

Executive Session 2018:105

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, Police Department, Environmental, Pubic Works Personnel, trash removal, Borough Clerk's office and UFCW contract.

Motion was made by President Randolph-Sharpe, second by Councilman Jackson that Resolution 2018:105 be adopted as read. Voice vote was unanimous in the affirmative. Motion carried.

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

Mayor Roach introduced the Public Works Supervisor who presented a short video explaining a new AP that is available regarding trash collection and recycling for the residents. The Supervisor explained that is was a free service and showed where to get the information on the Borough Website under the Public Works Department. He reviewed the information that the ap provides including the leaf schedule as well as how to contact Public Works for additional information.

First Reading Ordinance 2018-2

CALENDAR YEAR 2018

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

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

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

WHEREAS, the Council of the Borough of Lindenwold in the County of Camden finds it advisable and necessary to increase its CY 2018 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 \$129,267.48 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 2018 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 \$452,436.18, and that the CY 2018 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.

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

Motion was made by President Randolph-Sharpe, second by Councilman Strippoli that Ordinance 2018-2 be adopted on first reading, published according to law, with second reading being held at next regular scheduled meeting. Roll call vote was unanimous in the affirmative. Motion carried.

First Reading Ordinance 2018-3 Addition to Chapter 224-6 Parks and Recreation Areas

AN ORDINANCE ADDING TO CHAPTER 224 SECTION 6 OF THE BOROUGH OF LINDENWOLD PARKS AND RECREATION AREAS

WHEREAS, the municipal governing body of the Borough of Lindenwold wishes to ensure the beauty of the Borough's park and recreation areas, and

WHEREAS, there currently exists a situation where there is a misuse of the area in front of the amphitheater in the park on United States Avenue that is being misused as an area for sport events involving numerous players with sport equipment, and

WHEREAS, this area is not able to sustain this type of activity.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the municipal governing body of the Borough of Lindenwold, the following is added:

C. No sport activity is allowed on the grass in front of the amphitheater in the park on United States Avenue. All sporting activity is by permit only using the proper fields according to Chapter 224.

In addition, the Municipal Compliance Officer, Municipal Designee, the Chief of Police, any police officer of the Borough of Lindenwold or any taxpayer or resident of the Borough may make complaint in the Municipal Court of the Borough of Lindenwold for any violation of this section or any article, section, subsection or provision thereof. Upon conviction in such case, for each and every violation the violator shall be subject to the penalties as set forth in Chapter 1, § 1-1, of this Code. Each day that a violation is permitted to exist shall constitute a separate offense.

This ordinance shall take effect upon proper passage and publication according to law.  
This ordinance shall take effect upon proper passage and publication according to law.  
Motion was made by President Randolph-Sharpe, second by Councilman Strippoli that Ordinance 2018-3 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.

Resolution 2018:106-115  
Motion was made by President Randolph-Sharpe, second by Councilman Jackson that Resolution 2018:106 to 2018:115 be adopted as read. Roll call vote was unanimous in the affirmative. Motion carried.

RESOLUTION 2018:106 Cancel Unexpended Improvement Authorization Balances  
WHEREAS, certain General Capital Improvement appropriation balances remain dedicated to projects now completed; and  
WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be returned to each respective Capital Improvement Fund, credited to Capital Surplus or to Reserve for Payment of Bonds, and unused debt authorizations may be canceled;  
NOW THEREFORE, BE IT RESOLVED, by the Council of the Borough of Lindenwold that the following unexpended and dedicated balances of General Capital Appropriations be canceled as follows:

Ordinance Number	Amount Canceled	Credited to:		
		Reserve for Payment of Bonds	Capital Surplus	Authorized Debt
1315	\$ 148,711.60	\$ 148,711.60	\$ -	\$ -

RESOLUTION 2018:107 - Introduction of 2018 Budget  
BE IT RESOLVED that the following statements and revenues and appropriations shall constitute the Municipal Budget for the year 2018, and

1. Appropriations within "CAPS"	
(a) Municipal Purposes	\$13,482,344.06
2. Appropriations excluded from "CAPS"	
(a) Municipal Purposes	1,008,361.59
Total General Appropriations excluded from "CAPS"	1,008,361.59
Reserve for Uncollected Taxes	1,333,420.35
4. Total General Appropriations	15,824,126.00
5. Less: Anticipated Revenues Other than Current	
Property Tax	6,097,375.60
6. Difference: Amount to be Raised by Taxes for Support of Municipal Budget:	
(a) Local Tax for Municipal Purposes Including Reserve for Uncollected Taxes	9,726,750.40

BE IT FURTHER RESOLVED that said budget be published in The Central Record April 5, 2018 issue.  
The Governing Body of the Borough of Lindenwold does hereby approve the following budget for the year 2018.  
Notice is hereby given that the Budget was approved by the Borough Council of the Borough of Lindenwold, County of Camden on March 28, 2018. A hearing on the Budget and Tax Resolution will be held at the Borough Hall on April 25, 2018 at 7:00 p.m. at which time and place objections to said Budget for the year 2018 may be presented by taxpayers or other interested persons.

RESOLUTION 2018:108 Property Maintenance Lien  
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
3/20/2018	244.01	19	86 Colonial Sq. Place (Excessive Trash)	\$387.59

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

RESOLUTION 2018:109 Amend Amount for Construction Engineering

WHEREAS, the Borough of Lindenwold awarded Construction Engineering Services for the Berlin Road Streetscape Project Phase II from Linden Avenue to Gibbsboro Road under Resolution 2017:214 on September 27, 2017, and

WHEREAS, only one proposal was received from Remington and Vernick, and

WHEREAS, the original amount for Construction Engineering Services for the Berlin Road Streetscape Project Phase II was \$77,496.42, and

WHEREAS, additional funding has been received and the amount has been increased to \$80,423.56, and

WHEREAS, Resolution 2017:214 needs to be amended for the total amount of \$80,423.56.

THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Lindenwold that the proposal for Construction Engineering Services for Berlin Road Streetscape Project Phase II to Remington and Vernick to the amount not to exceed to \$80,423.56.

RESOLUTION 2018:110 Award Berlin Road Phase Two

WHEREAS, the Borough Clerk did advertise for and receive bids on February 22, 2018 at 10:00 a.m. for the Construction of Berlin Road Phase II, Federal Project Number STP-0702(300) NJDOT Job Number 5822311, and

WHEREAS, the Certificate as to Availability of Funds is annexed hereto, and

WHEREAS, Addendum A is a list of the bidders, and

WHEREAS, Remington & Vernick Engineers has recommended that the contract for the Construction of Berlin Road Phase II be awarded to S. Batata Construction, Inc., in the amount of \$371,037.21. This contract is to be awarded contingent upon the approval of the solicitor and the monies being available.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Lindenwold that:

1. The contract for the Federal Project Number STP-0702(300) NJDOT Job Number 5822311 be awarded to S. Batata Construction, Inc., 238 Ernston Rd. Ste. 1R, Parlin, New Jersey, amount of \$371,037.21. This contract is to be awarded contingent upon the approval of the solicitor and the monies being available.

2. The exact title of the appropriation to be charged to Federal Project Number STP-0702(300) NJDOT Job Number 5822311.

3. This resolution shall take effect immediately.

RESOLUTION 2018:111 Reimburse Lienholder Interest

WHEREAS, the Borough of Lindenwold accepted payment from the Lienholder of Block 240 Lot 13, C1204, and

WHEREAS, the money was posted to the account of the homeowner, and

WHEREAS, the funds should have been credited to DSHC Enterprises, the lienholder of Certificate #17-00242 of the above property located at 18 Glenwood Dr., and

WHEREAS, the Tax Collector has reviewed this transaction and requests that the lienholder is entitled to the interest on the redemption in the amount of \$58.81, and

WHEREAS, there is a remaining balance of \$5.90 that needs to be credited to the homeowners account.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Lindenwold that the Tax Collector shall issue a payment of \$58.81 to DSHC Enterprises, lienholder of Certificated #17-00242 and credit the balance of \$5.90 to the homeowner, Alan Walther of 18 Glenwood Dr.

RESOLUTION 2018:112 Additional Funding With The County Of Camden For Community Development

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

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

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

WHEREAS, the Borough of Lindenwold proposed certain activities to be carried out under the Year 2017 Community Development, HOME Programs and Emergency Solutions Grant programs for the Reconstruction of Carlton Avenue; and

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

WHEREAS, the Borough of Lindenwold applied and received additional funding in the amount of \$46,960.00 to complete this project.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Lindenwold that the Year 2017 Cooperation Agreement include the additional funding for Reconstruction of Carlton Avenue.

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

WHEREAS, the Borough Clerk did advertise for and receive bids on February 8, 2018 at 10:30 a.m. for the CDBG Year 37, Year 38 and Supplemental Funding/FY2017 NJDOT Trust Fund for the Reconstruction of South Carlton Street, and

WHEREAS, the Certificate as to Availability of Funds is annexed hereto, and

WHEREAS, Addendum A is a list of the bidders, and

WHEREAS, Remington & Vernick Engineers has recommended that the contract for the CDBG Year 37, Year 38 and Supplemental Funding/FY2017 NJDOT Trust Fund for the reconstruction of South Carlton Street to be awarded to Asphalt Paving Systems, Inc., sole bidder for Base Bid #1 amount of \$363,800.00. This contract is to be awarded contingent upon the approval of the solicitor and the monies being available.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Lindenwold that:

1. The contract for the CDBG Year 37, Year 38 and Supplemental Funding/FY2017 NJDOT Trust Fund for the reconstruction of South Carlton Street to be awarded to Asphalt Paving Systems, Inc., P.O. Box 530, Hammonton, New Jersey, sole bidder for Base Bid #1 amount of \$363,800.00. This contract is to be awarded contingent upon the approval of the solicitor and the monies being available.
2. The exact title of the appropriation to be charged to CDBG Year 37, Year 38 and Supplemental Funding/FY2017 NJDOT Trust Fund.
3. This resolution shall take effect immediately.

RESOLUTION 2018:114 Budget Transfer

BE IT RESOLVED by Mayor and Borough Council of the Borough of Lindenwold that the following transfers be made to the 2017 Appropriation Reserves:

Budget Account	From	To
Group Insurance OE	10,000.00	
Accumulate Comp		10,000.00
Total	10,000.00	10,000.00

RESOLUTION 2018:115 Appoint Alternate to Joint Land Use Board

WHEREAS, under the Municipal Land Use Law, Class IV appointments are to be made by the Mayor, and

WHEREAS, a vacancy exists on the Joint Land Use Board for an Alternate #1 member, and

WHEREAS, Alternates are appointed as a Class IV member.

THEREFORE, BE IT RESOLVED by the Mayor of the Borough of Lindenwold, New Jersey that the following be and are hereby appointed as members to the Joint Land Use Board:

Nancy DiDomenico

3/28/18 – 12/31/19

Mayor Roach opened the meeting to the public.

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

Craig Keiser, resident, questioned if Council reviewed the proposal based on the discussion at the last Council meeting. The Borough Solicitor responded that the correspondence was received and it appears to be an informal response to dumpsters or returning to totes. Mr. Keiser agreed and that it represented approximately 75% of the complex with the more voting to return. The Solicitor questioned the number of residents in the complex and noted that not all participated. The Solicitor reviewed the history of the situation at the complex and the safety issue of the trash pick up of the totes. The Borough discussed this problem with the Management Company and installed dumpsters. The resident countered that neither solution is suitable for this complex and opposed the dumpsters. Councilman Strippoli added that dumpsters were in other complexes without any complaints. Resident continued to explain the support of the residents to return to the totes. President Randolph-Sharpe responded to the costs that the Borough has expended on behalf of the complex in order to accommodate the request. Mayor reviewed the area and does not feel it is safe to return to the totes. He recommends possibly replacing one of the dumpsters that is more accessible for the seniors. Council continued to discuss the matter and other locations for dumpsters. Resident thanked Council for their time. Another resident stated that no one contacted her regarding this matter and she is a long time resident. President Randolph-Sharpe stated that she is sympathetic to this situation but Council must be fiscally responsible to the town and the safety issue. Mayor stated that Councilman Strippoli had presented a motion to leave the dumpsters, second by Councilwoman Sinon. Roll call vote was unanimous in the affirmative. Motion carried.

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

DATED: May 23, 2018

Deborah C. Jackson, RMC

Borough Clerk