

Resolution 2021:164 Executive Session

BE IT RESOLVED by the Mayor and Council of the Borough of Lindenwold that the Mayor and Council are now going into closed session to discuss Legal Updates, Personnel, and Professional Services

DATED: October 13, 2021

Deborah C. Jackson, RMC
Borough Clerk

RESOLUTION 2021:165

ADOPTING A SPECIAL RULE OF ORDER FOR PUBLIC COMMENT AT COUNCIL MEETINGS AND CAUCUS MEETINGS OF THE BOROUGH OF LINDENWOLD

WHEREAS, N.J.S.A 10:4-12(a) provides that a public body maintains discretion to permit, prohibit, or regulate the active participation of the public at any meeting; and

WHEREAS, N.J.S.A. 10:4-12 further provides that a municipal governing body shall be required to set aside a portion of every meeting of the municipal governing body, the length of the portion to be determined by the municipal governing body, for public comment on any governmental issue that a member of the public feels may be of concern to the residents of the municipality; and

WHEREAS, the Borough of Lindenwold adopted resolution 2021:4, on January 6, 2021 which adopted Roberts Rules of Order for the purposes of regulating the procedure and conduct of council meetings and caucus meetings of the Borough of Lindenwold; and

WHEREAS, Roberts Rules of Order, 12th Edition, Section 9:29, Provides that Public Meetings may invite non-members of the meeting to express their views, but such public comment is done under the control of the presiding officer subject to any relevant rules adopted by the body, including but not limited to placing time limits on the speakers; and

WHEREAS, the Mayor and Council of the Borough of Lindenwold find it necessary, appropriate, and in the best interests of maintaining the order and decorum of public meetings within the Borough to adopt a Special Rule of Order to govern the Public Comment Section of public meetings.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Lindenwold, that a Special Rule of Order shall be adopted to govern and control the Public Comment section of council meetings and caucus meetings conducted within the Borough of Lindenwold as follows:

Rule 2021:1 LINDENWOLD SPECIAL RULE OF PROCEDURE FOR COUNCIL MEETINGS AND CAUCUS MEETINGS OF THE GOVERNING BODY

1. Any member of the public wishing to speak during the public comment portion of any council meeting or caucus meeting of the governing body may only do so upon the Mayor, or his/her designate, first opening the meeting to the public for comment.
2. Any comments by a member of the public shall only be permitted during the portion of the meeting open to the public. Upon the public comment portion of the meeting being closed, public participation in the meeting is prohibited.
3. No member of the public may approach the podium to speak, or otherwise provide public comment, until recognized to speak by the Mayor, or his/her designate. Any member of the public wishing to speak must first raise their hand and wait to be called upon by the Mayor, or his/her designate. Once called upon by the Mayor, or his/her designate to speak, the member of the public may approach the podium to speak for purposes of public comment.
4. After acknowledgement, the member of the public speaking during the public comment portion of a public meeting must first sign in on the provided sheet with contact information and topic, as well as provide their name and address verbally for the record, prior to speaking.
5. All members of the public will be limited to Five (5) minutes per individual, to speak during a public comment portion of the meeting. No member of the public shall be permitted to cede any of their allotted time, or otherwise transfer any additional time to another member of the public to enlarge an individual speaker's allotted Five (5) minute time for speaking during public comment. A member of the public may not accept any additional time to speak from any other member of the public, during public comment. All members of the public will be strictly limited to Five (5) minutes during the public comment portion of the meeting.
6. All members of the public will be limited to one occasion to speak per public comment portion of the meeting. No member of the public shall be permitted to speak more than once during any public comment portion of the meeting. In the event the member of the public does not use all of the Five (5) minute time allotted per speaker, they shall not be permitted a second occasion to speak during the same public comment portion to utilize any unused time.
7. No member of the governing body, individual, or other member of the public, shall be permitted to respond to any questions, inquiries, concerns, or issues raised during the public comment portion of the meeting. The member of the public shall be permitted to speak and/or raise questions of public concern, but there shall be no response or rebuttal during the public comment portion of the meeting from the governing body, any individual, or any member of the public.
8. Upon completion of all members of the public wishing to speak having provided comment during the public comment portion of the meeting, the Mayor or his/her designate shall close the meeting to the public, and shall not entertain any further public comment.
9. After closing the meeting to the public, the Mayor shall open the meeting to council, at which time the Mayor, or any member of the governing body, and/or any individual designated by the Mayor, may respond at their discretion, to any questions, inquiries, concerns, or issues raised during the public comment portion of the meeting. When the meeting is

opened to council for rebuttal to public comment, there shall be no public comment permitted from any member of the public.

10. Any individual failing or refusing to comply with the procedures set forth herein, may forfeit their right to speak during the public comment portion of the meeting, at the discretion of the Mayor and governing body.

Dated: October 13, 2021

Richard E. Roach, Jr., Mayor

ATTEST:

Deborah C. Jackson, RMC
Borough Clerk

RESOLUTION 2021:166

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2020 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and,

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and,

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Findings and Questioned Costs" or "Comments and Recommendations, and,

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Findings and Questioned Costs" or "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and,

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and,

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, that the Council of the Borough of Lindenwold, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

DATED: October 13, 2021

Deborah C. Jackson, RMC
Borough Clerk

Resolution 2021:167 Corrective Action Plan

WHEREAS, the Borough of Lindenwold has received a report of audit for the year ending December 31, 2020; and

WHEREAS, the New Jersey Division of Local Government Services requires that the Chief Financial Officer submits a Corrective Action Plan for all findings in the audit within 60 days of receipt of the Report of Audit; and

WHEREAS, the Chief Financial Officer has completed a Corrective Action Plan relating to the finding of the 2020 Audit;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Lindenwold, that it does hereby approve the Corrective Action Plan for the 2020 Report of Audit.

BE IT FURTHER RESOLVED that the Borough Clerk be directed to forward a copy of the Corrective Action Plan to the New Jersey Division of Local Government Services.

DATED: October 13, 2021

Deborah C. Jackson, RMC
Borough Clerk

RESOLUTION 2021:168 - Curfew and Hours for Halloween

WHEREAS, there currently exists a curfew for the Borough of Lindenwold residents seventeen (17) years of age and under, and

WHEREAS, it is necessary to amend this curfew for Saturday, October 30, 2021 through Monday, November 1, 2021 for Halloween.

WHEREAS, it is also necessary to designate the time for Trick or Treating in the Borough of Lindenwold, and

WHEREAS, the hours will be from 2:00 pm until 6:00 pm on Sunday, October 31, 2021.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Lindenwold that the curfew hours for Friday, October 30, 2020 through Saturday, October 30, 2021 through Monday, November 1, 2021 inclusive shall be from 8:00 p.m. until 6:00 a.m. prevailing time each night.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the hours for Trick or Treating be 2:00 pm until 6:00 pm.

DATED: October 13, 2021

Deborah C. Jackson, RMC
Borough Clerk

RESOLUTION 2021:169

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration, and

WHEREAS, the County of Camden hereinafter referred to as the Lead Agency has offered voluntary participation in a Cooperative Pricing System for deer carcass removal services awarded to Deer Carcass Removal Service, P.O. Box 328, Cream Ridge, NJ 08514 for a third one year term at the cost of \$65.00 per deer carcass removal, and

WHEREAS, this term commences on or about October 1, 2021 through September 30, 2022.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Lindenwold as follows:

1. This resolution shall be known and may be cited as the Cooperative Pricing Resolution of the Borough of Lindenwold.
2. Pursuant to the provisions of N.J.S.A. 40A:11-11(5) the Mayor is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.
3. The Lead Agency shall be responsible for complying with the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq) and all other provisions of the revised statutes of the State of New Jersey.
4. This resolution shall take effect immediately upon passage.

DATED: October 13, 2021

Deborah C. Jackson, RMC
Borough Clerk

RESOLUTION 2021:170

WHEREAS, BW Ventures submitted an escrow of \$700.00 for a street opening permit for 165 Crossing Way, and

WHEREAS, the work was performed with a satisfactory inspection for the above permit, and

WHEREAS, the applicant has requested a refund of the \$700 escrow fee.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Lindenwold that the amount of \$700.00 escrow be refunded to BW Ventures as the job was been completed and inspected.

DATED: October 13, 2021

Deborah C. Jackson, RMC
Borough Clerk

Resolution 2021:171 Extend Shared Service with Camden County

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration, and

WHEREAS, the County of Camden hereinafter referred to as the Lead Agency has offered voluntary participation in a Cooperative Pricing System for copy, computer paper and envelopes as awarded to the vendors listed below for a term of six months commencing on or about April 1, 2021 through September 30, 2021, and

WHEREAS, the County of Camden is preparing to advertise to award this contract, and

WHEREAS, pending this award, the County has contracted to extend the pricing with the same terms, rates, and conditions on a month to month basis.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Lindenwold agrees to continue with the County for the procurement of paper as awarded under Resolution 2021:88 until a new contract is negotiated.

DATED: October 13, 2021

Deborah C. Jackson, RMC
Borough Clerk

RESOLUTION 2021:172

**RESOLUTION AUTHORIZING TRANSFER OR CANCELLATION OF
VARIOUS ITEMS, DIVISION OF TAX COLLECTIONS-SEWER**

BE IT RESOLVED, by the Borough Council of the Borough of Lindenwold in the County of Camden that the Tax Collector is hereby authorized to make the following adjustments to the tax records of the Borough of Lindenwold.

IDENTIFICATION:
Block 288.01 Lot 12

2021 TAXES	ASSESSMENT
\$2,763.15	\$54,137

ADJUSTMENT: Cancel taxes along with corresponding assessment. Property owner is qualified as a Totally Disabled Veteran and as such is entitled to tax exempt status as ordered by the New Jersey Division of Taxation.

DATED: OCTOBER 13, 2021

Deborah C. Jackson, RMC
Borough Clerk

RESOLUTION 2021:173

WHEREAS, D.E. Bailey, LLC submitted an escrow of \$700.00 for a street opening permit for 937 Aston Marti Drive, and

WHEREAS, the work was performed with a satisfactory inspection for the above permit, and

WHEREAS, the applicant has requested a refund of the \$700 escrow fee.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Lindenwold that the amount of \$700.00 escrow be refunded to D.E. Bailey, LLC as the job was been completed and inspected.

DATED: October 13, 2021

Deborah C. Jackson, RMC
Borough Clerk

RESOLUTION 2021:174

WHEREAS, the Borough of Lindenwold declared an emergency under Resolution 2021:124 for Sewer Pump Station No. 6 and

WHEREAS, under this emergency, the appointed engineer from Environmental Resolutions Inc. received quotes for these repairs, and

WHEREAS, Addendum A is a list of the quotes that were received, and

WHEREAS, Environmental Resolutions Inc has recommended that the contract for the emergency repairs to Pump Station No. 6 be awarded to B&H Contracting, Inc. for the quote amount of \$297,860.00. 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 emergency repairs to Pump Station No. 6, be awarded to B&H Contracting, Inc., 1022 Black Horse Pike, Folsom, NJ 08037 with the lowest amount of \$297,860.00. 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 Ordinance 2021:16
3. This resolution shall take effect immediately on the adoption of Ordinance 2021:16

DATED: September 22, 2021

Deborah C. Jackson, RMC
Borough Clerk

CERTIFICATION AS TO AVAILABILITY OF FUNDS

I herewith certify that as of September 22, 2021 that there are adequate funds available under Capital Appropriation Ordinance 2021-16.

Dawn S. Thompson,
Business Administrator/CMFO

ADDENDUM A

<u>Name</u>	<u>Quote</u>
B&H Contracting, Inc.	\$297,860.00
West Bay Construction, Inc.	\$425,000.00
Municipal Maintenance Co.	No quote submitted

Resolution 2021:175 Update Employee Handbook

WHEREAS, the Borough of Lindenwold is a member of the Camden County Municipal Joint Insurance Fund, and

WHEREAS, the Municipal Excess Liability Joint Insurance Fund("MEL") developed a new Model Employee Handbook and Personnel Policies and Procedures Manual, and

WHEREAS, there is a requirement that the Employee Handbook be adopted prior to November 1, and

WHEREAS, the new version of the Model Employee Handbook streamlines the previous handbook to remove unnecessary policies no longer required by law, and

WHEREAS, the following items were updated and/or added:

Protection and Safe Treatment of Minors, Domestic Violence Policy, HIPAA Compliance, Donated Leave Program, Changing Vital Information, Employee Dating, Security, State Residency Requirement, Drug and Alcohol Free Workplace Policy and CDL Drug and Alcohol Testing Policy

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Lindenwold to adopt the new Model Employee Handbook as recommended by the Municipal Excess Liability Joint Insurance Fund("MEL") and reviewed by the Borough Solicitor.

DATED: October 13, 2021

Deborah C. Jackson, RMC
Borough Clerk

RESOLUTION 2021:176 Chapter 159 for SFY21 Body-Worn Camera Grant

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount, and

WHEREAS, the Borough of Lindenwold will receive \$85,596.00 from the New Jersey Department of Law and Public Safety Office of the Attorney General and wishes to amend its 2021 Budget to include this amount as a revenue

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Borough Council of the Borough of Lindenwold hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2021 in the sum of \$85,596.00 which is now available as a revenue from Award Number 21-BWC-229, and

BE IT FURTHER RESOLVED that a like sum of \$85,596.00 and the same is hereby appropriated under the caption of:

SFY21 Body-Worn Camera Grant

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

Date: October 13, 2021

Deborah C. Jackson, RMC
Borough Clerk

Resolution 2021:177 Property Maintenance Liens

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

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

Invoice Date	Block	Lot	Address	Amount
10/12/21	229.02	8	229 Countiss Ave.(yard)	\$206.00
10/12/21	48	57	812 Myrtle Ave.(yard)	\$206.00
10/12/21	94	9	433 E. Maple Ave.(yard)	\$206.00
10/12/21	84	5.01	400 Cedar Ave.(yard)	\$228.00
10/12/21	84	5.01	400 Cedar Ave.(trash)	\$228.00

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

DATED: October 13, 2021

Deborah C. Jackson, RMC
Borough Clerk

RESOLUTION 2021:178

**RESOLUTION OF THE BOROUGH OF LINDENWOLD AUTHORIZING FLEET
MANAGEMENT AND LEASING FROM ENTERPRISE FLEET MANAGEMENT
PURSUANT TO MASTER INTER-GOVERNMENTAL COOPERATIVE PURCHASING
AGREEMENT WITH SOURCEWELL**

WHEREAS, the Borough of Lindenwold participates in the Cooperative Purchasing Program with the National Intergovernmental Purchasing Alliance Co. and administered by Sourcewell for the purchase of goods, products and services; and

WHEREAS, it is necessary for the Borough of Lindenwold to execute a contract with Enterprise Fleet Management to place an order for 2022 Ford Pickup Vehicles as there is a significant time lag in production; and

WHEREAS, the Borough of Lindenwold received the following proposals P278046, P287659, P278071 for the leasing and management program with an amount not to exceed \$222,161.00 with the equity lease agreement made payable over a period of five years according to the following schedule.

P278046 – (2) 2022 Ford F-450 Chassis XL w/plow and salt spreader

Year 1 \$46,477.20, Year 2 \$21,015.20, Year 3 \$21,015.20, Year 4 \$21,015.20, Year 5 \$21,015.20 .

P287659 – (1) 2022 Ford F-250 XL w/plow

Year 1 \$10,404.00, Year 2 \$7,976.25, Year 3 \$7,976.25, Year 4 \$7,976.25, Year 5 \$7,976.25.

P278071 – (1) 2022 Ford F-350 Chassis XL w/plow (Sewer Department)

Year 1 \$23,633.00, Year 2 \$9,595.50, Year 3 \$9,595.50, Year 4 \$9,595.50, Year 5 \$9,595.50.

BE IT FURTHER RESOLVED that the appropriate Borough Officials are hereby authorized to execute the Contract for fleet management and leasing subject to submission of documentation and Notice as required by New Jersey Law.

BE IT FURTHER RESOLVED this resolution shall take effect immediately upon adoption.

DATED: October 13, 2021

Deborah C. Jackson, RMC
Borough Clerk

CERTIFICATION AS TO AVAILABILITY OF FUNDS

I herewith certify that there will be adequate funds available in the subsequent years General and Sewer Utility budgets as prescribed in the schedules above.

Dawn S. Thompson,
Business Administrator/Treasurer