trash shall be left at the curb.

276-2.15 Hazardous Materials.

- a. All hazardous materials, including but not limited to waste materials which present a clear danger to health and safety by reason of their biological, pathological, explosive, radiological or toxic characteristics shall not be permitted into the curbside collection.
- b. Injection needles shall be broken from syringe and hub and separated from the syringe before depositing for collection and shall be placed in metal or plastic containers in accordance with the procedures set forth in the New Jersey Health Department and Department of Solid Waste "Household Hazardous Waste Management Act."
- c. All medical waste generators shall comply with any and all applicable regulations promulgated by the NJDEP for such generators for the disposal of medical hazardous waste.
- d. Residential users and those users identified by contract shall be responsible for any personal injury to collection personnel resulting from improper disposal of hazardous materials.

The Following Other Household Hazardous Materials shall be brought to the County Household Special Waste Collection site on designated collection days to be recycled:

- a. Automotive fluids, paint-related products, household cleaners, pesticides, fuels, personal care products, home and hobby products, oil based paints, gasoline, aerosols, mercury-containing devices are not to be placed curbside with normal wastes, but are to be disposed of at County Household Special Waste Collection sites.
- b. Latex paint is a nonhazardous material. It can be disposed of in the regular trash, following the elimination of all liquid content by removal of drying techniques.

276-2.16 Scavengers.

Scavengers are prohibited from operating within the Borough.

276-2.17 Tips/Gratuities/ & Conduct.

- a. Tips and gratuities shall be strictly prohibited.
- b. No Borough employee or Borough contracted solid waste contractor employee shall enter upon or on private property, except at the designated curb collection point, for the purpose of removing solid waste or recycling materials.
- c. No individual shall harass, assault, threaten, or otherwise engage in any criminal conduct toward a Borough employee engaged in the course of removal of solid waste or recyclable materials. In the event an individual engages in prohibited conduct as set forth herein, the Borough shall have the right to refuse future solid waste and recyclable removal service to the responsible party, to include any entity, business, or organization with which the responsible party is employed and/or affiliated.

276-2.18 Additional Recycling Regulations; Authorization.

The Mayor and Council or designee is authorized to issue additional recycling regulations as needed to provide for the most safe and efficient means of removal of recyclable materials as defined within.

276-2.20 Collection by Unauthorized Person Prohibited.

All solid waste, yard waste and recyclable material aggregated and offered for collection shall remain the property and responsibility of the generator until said material are collected by the Borough or self-hauled to the Borough's recycling center, at which time they become the property of the Borough, respectively. It shall be a violation of this section for any person not authorized by the Borough to collect items herein described or to pick up or cause to be picked up such items. Each such unauthorized collection in violation hereof shall constitute a separate and distinct offense punishable as provided herein.

276-2.21 Unlawful Disposal.

It shall be a violation of this section in addition to other pertinent Borough Ordinances and applicable State law for a person to place residential solid waste, commercially generated solid waste or private contractor waste at the collection site reserved for the Borough's solid waste collection sites.

276-3 MANDATORY COMMERCIAL, INSTITUTIONAL AND INDUSTRIAL SOURCE SEPARATION PROGRAM.

a. All persons within the Borough who are not residents and who are not served by the curbside collection program established pursuant to this chapter shall source separate and arrange for collection for recycling of all designated recyclables.

b. Designated recyclables for the mandatory commercial, institutional and industrial source separation program shall consist of the following materials:

1. High grade paper; including white letterhead paper, white bond typing paper, white copier paper, white note pad paper, white writing paper, white envelopes, computer printout paper, and computer tab cards.
2. Corrugated cardboard.
3. Glass bottles and aluminum and metal cans.
4. Other recyclable material as designated by the Borough of Lindenwold or as mandated by the State Resource Recovery and Recycling Act or other statute or regulations.

c. The arrangement for collection and disposal of designated recyclables shall be the responsibility of the person or firm who has generated the recyclables ("generator") or the person or firm obligated to the generator, by contract, to arrange for collection and disposal of its solid waste. The arrangements may include, without limitation, direct marketing of recyclables, delivery to a drop-off, contracts with solid waste collection haulers for separate collection of any or all designated recyclables, contract with other persons for separate collection of any or all designated recyclables or direct delivery to recycling facility.

d. This subsection (276-3) shall be enforced by the Borough of Lindenwold Code Enforcement and/or Camden County officials.

276-4 SOLID WASTE/RECYCLING DROP-OFF CENTER.

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

276-5 DUMPING RESTRICTED.

It shall be unlawful for anyone to discard or dump along any street or road, on or off any right-of-way, any household or commercial solid waste, rubbish, refuse, junk, vehicle or vehicle parts, rubber tires, appliances, furniture or private property, except by written consent of the owner of said property, except in a place specifically designated for the purpose of solid waste storage or disposal.

276-6 TRANSPORTATION OF GARBAGE AND OTHER REFUSE.

a. No person shall carry or transport or cause or permit to be carried or transported through or along any public street any solid waste or other vegetable or animal refuse from outside the limits of the Borough into the Borough except as herein after limited and provided for.

b. In all cases where solid waste or other refuse is to be transported through the Borough and not dumped or otherwise disposed of therein, it shall be unlawful for the person transporting the same to make use of any street or other public place in the Borough for that purpose unless the vehicle in which the solid waste or other refuse is to be transported or that portion wherein the solid waste or other refuse may be contained, shall be thoroughly and securely covered and fastened down in order that there be no spilling of any solid waste or other refuse or escaping of odors, and unless the vehicle, or part thereof, shall be thoroughly watertight in order that there may be no leaking or draining.

276-7 NEW DEVELOPMENTS.

New developments of multifamily residential units or commercial, institutional or industrial properties (pursuant to N.J.S.A. 13:1E-99.13a and 13:1E-99.16c) shall be subject to the following:

a. Any application to the Joint Land Use Board of the Borough of Lindenwold for subdivision or site plan approval for the construction of multifamily dwellings of three or more units, single-family developments of 50 or more units or any commercial, institutional or industrial development for the utilization of 1,000 square feet or more of land must include a recycling plan. This plan must contain, at a minimum, the following: [Amended 12-12-2012 by Ord. No. 1331]

1. A detailed analysis of the expected composition and amounts of solid waste and recyclables generated at the proposed development; and

2. Locations documented on the application's site plan that provide for convenient recycling opportunities for all owners, tenants, and occupants. The recycling area shall be of sufficient size, convenient location and contain other attributes (signage, lighting, fencing, etc.) as may be determined by the Municipal Recycling Coordinator.

b. Prior to the issuance of a certificate of occupancy by the Borough of Lindenwold, the owner of any new multifamily housing or commercial, institutional or industrial development must supply a copy of a duly executed contract with a hauling company for the purposes of collection and recycling of source-separated recyclable materials in those instances where the municipality does not otherwise provide this service.

c. Provision shall be made for the indoor, or enclosed outdoor, storage and pickup of solid waste, to be approved by the Municipal Engineer and the Borough Public Works Superintendent.

276-8 STORMWATER MANAGEMENT; REFUSE CONTAINERS/DUMPSTERS.

276-8.1 Purpose.

The purpose of this section is to require dumpsters and other refuse containers that are outdoors or exposed to stormwater to be covered at all times and prohibits the spilling, dumping, leaking, or otherwise discharge of liquids, semi-liquids or solids from the containers to the municipal separate storm sewer system(s) operated by the Borough of Lindenwold and/or the waters of the State so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

276-8.2 Definitions.

For the purpose of this section, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

Municipal separate storm sewer system (MS4) shall mean a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by Borough of Lindenwold or other public body, and is designed and used for collecting and conveying stormwater.

Person shall mean any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

Solid waste/recycling container shall mean any waste container that a person controls whether owned, leased, or operated, including dumpsters, trash cans, garbage pails, and plastic trash bags.

Stormwater shall mean water resulting from precipitation (including rain and snow) that runs off the land's surface, is transmitted to the subsurface, is captured by separate storm sewers or other sewerage or drainage facilities, or is conveyed by snow removal equipment.

Waters of the State shall mean the ocean and its estuaries, all springs, streams and bodies of surface or ground water, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

276-8.3 Prohibited Conduct.

- a. Any person who controls, whether owned, leased, or operated, a refuse container or dumpster must ensure that such container or dumpster is covered at all times and shall prevent refuse from spilling out; or
- b. Any person who owns, leases or otherwise uses a refuse container or dumpster must ensure that such container or dumpster does not leak or otherwise discharge liquids, semi-liquids or solids to the municipal separate storm sewer system(s) operated by the Borough of Lindenwold.

276-8.4 Exceptions to Prohibition.

- a. Permitted temporary demolition containers.
- b. Litter receptacles (other than dumpsters or other bulk containers).
- c. Individual homeowner trash and recycling containers.
- d. Refuse containers at facilities authorized to discharge stormwater under a valid NJPDES permit.
- e. Large bulky items (e.g., furniture, bound carpet and padding, white goods placed curbside for pickup).

276-8.4 Enforcement.

This section shall be enforced by the Borough of Lindenwold Code Enforcement.

276-8.5 Penalties.

Any person(s) assessed for violations of this chapter shall be in accordance with Chapter I, Section 1-1 of this code book.

276-9 VIOLATIONS OF SOLID WASTE AND RECYCLING SECTION; NOTICE; ENFORCEMENT; PENALTIES.

a. *Enforcement.* The provisions of this chapter shall be enforced by the Department of Public Works, Police Department and the Borough Code Enforcement, who may, at their discretion, choose to educate, warn, notify or issue a summons for any violation of this chapter, and/or the Borough shall reserve the right to refrain from collecting solid waste or recyclable materials which are not properly separated, as required in this Chapter.

b. *Notice.* Should the Borough issue a formal notice of violation or summons for a violation of this section, the violation will be notified in accordance with Municipal Court and/or Borough procedure.

c. *Penalties.* As per N.J.S.A. 40:49-5, the Borough of Lindenwold has the authority to issue penalties for violations of municipal ordinances as stated in the Borough Code Book. Penalties assessed for violations of this chapter shall be in accordance with Chapter I, Section 1-1 of this code book.

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Council of the Borough of Lindenwold in the County of Camden finds it advisable and necessary to increase its CY 2020 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Council hereby determines that a 1.0% increase in the budget for said year, amounting to \$136,801.87 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Council of the Borough of Lindenwold, in the County of Camden, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2020 budget year, the final appropriations of the Borough of Lindenwold shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$478,806.55, and that the CY 2020 municipal budget for the Borough of Lindenwold be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Motion was made by President Randolph-Sharpe, second by Councilman DiDomenico that Ordinance 2020-09 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.

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 DiDomenico that Resolution 2020:103 to Resolution 2020:105 be adopted as read. Roll call vote was unanimous in the affirmative. Motion carried.

RESOLUTION 2020:103-Refund Escrow

WHEREAS, Pankaj Shah of Valley Discount located at 598 Chews Landing Road submitted escrow fees for a project to expand his business to include a check cashing in the original amount of \$750, and

WHEREAS, deductions were made regarding engineering fees performed, and

WHEREAS, the applicant has requested a refund of the escrow balance of \$185.96 as he no longer wishes to pursue this endeavor.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Lindenwold that the remaining escrow balance of \$185.96 be refunded to Pankaj Shah of Valley Discount due to the cancellation of the project.

RESOLUTION 2020:104 Extend Agreement with Redeveloper

WHEREAS, the Borough of Lindenwold entered into a Redevelopment Agreement with AW Urban Renewal, LLC on August 8, 2018; and

WHEREAS, paragraph 1 (e) of the Agreement provides for a maximum time period for property acquisition by the Borough through Eminent Domain, where the Borough of Lindenwold would use its' best efforts to acquire title to the parcels within the Arborwood Redevelopment area, within twenty-four (24) months from the execution date of the Agreement ("Condemnation Period"); and

WHEREAS, the Agreement provides that the Redeveloper will not unreasonably withhold, condition, or delay its' consent to requests from the Borough to extend the condemnation period; and

WHEREAS, the Borough of Lindenwold believes that it will be necessary to extend the Condemnation Period as a result of the COVID-19 pandemic, and other unrelated issues, in acquiring the remainder of the parcels in the Arborwood Redevelopment area;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Lindenwold, that the Mayor is authorized to negotiate and execute an extension of the Redevelopment Agreement for the Arborwood Redevelopment area, pursuant to paragraph 1 (e) of the Agreement, to extend the Condemnation Period.

RESOLUTION 2020:105 Agreement with Phoenix Advisor

WHEREAS, the Borough of Lindenwold has a need for a registered Municipal Advisor in order to comply with the regulations of the Securities and Exchange Commission, and

WHEREAS, this agreement is subject to an annual renewal unless terminated by either parties with thirty (30) day written notice, and

WHEREAS, the Borough of Lindenwold has previously appointed Phoenix Advisors, LLC in order to comply with these rules and regulations and provide for the continuing disclosure services on behalf of the Borough of Lindenwold.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Borough Council of the Borough of Lindenwold authorizes the acceptance of the agreement with Phoenix Advisors, LLC with a not to exceed amount of \$2,500.

Mayor Roach made several announcements including the new lockbox that has been installed for dropping off payments. Dog and Cat licenses can be mailed in. The grace period has been extended. Pick up for bulk items and vegetation has been suspended. Meetings will be conducted using this platform. The Borough Website is being updated on a daily basis. The Primary Election has been changed to July 7. The Mayor reminded everyone to fill out the census. All Lindenwold parks and playgrounds are closed as the virus is able to remain on surfaces for up to three days. This is for the safety of the residents. He stressed to please take this virus serious, stay safe and stay at home.

Councilman DiDomenico asked everyone to keep the essential workers in their prayers.

Councilwoman Hess reminded everyone to stay safe and stay home.

President Randolph-Sharpe added to wash your hands and change your masks regularly. Also, to wear gloves.

Councilman Jackson also stated to stay safe and stay home and that we will get through this.

Councilman Strippoli had nothing to add.

Councilwoman Sinon reminded everyone to wipe down surfaces including cell phones, remote controls, cars, etc. Stay safe.

Business Administrator reiterated about completing the census as it is very important to get the funding that we need. It can be completed in the comfort of your home. She added to take this virus seriously.

Mayor Roach opened the meeting to the public.

Diane Veteri, resident, stressed concern about the website with direct information about Lindenwold including count and businesses. President Randolph-Sharpe stated that the daily updates from the County are posted.

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

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

DATED: May 13, 2020

Deborah C. Jackson, RMC
Borough Clerk