

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 and moment of silence for the 20th anniversary of September 11th and those affected by the hurricane.

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

Resolution 2021:154 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 and Personnel
Motion was made by President Randolph-Sharpe, second by Councilwoman Sinon that Resolution 2021:154 be adopted as read. Voice vote was unanimous in the affirmative. Motion carried.
Motion was made by President Randolph-Sharpe, second by Councilwoman Hess to go out of executive session. Voice vote was unanimous in the affirmative. Motion carried.

Motion was made by Councilman Jackson, second by Councilwoman Sinon that the Council Meeting and Executive for August 11, 2021 be adopted as presented. Roll call vote was in the affirmative with President Randolph-Sharpe abstaining. Motion carried.
Motion was made by President Randolph-Sharpe, second by Councilwoman Hess that the Council Meeting and Executive for August 25, 2021 be adopted as presented. Roll call vote was unanimous in the affirmative. Motion carried.

Motion was made by President Randolph-Sharpe second by Councilwoman Sinon 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	\$6,280,987.43
b. Sewer Report	\$ 160,479.61
c. Treasurer’s Report	\$ 16,310.06

Resolution 2021:155 Amend Capital Budget

WHEREAS, the governing body of the Borough of Lindenwold, County of Camden desires to amend the 2021 Capital Budget by inserting thereon or correcting the items therein as shown in such budget for the following reason:

1. Adding a new project which was not anticipated for 2021 at the time of adoption of the 2021 Capital Budget.
2. Adjusting project amounts for certain projects included in the 2021 Capital Budget as adopted.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Lindenwold, County of Camden that the following amendments (said amendments are hereby attached and made part of this Resolution) be made to the Capital Budget of the year 2021.

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the office of the Director of the Division of Local Government Services.

It is hereby certified that this is a true copy of a resolution amending the capital budget originally adopted by the governing body on the 26th day of May, 2021.

Motion was made by President Randolph-Sharpe, second by Councilman Jackson that Resolution 2021:155 be adopted as read. Roll call vote was unanimous in the affirmative. Motion carried.

First Reading Ordinance 2021-15 Capital Bond Ordinance

Motion was made by President Randolph-Sharpe, second by Councilwoman Sinon that Ordinance 2021-15 be adopted on first reading, published according to law, with second reading being held at next regular scheduled meeting. Roll call vote was unanimous in the affirmative. Motion carried.

Bond Ordinance Authorizing The Acquisition Of Various Pieces Of Capital equipment And The Completion Of Various Capital Improvements For The Borough Of Lindenwold, County Of Camden, New Jersey; Appropriating The Sum Of \$2,180,800 Therefor; Authorizing The Issuance Of General Obligation Bonds Or Bond Anticipation Notes Of The Borough Of Lindenwold, County Of Camden, New Jersey, In The Aggregate Principal Amount Of Up To \$2,071,760 Making Certain Determinations And Covenants; And Authorizing Certain Related Actions In Connection With The Foregoing

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

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

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

(a) the estimated amount to be raised by the Borough from all sources for the purposes stated in Section 7 hereof is \$2,180,800;

- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$2,071,800; and
- (c) a down payment in the amount of \$109,040 for the purposes stated in Section 7 hereof is currently available in accordance with the requirements of Section 11 of the Local Bond Law, *N.J.S.A. 40A:2-11*.

Section 3. The sum of \$2,071,800, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$109,040, which amount represents the required down payment, are hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

Section 4. The issuance of negotiable bonds of the Borough in an amount not to exceed \$2,180,800 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

Section 5. In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the Borough in an amount not to exceed \$2,180,800 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 6. The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, *N.J.S.A. 40A:2-20*, shall not exceed the sum of \$436,000.

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

	<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A.	Acquisition of Various Replacement Equipment for the Public Works Department including, but not limited to, a Dump Truck with Plow and Spreader, Mack Rear Load Trash Truck, a Street Sweeper, a Loader and Fuel System, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$1,475,000	\$73,750	\$1,401,250	15 years
B.	Various Improvements to Municipal Buildings including, but not limited to, Construction of a Parking Lot, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	85,800	4,290	81,510	15 years
C.	Various Improvements to Municipal Buildings including, but not limited to, Acquisition and Installation of Generator for the Police Department Building, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	500,000	25,000	475,000	20 years
D.	Reconstruction and/or Repaving of Various Borough Roads, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	120,000	6,000	114,000	10 years
	TOTALS	\$2,180,800	\$109,040	\$2,071,760	

Section 8. The average period of useful life of the several purposes for the financing of which this Bond Ordinance authorizes the issuance of bonds or bond anticipation notes, taking into consideration the respective amounts of bonds or bond anticipation notes authorized for said several purposes, is not less than 15.87 years.

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

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

Law, N.J.S.A. 40A:2-43, is increased by this Bond Ordinance by \$2,190,800 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

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

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

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

Section 14. The Borough hereby covenants as follows:

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

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

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

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

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

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

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

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

First Reading ORDINANCE 2021-16 Capital Approp. Ordinance & Sewer Improvements

Motion was made by President Randolph-Sharpe, second by Councilman Jackson that Ordinance 2021-16 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.

An Ordinance Of The Borough Of Lindenwold, County Of Camden, New Jersey, Appropriating \$903,446 For The Acquisition Of Various Pieces Of Capital Equipment And Completion Of Various Sewer Utility Improvements In And For The Borough

BE IT ORDAINED by the Borough Council of the Borough of Lindenwold, County of Camden, New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), as follows:

Section 1. There is hereby appropriated the sum of \$903,446 (which amount represents funds received by the Borough of Lindenwold ("Borough") from the Federal government pursuant to the American Rescue Plan Act of 2021) for the acquisition of various pieces of equipment and completion of various sewer utility improvements in and for the Borough including, but not limited to, various upgrades to the Borough's Pump Station #6, together with the acquisition of all materials and equipment and completion of all work necessary therefor and related thereto (the "Project").

Section 2. It is hereby determined and stated that the Project set forth in Section 1 is a general capital improvement and is not a current expense of the Borough.

Section 3. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services, is on file with the Borough Clerk and available for inspection.

Section 4. All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 5. This ordinance shall take effect after final adoption and publication as required by law.

Resolution 2021:156 Municipal Property 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
8/25/2021	142	1	101 E. Elm Ave.(board up)	\$427.00
8/25/2021	136	1.01	120 Holly Ave.(yard)	\$322.00
8/25/2021	84	5.01	400 Cedar Ave.(clean up)	\$978.00
8/25/2021	84	5.01	400 Cedar Ave.(yard)	\$206.00

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Lindenwold that a lien be put on these properties.
Motion was made by President Randolph-Sharpe, second by Councilwoman Hess that Resolution 2021:156 be adopted as read. Roll call vote was unanimous in the affirmative. Motion carried.

Mayor Roach opened the meeting to council
Councilwoman Hess presented a report on library usage, back pack giveaway with the summer meals, hours and the requirement of masks. There will be make and take crafts for the upcoming holidays. She presented an update on the sign up for the community yard sale. She provided a history of Lindenwold Day, which was canceled this year due to COVID.
President Randolph-Sharpe stated that school starts tomorrow and asked everyone to drive safely. She commended the teachers for all their efforts during the year.
Councilman Jackson had nothing to report.
Councilwoman Sinon updated residents on the status of COVID with the numbers increasing for unvaccinated people including hospital rates. Vaccines are still available for anyone wishing to obtain with Camden County. She encouraged residents to get their vaccine.
Mayor added that Lindenwold numbers are still on the high side. President Randolph-Sharpe gave a statistic from Florida. Councilwoman Sinon again reminded residents on prevention measures. Mayor continues to monitor the state guidelines. Mayor stated that the library would distribute backpacks at the school tomorrow.

Mayor Roach opened the meeting to the Public.
Diane Veteri, resident, questioned the Mayor regarding qualifications for the Boards. Mayor responded of his concerns for this appointment. Resident continued to speak out about Borough employees.
Sarah Vellner, resident, questioned Borough positions. Council asked her to clarify her question. She asked about Resolution 2021-155 that was listed in full. Business Administrator clarified the Capital budget. Ms. Vellner questioned Ordinance 2021-15 which was just passed and will be posted. Next, she questioned the ARP performance report. Business Administrator responded that an ordinance was introduced to use funds for the sewer upgrades. Resident continued to speak over Mayor and Council. President Randolph-Sharpe tried to address resident.
Borough Solicitor called a recess.
Madison Drum, stated statistics for Lindenwold including the ethnicity for the Police Department and questioned safety. Mayor Roach responded that Civil Service is responsible for the list that the Borough must use to hire. Police Chief provided the new update under Civil Service. Next, she questioned training to reduce use of force which the Police Chief responded to the training provided.
Trevor Shaw, resident, questioned residents’ ability to review ordinances which is available by Statute. Resident continued to question parking. Mayor responded that Joint Land Use Board regulates parking for businesses. Resident then questioned the Borough’s effort for obtaining coaches. Councilman Jackson responded that with the new regulations and background checks, it has been harder to find volunteers. He questioned the conditioned of the basketball court which the Public Works responded that it is still sound. He asked about the status of recycling stickers similar to Cherry Hill, which the Public Works Supervisor responded to efforts by Lindenwold. He again questioned block parties. Mayor responded about the concerns for safety.
Danielle Brittin, resident, added comments about the meeting and the passion of everyone and questioned where to find more information, which is available on the website. President Randolph-Sharpe and Mayor thanked resident.

There being no one else desiring the floor, Mayor Roach closed the meeting to the public.
Motion was made by President Randolph-Sharpe, second by Councilwoman Sinon that the meeting be adjourned. Voice vote was unanimous in the affirmative. Motion carried.

DATED: October 13, 2021

Deborah C. Jackson, RMC
Borough Clerk