

**I. CALL TO ORDER:**

**II. PLEDGE OF ALLEGIANCE:**

A Regular Meeting of the Governing Body of the Borough of Lincoln Park was held in the Council Chambers of the Municipal Building, 34 Chapel Hill Road, Lincoln Park, New Jersey on, March 21, 2016. The Clerk Called the Meeting to Order at 7:30 PM and made the Statement of Compliance with the Open Public Meetings Act. The Clerk advised those present where the exits to the room were and to turn off all cell phones. After the Pledge of Allegiance the Clerk called the Roll showing the following:

**III. ROLL CALL:**

PRESENT: Council Members: Robert Cardillo  
Gary Gemian  
Raymond T. Kerwin  
Dan Moeller  
Ellen Ross  
James A. Wild  
Ann Thompson

ABSENT: None

Also PRESENT were Mayor Runfeldt, Perry Mayers, Borough Administrator, Ken Rush, Borough Attorney.

**IV. MINUTES FOR APPROVAL:**

Kerwin: Minutes for Approval, February 16, 2016 Regular Meeting Minutes.

Moeller: So Moved  
Wild: Second

Kerwin: Any questions, comments or corrections? Call the Roll.

Yes: Council Members: Cardillo, Gemian, Moeller, Ross, Thompson, Wild and Kerwin.  
No: None  
Absent: None  
Abstain: None

The Minutes of February 16, 2016 were approved.

Kerwin: Minutes for Approval, March 7, 2016 Work Session Minutes and Closed Session Minutes.

Ross: So Moved  
Wild: Second

Kerwin: Any questions, comments or corrections? Call the Roll.

Yes: Council Members: Cardillo, Gemian, Ross, Wild and Kerwin.  
No: None  
Absent: None  
Abstain: Moeller and Thompson

The Minutes of March 7, 2016 were approved.

**V. ORDINANCES FOR INTRODUCTION:**

Kerwin: Ordinance 1-16 for Introduction. 1-16 2016 Salary Ordinance.

The Clerk read the following Resolution:

**BE IT RESOLVED**, that an Ordinance entitled;

Be Introduced and Read by title on First Reading by the Clerk.

Thompson: So Moved  
Wild: Second  
Kerwin: Any questions, comments or corrections? Call the Roll.

Yes: Council Members: Cardillo, Gemian, Moeller, Ross, Thompson, Wild and Kerwin.  
No: None  
Absent: None  
Abstain: None

The Clerk read the following Resolution:

**BE IT RESOLVED**, that an Ordinance entitled;

**1-16**

**AN ORDINANCE PROVIDING COMPENSATION  
FOR CERTAIN OFFICERS AND EMPLOYEES  
OF THE BOROUGH OF LINCOLN PARK**

Be passed on First Reading; and

**BE IT FURTHER RESOLVED** that said Ordinance be considered for Final Passage at the meeting of the governing body of the Borough of Lincoln Park on **the 18th day of April 2016** at approximately **7:30 PM** in the Municipal building at which time and place all persons interested shall be given an opportunity to be heard concerning said Ordinance; and

**BE IT FURTHER RESOLVED** that the Clerk be authorized and directed to advertise said Ordinance with a Notice of Introduction thereof in the Daily Record according to law.

Be Introduced and Read by title on First Reading by the Clerk.

Thompson: So Moved  
Ross: Second  
Kerwin: Any questions, comments or corrections? Call the Roll.

Yes: Council Members: Cardillo, Gemian, Moeller, Ross, Thompson, Wild and Kerwin.  
No: None  
Absent: None  
Abstain: None

The Resolution was adopted.

Kerwin: Ordinance 2-16 for Introduction. 2-16 Ordinance to exceed the Municipal Budget Appropriation Limits and to establish a Cap Bank.

The Clerk read the following Resolution:

**BE IT RESOLVED**, that an Ordinance entitled;

**2-16**

**“CALENDAR YEAR 2016  
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS  
AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)**

Be Introduced and Read by title on First Reading by the Clerk.

Thompson: So Moved  
Ross: Second  
Kerwin: Any questions, comments or corrections? Call the Roll.

Yes: Council Members: Cardillo, Gemian, Moeller, Ross, Thompson, Wild and Kerwin.  
No: None  
Absent: None  
Abstain: None

The Clerk read the following Resolution:

**BE IT RESOLVED**, that an Ordinance entitled;

**2-16**

**“CALENDAR YEAR 2016**

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

Be passed on First Reading; and

**BE IT FURTHER RESOLVED** that said Ordinance be considered for Final Passage at the meeting of the governing body of the Borough of Lincoln Park on **the 18th day of April 2016** at approximately **7:30 PM** in the Municipal building at which time and place all persons interested shall be given an opportunity to be heard concerning said Ordinance; and

**BE IT FURTHER RESOLVED** that the Clerk be authorized and directed to advertise said Ordinance with a Notice of Introduction thereof in the Daily Record according to law.

Be Introduced and Read by title on First Reading by the Clerk.

Thompson: So Moved  
Ross: Second  
Kerwin: Any questions, comments or corrections? Call the Roll.

Yes: Council Members: Cardillo, Gemian, Moeller, Ross, Thompson, Wild and Kerwin.  
No: None  
Absent: None  
Abstain: None

The Resolution was adopted.

Kerwin: Ordinance 3-16 for Introduction. 3-16 Refunding Bond Ordinance.

The Clerk read the following Resolution:

**BE IT RESOLVED**, that an Ordinance entitled;

**3-16**

**REFUNDING BOND ORDINANCE OF THE BOROUGH OF LINCOLN PARK, IN THE COUNTY OF MORRIS, NEW JERSEY, PROVIDING FOR THE REFUNDING OF A CERTAIN GENERAL OBLIGATION BOND OF THE BOROUGH AND APPROPRIATING AN AMOUNT NOT EXCEEDING \$18,700,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$18,700,000 REFUNDING BONDS OF THE BOROUGH OF LINCOLN PARK FOR FINANCING THE COST THEREOF**

Be Introduced and Read by title on First Reading by the Clerk.

Wild: So Moved  
Thompson: Second  
Kerwin: Any questions, comments or corrections? Call the Roll.

Yes: Council Members: Cardillo, Gemian, Moeller, Ross, Thompson, Wild and Kerwin.  
No: None  
Absent: None  
Abstain: None

The Clerk read the following Resolution:

**BE IT RESOLVED**, that an Ordinance entitled;

**3-16**

**REFUNDING BOND ORDINANCE OF THE BOROUGH OF LINCOLN PARK, IN THE COUNTY OF MORRIS, NEW JERSEY, PROVIDING FOR THE REFUNDING OF A CERTAIN GENERAL OBLIGATION BOND OF THE BOROUGH AND APPROPRIATING AN AMOUNT NOT EXCEEDING \$18,700,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$18,700,000 REFUNDING BONDS OF THE BOROUGH OF LINCOLN PARK FOR FINANCING THE COST THEREOF**

Be passed on First Reading; and

**BE IT FURTHER RESOLVED** that said Ordinance be considered for Final Passage at the meeting of the governing body of the Borough of Lincoln Park on **the 18th day of April 2016** at approximately **7:30 PM** in the Municipal building at which time and place all persons interested shall be given an opportunity to be heard concerning said Ordinance; and

**BE IT FURTHER RESOLVED** that the Clerk be authorized and directed to advertise said Ordinance with a Notice of Introduction thereof in the Daily Record according to law.

Be Introduced and Read by title on First Reading by the Clerk.

Wild: So Moved  
Thompson: Second  
Kerwin: Any questions, comments or corrections? Call the Roll.

Yes: Council Members: Cardillo, Gemian, Moeller, Ross, Thompson, Wild and Kerwin.  
No: None  
Absent: None  
Abstain: None

The Resolution was adopted.

Kerwin: Ordinance 4-16 for Introduction. 4-16 Ordinance to Amend Chapter 212 Water.

The Clerk read the following Resolution:

**BE IT RESOLVED**, that an Ordinance entitled;

**4-16**

**AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 212, SECTION 212.32, WATER, OF THE CODE BOOK OF THE BOROUGH OF LINCOLN PARK**

Be Introduced and Read by title on First Reading by the Clerk.

Thompson So Moved  
Moeller: Second  
Kerwin: Any questions, comments or corrections? Call the Roll.

Yes: Council Members: Cardillo, Gemian, Moeller, Ross, Thompson, Wild and Kerwin.  
No: None  
Absent: None  
Abstain: None

The Clerk read the following Resolution:

**BE IT RESOLVED**, that an Ordinance entitled;

**4-16**

**AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 212, SECTION 212.32, WATER, OF THE CODE BOOK OF THE BOROUGH OF LINCOLN PARK**

Be passed on First Reading; and

**BE IT FURTHER RESOLVED** that said Ordinance be considered for Final Passage at the meeting of the governing body of the Borough of Lincoln Park on **the 18th day of April 2016** at approximately **7:30 PM** in the Municipal building at which time and place all persons interested shall be given an opportunity to be heard concerning said Ordinance; and

**BE IT FURTHER RESOLVED** that the Clerk be authorized and directed to advertise said Ordinance with a Notice of Introduction thereof in the Daily Record according to law.

Be Introduced and Read by title on First Reading by the Clerk.

Thompson: So Moved  
Moeller: Second  
Kerwin: Any questions, comments or corrections? Call the Roll.

Yes: Council Members: Cardillo, Gemian, Moeller, Ross, Thompson, Wild and Kerwin.  
No: None  
Absent: None  
Abstain: None

The Resolution was adopted.

## **VI. RESOLUTIONS: CONSENT AGENDA**

Kerwin: Resolutions Consent Agenda R16-88 through R16-98.

Thompson: So Moved  
Ross: Second

### **RESOLUTION R16-88**

**BE IT RESOLVED** by the Governing Body of the Borough of Lincoln Park and pursuant to Chapter 68, Amusements and Devices, Section 68-1, License Required, and Section 68-7, License Fee, of the Code of the Borough of Lincoln Park, that the Governing Body hereby authorizes the issuance of a license by the Borough Clerk, to **LINCOLN PARK DAY ASSOCIATION** for their activities to be held on September 24, 2016 (rain date September 25, 2016) and that the license fee therefore in the sum of **ONE HUNDRED** {\$100.00} **DOLLARS** is hereby waived.

### **RESOLUTION R16-89**

**BE IT RESOLVED** by the Governing Body of the Borough of Lincoln Park, that the **LINCOLN PARK DAY ASSOCIATION INC.** be authorized to use the Municipal Complex on **September 24, 2016** (rain date **September 25, 2016**) for **LINCOLN PARK DAY**, subject to the following conditions:

1. That adequate police protection is secured and paid for by the **LINCOLN PARK DAY ASSOCIATION**;
2. That the Sanitarian inspects and approves all food facilities;
3. That all damage to Borough facilities must be replaced at the expense of the **LINCOLN PARK DAY ASSOCIATION**;
4. That the grounds are cleaned up after the event by the **LINCOLN PARK DAY ASSOCIATION**.

### **RESOLUTION R16-90**

**WHEREAS, Raghuvir Pathak d/b/a/ Minit Mart Food Store** had heretofore deposited with the Borough of Lincoln Park, a Zoning Permit 2010-54Z and Site Plan Exemption SPE 10-11 in connection with a property located at 4B Beaver Brook Road, Lincoln Park 07035; and

**WHEREAS, Raghuvir Pathak d/b/a/ Minit Mart Food Store** has submitted a written request, on file in the Office of the Chief Financial Officer, that unused escrow funds be returned; and

**WHEREAS,** Kerry Geisler, Chief Financial Officer for the Borough, has reported in her Certification of funds for Release of Escrow Money, that a balance does remain in the 2015 General Trust Escrow Account – Bank Account #041-41378-4, Escrow Account # 2176 and may be refunded to, **Raghuvir Pathak d/b/a/ Minit Mart Food Store ; and**

**WHEREAS,** Paul Darmofalski, Borough Engineer, has inspected the premises, and has reported that the applicants have complied with/satisfied all of the required conditions, and has submitted a report to the Borough Administration, report on file in his office, recommending release of the remaining escrow funds;

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Lincoln Park, that funds on deposit from, **Raghuvir Pathak d/b/a/ Minit Mart Food Store** in the 2015 General Trust Escrow Account – Bank Account #041-41378-4, Escrow Account #2176 for a Zoning Permit 2010-54Z and Site Plan Exemption SPE 10-11 in connection with a property located at 4B Beaverbrook Road, Lincoln Park 07035; be and hereby are ordered released/refunded by the Borough subject to the CFO first confirming that all bills (submitted and pending) from the Board Attorney, and Borough Engineer have been properly and fully satisfied.

#### **RESOLUTION R16-91**

**WHEREAS, Raghuvir Pathak d/b/a/ Minit Mart Food Store** had heretofore deposited with the Borough of Lincoln Park, a Zoning Permit 2011-5Z in connection with a property located at 4B Beaver Brook Road, Lincoln Park 07035; and

**WHEREAS, Raghuvir Pathak d/b/a/ Minit Mart Food Store** has submitted a written request, on file in the Office of the Chief Financial Officer, that unused escrow funds be returned; and

**WHEREAS,** Kerry Geisler, Chief Financial Officer for the Borough, has reported in her Certification of funds for Release of Escrow Money, that a balance does remain in the 2015 General Trust Escrow Account – Bank Account #041-41378-4, Escrow Account # 2186 and may be refunded to, **Raghuvir Pathak d/b/a/ Minit Mart Food Store ; and**

**WHEREAS,** Paul Darmofalski, Borough Engineer, has inspected the premises, and has reported that the applicants have complied with/satisfied all of the required conditions, and has submitted a report to the Borough Administration, report on file in his office, recommending release of the remaining escrow funds;

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Lincoln Park, that funds on deposit from, **Raghuvir Pathak d/b/a/ Minit Mart Food Store** in the 2015 General Trust Escrow Account – Bank Account #041-41378-4, Escrow Account #2186 for a Zoning Permit 2010-5Z in connection with a property located at 4B Beaverbrook Road, Lincoln Park 07035; be and hereby are ordered released/refunded by the Borough subject to the CFO first confirming that all bills (submitted and pending) from the Board Attorney, and Borough Engineer have been properly and fully satisfied.

#### **RESOLUTION R16-92**

**WHEREAS, Michael Kopak** had heretofore deposited with the Borough of Lincoln Park, a Zoning Permit 2010-23Z and Variance Application #2010-03 in connection with a property located at 3 McKinley Street, Lincoln Park 07035; and

**WHEREAS, Michael Kopack** has submitted a written request, on file in the Office of the Chief Financial Officer, that unused escrow funds be returned; and

**WHEREAS**, Kerry Geisler, Chief Financial Officer for the Borough, has reported in her Certification of funds for Release of Escrow Money, that a balance does remain in the 2015 General Trust Escrow Account – Bank Account #041-41378-4, Escrow Account # 2148 and may be refunded to, **Michael Kopak; and**

**WHEREAS**, Paul Darmofalski, Borough Engineer, has inspected the premises, and has reported that the applicants have complied with/satisfied all of the required conditions, and has submitted a report to the Borough Administration, report on file in his office, recommending release of the remaining escrow funds;

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Lincoln Park, that funds on deposit from, **Michael Kopak** in the 2015 General Trust Escrow Account – Bank Account #041-41378-4, Escrow Account #2148 for a Zoning Permit 2010-23Z and Variance Application 2010-03 in connection with a property located at 3 McKinley Street, Lincoln Park 07035; be and hereby are ordered released/refunded by the Borough subject to the CFO first confirming that all bills (submitted and pending) from the Board Attorney, and Borough Engineer have been properly and fully satisfied.

**RESOLUTION R16-93**

**WHEREAS, Fred A. Lacroix** had heretofore deposited with the Borough of Lincoln Park no # - Subdivision Committee Meeting in connection with a property located at 89 DeHart Street, Lincoln Park 07035; and

**WHEREAS, Fred A Lacroix** has submitted a written request, on file in the Office of the Chief Financial Officer, that unused escrow funds be returned; and

**WHEREAS**, Kerry Geisler, Chief Financial Officer for the Borough, has reported in her Certification of funds for Release of Escrow Money, that a balance does remain in the 2015 General Trust Escrow Account – Bank Account #041-41378-4, Escrow Account # 1912 and may be refunded to, **Fred A Lacroix; and**

**WHEREAS**, Paul Darmofalski, Borough Engineer, has inspected the premises, and has reported that the applicants have complied with/satisfied all of the required conditions, and has submitted a report to the Borough Administration, report on file in his office, recommending release of the remaining escrow funds;

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Lincoln Park, that funds on deposit from, **Fred A. Lacroix** in the 2015 General Trust Escrow Account – Bank Account #041-41378-4, Escrow Account #1912 for a no # - Subdivision Committee Meeting in connection with a property located at 89 De Hart Street, Lincoln Park 07035; be and hereby are ordered released/refunded by the Borough subject to the CFO first confirming that all bills (submitted and pending) from the Board Attorney, and Borough Engineer have been properly and fully satisfied.

**RESOLUTION 16- 94**

**WHEREAS**, a tax over payment should be disposed of only upon authorization granted by a detailed resolution adopted by the Governing Body; and

**WHEREAS**, these over payments should be returned to the respective taxpayers;

**NOW, THEREFORE, BE IT RESOLVED** By the Governing body of the Borough of Lincoln Park, that the Tax Collector is hereby authorized to make over payment refunds in the amount shown below to the taxpayers:

Block/Lot	Name	Amount	Reason
46.3/128	Corelogic	\$1,644.78	Pd by homeowner & Mortgage co
104/156	Corelogic	\$1,642.23	Pd by Title Co & Mortgage Co
136.1/12.8 C1208	Corelogic	\$1,893.79	Pd by lawyer & Mortgage Co.

**RESOLUTION 16-95**

**WHEREAS**, at the Municipal Tax Sale held June 24, 2015, a lien was sold on block 27, lot 28, also known as 40 DeHart Street in Lincoln Park, for 2014 water and sewer; and

**WHEREAS**, this lien, known as Tax Sale Certificate #15-00012, was sold to Leed Captial for \$11,800.00 premium; and

**WHEREAS**, Fortune Title Agency, mortgage company for owner, has effected redemption of certificate #15-00012, in the amount of \$5,729.19;

**NOW, THEREFORE, BE IT RESOLVED**, that the Treasurer be authorized to issue a check in the amount of \$5,729.19 and \$11,800.00 premium, for the redemption of Tax Sale Certificate #15-00012, payable to Leed Capital at 946 Main Street, Hackensack, NJ 0760

**Borough of Lincoln Park, County of Morris  
State of New Jersey  
Emergency Temporary Appropriation**

**RESOLUTION R16-96**

**WHEREAS**, an emergent condition has arisen with respect to inadequate funds being provided for in the temporary budget and no adequate provision has been made in the 2016 Temporary Appropriations for the aforesaid purpose, and N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriations for the purpose above mentioned; and;

**WHEREAS**, the total emergency temporary resolutions adopted in the year 2016 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total \$5,034,185.00 for the General Fund and total \$651,615.00 for the Water Utility Fund excluding appropriations made for debt service and capital improvement fund; and;

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Lincoln Park, that in accordance with the provisions of N.J.S.A. 40A:4-20, the following is hereby resolved and instructs the Director of Finance to provide for in said departmental appropriations in the 2016 Temporary Budget;

1. An emergency temporary appropriation be and the same is hereby made for the following items in the various noted amounts
2. That said emergency temporary appropriations have been provided for in the 2016 Municipal Budget under the various noted titles.
3. That one certified copy of this resolution be filed with the Director of the Division of Local Government Services.

General Fund:

Salary and Wages for the Department of:

Administration	\$ 10,000.00
Finance	\$ 7,000.00
Tax Collection	\$ 5,500.00
Borough Clerk's	\$ 8,800.00
Planning Department	\$ 6,000.00
Planning Board	\$ 550.00
Board of Adjustment	\$ 700.00
Police	\$200,000.00
Building Inspection	\$ 10,000.00
Streets and Roads	\$ 90,000.00
Recycling	\$ 6,800.00
Board of Health	\$ 12,000.00
Parks and Recreation	\$ 9,000.00
Municipal Court	\$ 8,000.00
Public Defender	\$ 700.00
Bureau of Fire	\$ 3,000.00

Other Expenses for the Department of:

Administration	\$ 10,000.00
Tax Collection	\$ 500.00
Tax Assessment	\$ 4,000.00
Engineering	\$ 4,000.00
Buildings and Grounds	\$ 15,000.00
Streets and Roads	\$ 50,000.00
Street Lighting	\$ 2,000.00
Statutory Expenditures	\$403,596.00
Group Insurance	\$100,000.00
Other Insurance	\$ 15,000.00
Parks and Recreation	\$ 5,000.00
Police Department	\$ 10,000.00
Communications	\$ 10,000.00
Municipal Court	\$ 2,300.00

Water Utility Fund:

Salary and Wages	\$ 50,000.00
Statutory Expenditures	\$ 4,084.00

**STATE OF NEW JERSEY  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
GREEN ACRES PROGRAM**

**ENABLING RESOLUTION R16-97**

**WHEREAS**, the New Jersey Department of Environmental Protection, Green Acres Program ("State"), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

**WHEREAS**, the Borough of Lincoln Park has previously obtained a grant of \$325,000.00 from the State to fund the following project(s):

**1416-12-054 – Lincoln Park Floodplain Acquisition Project**

**WHEREAS**, the State and the Borough of Lincoln Park intend to increase Green Acres funding by \$550,000.00; and

**WHEREAS**, the applicant is willing to use the State's fund in accordance with its rules, regulations and applicable statutes, and is willing to enter into an Amendment of the Agreement with the State for the above-named project;

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE BOROUGH OF LINCOLN PARK THAT:**

1. The **MAYOR** of the above named body or board is hereby authorized to execute an agreement and any amendment thereto with the State known as Lincoln Park Floodplain Acquisition Project, and;
2. The applicant has its matching share of the project, if a match is required, in the amount of \$2,625,000.00.
3. In the event the State's funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project, and;
4. The applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project.
5. This resolution shall take effect immediately.

**RESOLUTION 16-98**

**WHEREAS**, the Borough of Lincoln Park ("Borough") sought bids for a Contract for municipal landscaping services for the periods of March 15, 2016 through November 30, 2016 and March 15, 2017 through November 30, 2017; and

**WHEREAS**, five sealed bids were received and opened by the Borough on February 17, 2016; and

**WHEREAS**, LTI, Inc. submitted a bid in the total amount of \$40,100.00 per year, North Jersey Landcare Services submitted a bid in the total amount of \$46,000.00 for year one and \$46,545.00 for year two, Total Lawn & Landscape Services submitted a bid in the total amount of \$41,290.00 per year, D'Onofrio & Son Inc. submitted a bid in the total amount of \$44,900.00 per year, and Pat Scanlon Landscaping submitted a bid in the total amount of \$42,175.00 per year; and

**WHEREAS**, Counsel for the Borough has reviewed and approved the bid documents submitted by LTI, Inc. and therefore, subject to submission of an Iran Investment Disclosure Certification pursuant to NJSA 40A:11-2.1, the Contract for the Municipal Landscaping Services for the periods of March 15, 2016 through November 30, 2016 and March 15, 2017 through November 30, 2017 should be awarded to LTI, Inc. in the bid amount of \$40,100.00 per year, a total cost of \$80,200.00; and

**WHEREAS**, the Borough desires to authorize the award of the Contract to LTI, Inc. as the lowest responsive and responsible bidder

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Lincoln Park, County of Morris, State of New Jersey as follows

1. The Contract for Municipal Landscaping Services for the periods of March 15, 2016 through November 30, 2016 and March 15, 2017 through November 30, 2017, for the total bid amount of Eighty-Thousand Two-Hundred Dollars (\$80,200.00), is hereby awarded to LTI, Inc. located at 76 Passaic Avenue, Florham Park, New Jersey, 07932 as the lowest responsive and responsible bidder, subject to submission of an Iran Investment Disclosure Certification to the Borough prior to the execution of the contract.

2. The Mayor and Borough Clerk are hereby authorized and directed to execute the contract subsequent to receipt of the Iran Investment Disclosure Certification and execution by LTI and said officers, together with all other officers, professionals and employees of the Borough are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of this Resolution.

3. This award is subject to the Contractor's compliance with the requirements of P.L. 1975, c.127 (N.J.S.A. 10:5-31 et seq.) and the regulations thereunder regarding Affirmative Action.

4. The foregoing award is further subject to the certification of availability of funds by the appropriate officers of the Borough.

6. This Resolution shall take effect as herein provided.

Kerwin: Please call the Roll.

Yes: Council Members: Cardillo, Gemian, Moeller, Ross, Thompson, Wild and Kerwin.

No: None

Absent: None

Abstain: None

Kerwin: Resolution Consent Agenda R16-118.

Moeller: So Moved

Ross: Second

## **RESOLUTION R16-118**

### **BOROUGH OF LINCOLN PARK**

#### **RESOLUTION AUTHORIZING EXECUTIVE SESSION**

**WHEREAS**, the Governing Body of the Borough of Lincoln Park is subject to certain requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6, et seq.; and

**WHEREAS**, the Open Public Meetings Act, N.J.S.A. 10:4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution; and

**WHEREAS**, it is necessary for the Governing Body of the Borough of Lincoln Park to discuss in a session not open to the public certain matters relating to the item or items as authorized and designated below;

As authorized by N.J.S.A. 10:4-12b (7),

**Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege.** Any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.

#### a. Litigation

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Lincoln Park, assembled in public session on the 21 day of April 2016, that an Executive Session, closed to the public, shall be on the 21 day of April 2016, at approximately 7:30 pm in the Borough of Lincoln Park, Municipal Building, 34 Chapel Hill Road, Lincoln Park, New Jersey 07035.

Kerwin: Please call the Roll.

Yes: Council Members: Cardillo, Gemian, Moeller, Ross, Thompson, Wild and Kerwin.

No: None  
Absent: None  
Abstain: None

**VII. CLOSED SESSION: MATTERS RELATING TO LITIGATION, NEGOTIATIONS AND THE ATTORNEY CLIENT PRIVILEGE:**

Thompson: Motion to go to Closed.

Ross: Second

Motion passed unanimously at 7:43 P.M.

NJSA 10:4-12b (7) Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege.

**N.J.S.A. 10:4-12**

**LITIGATION**

Moeller: Motion to come out of Closed.

Ross: Second

Motion passed unanimously at 8:40 P.M.

The meeting was reopened to the public with the same members present.

Ken Rush, Borough Attorney, stated that No formal action was taken by the Council.

**N.J.S.A. 10:4-12**

**LITIGATION**

**VIII. REGULAR AGENDA:**

Kerwin: R16-99, Authorize Introduction of 2016 Municipal Budget.

Kerwin: Any questions or comments regarding Resolution R16-99?

Thompson: So Moved

Ross: Second

MUNICIPAL BUDGET NOTICE

Resolution R.16-99

Section 1.

Municipal Budget of the Borough of Lincoln Park, County of Morris for the Fiscal year 2016

Be it Resolved, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2016;

Be it Further Resolved, that said Budget be published in the Morris Edition of the Daily Record

In the issue of April 3, 2016

The Governing Body of the Borough of Lincoln Park does hereby approve the following as the Budget for the year 2016:

RECORDED VOTE

(Insert last name)

Ayes (Cardillo, Genier, Kerwin, Noella, Ross, Thompson, Wild)

Nays (None)

Abstained (None)

Absent (None)

Notice is hereby given that the Budget and Tax Resolution was approved by the Governing Body of the Body of Lincoln Park, County of Morris, on March 21, 2016.

A hearing on the Budget and Tax Resolution will be held at The Municipal Building, on April 18, 2016 at 7:30 o'clock P.M. at which time and place objections to said Budget and Tax Resolution for the year 2016 may be presented by taxpayers or other interested persons.

Kerwin: Please call the Roll.

Yes: Council Members: Cardillo, Gemian, Moeller, Ross, Thompson, Wild and Kerwin.  
 No: None  
 Absent: None  
 Abstain: None

The Resolution was adopted.

Kerwin: R16-100, Authorize Pay Bills.

Kerwin: Any questions or comments regarding Resolution R16-100?

Thompson: So Moved  
 Wild: Second

**RESOLUTION R16-100**

***BE IT RESOLVED***, by the Governing body of the Borough of Lincoln Park that the bills on a list filed in the Office of the Borough Clerk having been recommended for payment by the Business Administrator, be and are hereby approved for payment.

***BE IT FURTHER RESOLVED*** that the Treasurer be and hereby is authorized to issue warrants in payment thereof when there are sufficient funds available to meet them;

<u>CHECK NO.</u>	<u>ACCOUNT</u>	<u>TOTAL</u>
44014-44198	Current	\$ 3,447,657.01
1360-1364	Accutrack	5,342.50
1196	Administrative Resale	800.00
1131	Affordable Housing	75.00
1362	Dog License	168.60
3328-3329	General Capital	1,600.00
2748-2754	General Trust	14,076.73
2816-2818	Grants	33,869.00
2000	Recycling	2,565.00
2912	Water Capital	8,680.00
8142 & bt	Water Utility	504,696.84

Kerwin: Please call the Roll.

Yes: Council Members: Cardillo, Gemian, Moeller, Thompson, Wild and Kerwin.  
 No: None  
 Absent: Ross  
 Abstain: None

The Resolution was Adopted.

Kerwin: R16-101, Authorize Pay Confirmed Bills.

Kerwin: Any questions or comments regarding Resolution R16-101?

Moeller: So Moved  
 Thompson: Second

**RESOLUTION R16-101**

**WHEREAS**, it was necessary to issue certain checks to carry on the order of business of the Borough of Lincoln Park;

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Lincoln Park that the action of the Mayor and Treasurer in issuing the following checks be and is hereby confirmed:

**ACCOUNT**

<b>CHK NO.</b>	<b>PAID TO</b>	<b>PURPOSE</b>	<b>AMOUNT</b>
<b>CURRENT</b>			
<b>BT</b>	LP Board of Education	February 2016	\$1,474,980.75
<b>44014</b>	Optimum DPW	Cable	\$99.00
<b>44015</b>	Borough of LP Open Space	Reimburse from Current to Open Space	\$79,062.25
<b>44016</b>	Group Sales Box Office LLC	Broadway Tickets	\$3,574.50
<b>Bt</b>	Payroll Net	Void for Payroll	\$116,686.94
<b>Bt</b>	Payroll Escrow	Void for Payroll	\$94,307.50
<b>44019</b>	Prudential Retirement	DCRP February 2016	\$296.36
<b>44020</b>	Horizon Blue Cross	March Dental Benefits	\$8,025.43
<b>44021</b>	Group Sales Box Office LLC	Broadway Tickets	\$904.50
<b>BT</b>	Net Payroll	Void for Payroll	\$119,728.51
<b>Bt</b>	Payroll Escrow	Void for Payroll	\$94,977.19
	Meeting Checks	#44024-44198	\$1,455,013.18

**WATER UTILITY**

<b>Bt</b>	Borough of Lincoln park	Sewer Payment	\$166,503.57
<b>BT</b>	Water Payroll	Void for Payroll	\$10,080.55
<b>BT</b>	Water Escrow Payroll	Void For Payroll	\$7,534.39
<b>8142</b>	USPS Reserve Account	Pitney Bowes Postage	\$3,000
<b>BT</b>	Water Escrow Payroll	Void for Payroll	\$11,503.33
<b>BT</b>	Water Payroll	Void for Payroll	\$7,956.86
<b>BT</b>	Regular Meeting Checks	Checks #8145-8165	\$298,118.14

Kerwin: Please call the Roll.

Yes: Council Members: Cardillo, Gemian, Moeller, Thompson, Wild and Kerwin.

No: None

Absent: None

Abstain: Ross

The Resolution was adopted.

Kerwin: R16-102, Housing Element 2016.

Kerwin: Any questions or comments regarding Resolution R16-102?

Thompson So Moved  
 Wild: Second

**RESOLUTION R16-102**  
**RESOLUTION APPROVING THE SUBMISSION OF**  
**2016 HOUSING ELEMENT AND FAIR SHARE PLAN FOR REVIEW**  
**BY THE NEW JERSEY SUPERIOR COURT**

**WHEREAS**, on March 10, 2015, the New Jersey Supreme Court issued its decision in In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 221 N.J. 1 (2015)(the "2015 Case"). In that decision, the New Jersey Supreme Court transferred primary jurisdiction over affordable housing matters from the New Jersey Council on Affordable Housing ("COAH") to the New Jersey Superior Court and established a transitional process for municipalities, like the Borough of Lincoln Park, to file declaratory judgment actions seeking to declare their Housing Element and Fair Share Plans ("HEFSPs") as being constitutionally compliant and seeking similar protections to what they would have received if they had continued to proceed before COAH; and

**WHEREAS**, pursuant to N.J.S.A. 52:27D-313 and the 2015 Case, the New Jersey Superior Court has the authority to enter an Order granting protection and repose against exclusionary zoning litigation to a municipality that is in compliance with its affordable housing obligations under the Fair Housing Act, N.J.S.A. 52:27D-301, et seq.; and

**WHEREAS**, on July 1, 2015, the Borough of Lincoln Park ("Borough") filed a declaratory judgment action with the New Jersey Superior Court seeking to declare its HEFSPs as being constitutionally compliant and seeking protection and repose against exclusionary zoning litigation for a ten (10) year period; and

**WHEREAS**, the Superior Court of New Jersey has ordered that municipalities that filed declaratory judgment actions must submit updated HEFSPs that address their affordable housing obligations as calculated by municipal experts; and

**WHEREAS**, the Borough's Special Planning Consultant, Elizabeth C. McKenzie, AICP, PP, has prepared an updated HEFSP dated March 11, 2016 that addresses the Borough's affordable housing obligation as calculated by its expert, Econsult Solutions, Inc. ("2016 HEFSP"); and

**WHEREAS**, since a decision has not yet been rendered on the methodology to calculate municipal affordable housing obligations, the New Jersey Superior Court advised that it is acceptable if the Planning Board does not undertake all of the formal, procedural requirements involved with adopting the 2016 HEFSP as an amendment to the Borough's Master Plan if the Planning Board instead adopts a Resolution accepting the 2016 HEFSP and commits to promptly comply with the formal, procedural requirements for the adoption of the 2016 HEFSP as an amendment to the Borough's Master Plan if the 2016 HEFSP is approved by the Court; and

**WHEREAS**, the New Jersey Superior Court also advised that approval by the Governing Body is required when submitting the 2016 HEFSP for review by the Court; and

**WHEREAS**, on March 17, 2016, the Planning Board of the Borough of Lincoln Park adopted a Resolution accepting the 2016 HEFSP and, if the 2016 HEFSP is approved by the Court, committing to promptly adopt the 2016 HEFSP as an amendment to the Master Plan of the Borough of Lincoln Park; and

**WHEREAS**, a true copy of the Resolution of the Planning Board accepting the 2016 HEFSP is attached hereto; and

**WHEREAS**, the Governing Body desires to approve the submission of the 2016 HEFSP adopted by the Planning Board to the New Jersey Superior Court.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Lincoln Park, County of Morris, State of New Jersey, they being the Governing Body thereof as follows:

1. The Borough hereby approves the submission of the 2016 HEFSP that has been accepted by the Planning Board for review by the New Jersey Superior Court; and
2. The Borough hereby commits to endorse the 2016 HEFSP once the Planning Board formally adopts the same as an amendment to the Borough's Master Plan after receiving approval from the Court; and
3. The Borough reserves the right to amend the 2016 HEFSP, if necessary, after the receipt of any decisions rendered by the New Jersey Superior Court regarding the methodology to calculate municipal affordable housing obligations.
4. The Mayor, Borough Administrator, and Borough Clerk, together with all other officers, professionals and employees of the Borough are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of this Resolution.

5. This Resolution shall take effect immediately.

Betsy McKenzie, Borough Attorney for COAH, spoke about Resolution R16-102, Authorize Approving the Submission of 2016 Housing Element and Fair Share for Review by the New Jersey Superior Court.

In July 2015, the Borough of Lincoln Park filed a request for territory judgment in the Superior Court. What this Resolution entitles is what the Borough of Lincoln Park would propose as a Housing Element if our number is the number that the Borough's expert said it is for the third (3<sup>rd</sup>) round which is eighty one (81) units, that is an addition to all of your past obligations.

That obligation may go up or down. It may go up but we do not know to what extent. It is up to the Court to make that decision and for the Judge to decide what our Fair Share Plan is through 2015.

What this plan does is that it identifies all of the good affordable housing work that you have done up to date, which is a lot. The Council on Affordable Housing was supposed to adopt the third (3<sup>rd</sup>) round rules back in 1999 and they did not do that right away.

In 2005 they finally adopted the third (3<sup>rd</sup>) round rules and Towns were required to submit Housing Elements and Fair Share Plans.

In 2007 the Pellate Court said that these rules are not good and that they rely on growth share as oppose to a method of calculating Affordable Housing obligations that we upheld in the past. At this point they sent Affordable Housing back to the drawing board.

The Council on Affordable Housing came up with new rules in 2008 and still relied on growth share.

In 2010 the Court said that this was not what they meant and so Towns for ten (10) years had not had good Affording Housing mechanisms.

Meanwhile in 2005 and in 2008 you had prepared your plans to address your obligations because you were acting in good faith.

So we are now in a situation in which COAH continues to fail to adopt valid third (3<sup>rd</sup>) round obligations.

Finally in March 2015 the Supreme Court stated that they were done and that they were taking it back.

We recognize that there are Towns that had appeared in good faith to COAH and submitted their plans to COAH so we want those Towns to be heard.

The Court said that in the beginning of June or July 2016, Towns that had been before COAH and had submitted plans may file a request for a declaratory judgment from the Court and that their plans that they had prepared are valid and constitutionally compliant. The Court will give those Towns a period of temporary immunity during which to tweak their plans.

COAH started working soon after your declaratory judgment action was filed. COAH started working on a draft plan and how you would address your plan. We have to figure out how we can get some more rental units.

What this plan does is that it summarizes what the Town has done to date including all of the extra credits you got and says how you may be able to address a rental obligation.

Kerwin: Please call the Roll.

Yes: Council Members: Cardillo, Gemian, Moeller, Thompson, Wild and Kerwin.  
No: Ross  
Absent: None  
Abstain: None

The Resolution was adopted.

Kerwin: R16-103, Authorize Employment Agreement with Courtney Fitzpatrick, Deputy Municipal Clerk.

Kerwin: Any questions or comments regarding Resolution R16-103?

Thompson: So Moved  
Wild: Second

**RESOLUTION 16- 103**

**WHEREAS**, the Borough of Lincoln Park desires to enter into an Agreement entitled "Borough of Lincoln Park – Employment Agreement" with **Courtney Fitzpatrick** for the position of Deputy Borough Clerk, subject to the terms and conditions set forth in the Employment Agreement, a copy of which is attached hereto as Exhibit A; and,

**WHEREAS**, **Courtney Fitzpatrick** desires to continue to work as the Deputy Borough Clerk of the

Borough of Lincoln Park, subject to the terms and conditions set forth in the attached Employment Agreement; and,

**WHEREAS**, the Council of the Borough of Lincoln Park finds that it is in the best interests of the Borough of Lincoln Park to approve and authorize the execution of the attached Employment Agreement;

**NOW, THEREFORE, BE IT RESOLVED** By the Governing Body of the Borough of Lincoln Park, that the Council President of the Borough of Lincoln Park is hereby authorized to execute the attached Employment Agreement with **Courtney Fitzpatrick** for the position of Deputy Borough Clerk on behalf of the Borough of Lincoln Park.

Kerwin: Please call the Roll.

Yes: Council Members: Cardillo, Gemian, Moeller, Ross, Thompson, Wild and Kerwin.  
No: None  
Absent: None  
Abstain: None

The Resolution was adopted.

Kerwin: R16-104, Authorize Employment Agreement with Christine Scaramelli, Water Supervisor.

Kerwin: Any questions or comments regarding Resolution R16-104?

Moeller: So Moved  
Wild: Second

**RESOLUTION 16- 104**

**WHEREAS**, the Borough of Lincoln Park desires to enter into an Agreement entitled "Borough of Lincoln Park – Employment Agreement" with **Christine Scaramelli** for the position of Water Supervisor, subject to the terms and conditions set forth in the Employment Agreement, a copy of which is attached hereto as Exhibit A; and,

**WHEREAS**, **Christine Scaramelli** desires to continue to work as the Water Supervisor of the Borough of Lincoln Park, subject to the terms and conditions set forth in the attached Employment Agreement; and,

**WHEREAS**, the Council of the Borough of Lincoln Park finds that it is in the best interests of the Borough of Lincoln Park to approve and authorize the execution of the attached Employment Agreement;

**NOW, THEREFORE, BE IT RESOLVED** By the Governing Body of the Borough of Lincoln Park, that the Mayor of the Borough of Lincoln Park is hereby authorized to execute the attached Employment Agreement with **Christine Scaramelli** for the position of Water Supervisor on behalf of the Borough of Lincoln Park.

Kerwin: Please call the Roll.

Yes: Council Members: Cardillo, Gemian, Moeller, Thompson, Wild and Kerwin.  
No: Ross  
Absent: None  
Abstain: None

The Resolution was adopted.

Kerwin: R16-105, Authorize Employment Agreement with Cynthia L. Sloane, Borough Clerk.

Kerwin: Any questions or comments regarding Resolution R16-105?

Moeller: So Moved  
Thompson: Second

**RESOLUTION 16-105**

**WHEREAS**, the Borough of Lincoln Park desires to enter into an Agreement entitled "Borough of Lincoln Park – Employment Agreement" with **Cynthia Sloane** for the position of Borough Clerk, subject to the terms and conditions set forth in the Employment Agreement, a copy of which is attached hereto as Exhibit A;

and,

**WHEREAS, Cynthia Sloane** desires to continue to work as the Borough Clerk of the Borough of Lincoln Park, subject to the terms and conditions set forth in the attached Employment Agreement; and,

**WHEREAS,** the Council of the Borough of Lincoln Park finds that it is in the best interests of the Borough of Lincoln Park to approve and authorize the execution of the attached Employment Agreement;

**NOW, THEREFORE, BE IT RESOLVED** By the Governing Body of the Borough of Lincoln Park, that the Council President of the Borough of Lincoln Park is hereby authorized to execute the attached Employment Agreement with **Cynthia Sloane** for the position of Borough Clerk on behalf of the Borough of Lincoln Park.

Kerwin: Please call the Roll.

Yes: Council Members: Cardillo, Gemian, Moeller, Ross, Thompson, Wild and Kerwin.  
No: None  
Absent: None  
Abstain: None

The Resolution was adopted.

Kerwin: R16-106, Authorize Employment Agreement with Janet Cassidy, Director of Recreation.  
Kerwin: Any questions or comments regarding Resolution R16-106?

Moeller: So Moved  
Wild: Second

**RESOLUTION 16-106**

**WHEREAS,** the Borough of Lincoln Park desires to enter into an Agreement entitled "Borough of Lincoln Park – Employment Agreement" with **Janet Cassidy** for the position of Director of Recreation, subject to the terms and conditions set forth in the Employment Agreement, a copy of which is attached hereto as Exhibit A; and,

**WHEREAS, Janet Cassidy** desires to continue to work as the Director of Recreation of the Borough of Lincoln Park, subject to the terms and conditions set forth in the attached Employment Agreement; and,

**WHEREAS,** the Council of the Borough of Lincoln Park finds that it is in the best interests of the Borough of Lincoln Park to approve and authorize the execution of the attached Employment Agreement;

**NOW, THEREFORE, BE IT RESOLVED** By the Governing Body of the Borough of Lincoln Park, that the Mayor of the Borough of Lincoln Park is hereby authorized to execute the attached Employment Agreement with **Janet Cassidy** for the position of Director of Recreation on behalf of the Borough of Lincoln Park.

Kerwin: Please call the Roll.

Yes: Council Members: Cardillo, Gemian, Moeller, Ross, Thompson, Wild and Kerwin.  
No: None  
Absent: None  
Abstain: None

The Resolution was adopted.

Kerwin: R16-107, Authorize Employment Agreement with Kerry Geisler, Chief Financial Officer/Treasurer/Director of Finance.

Kerwin: Any questions or comments regarding Resolution R16-107?

Thompson: So Moved  
Gemian: Second

**RESOLUTION 16-107**

**WHEREAS,** the Borough of Lincoln Park desires to enter into an Agreement entitled "Borough of Lincoln Park – Employment Agreement" with **Kerry Geisler** for the position of Chief Financial Officer/Treasurer/Director of Finance, subject to the terms and conditions set forth in the Employment

Agreement, a copy of which is attached hereto as Exhibit A; and,

**WHEREAS, Kerry Geisler** desires to continue to work as the Chief Financial Officer/Treasurer/Director of Finance of the Borough of Lincoln Park, subject to the terms and conditions set forth in the attached Employment Agreement; and,

**WHEREAS,** the Council of the Borough of Lincoln Park finds that it is in the best interests of the Borough of Lincoln Park to approve and authorize the execution of the attached Employment Agreement;

**NOW, THEREFORE, BE IT RESOLVED** By the Governing Body of the Borough of Lincoln Park, that the Mayor of the Borough of Lincoln Park is hereby authorized to execute the attached Employment Agreement with **Kerry Geisler** for the position of Chief Financial Officer/Treasurer/Director of Finance on behalf of the Borough of Lincoln Park.

Kerwin: Please call the Roll.

Yes: Council Members: Cardillo, Gemian, Moeller, Ross, Thompson, Wild and Kerwin.  
No: None  
Absent: None  
Abstain: None

The Resolution was adopted.

Kerwin: R16-108, Authorize Employment Agreement with Kristen Runfeldt, Tax Collector.  
Kerwin: Any questions or comments regarding Resolution R16-108?

Moeller: So Moved  
Thompson: Second

**RESOLUTION 16-108**

**WHEREAS,** the Borough of Lincoln Park desires to enter into an Agreement entitled “Borough of Lincoln Park – Employment Agreement” with **Kristen Runfeldt** for the position of Tax Collector, subject to the terms and conditions set forth in the Employment Agreement, a copy of which is attached hereto as Exhibit A; and,

**WHEREAS, Kristen Runfeldt** desires to continue to work as the Tax Collector of the Borough of Lincoln Park, subject to the terms and conditions set forth in the attached Employment Agreement; and,

**WHEREAS,** the Council of the Borough of Lincoln Park finds that it is in the best interests of the Borough of Lincoln Park to approve and authorize the execution of the attached Employment Agreement;

**NOW, THEREFORE, BE IT RESOLVED** By the Governing Body of the Borough of Lincoln Park, that the Mayor of the Borough of Lincoln Park is hereby authorized to execute the attached Employment Agreement with **Kristen Runfeldt** for the position of Tax Collector on behalf of the Borough of Lincoln Park.

Kerwin: Please call the Roll.

Yes: Council Members: Cardillo, Gemian, Moeller, Thompson, Wild and Kerwin.  
No: Ross  
Absent: None  
Abstain: None

The Resolution was adopted.

Kerwin: R16-109, Authorize Employment Agreement with Kathleen Skrobala, Health Officer/Public Health Nurse.  
Kerwin: Any questions or comments regarding Resolution R16-109?

Moeller: So Moved  
Thompson: Second

**RESOLUTION 16-109**

**WHEREAS,** the Borough of Lincoln Park desires to enter into an Agreement entitled “Borough of Lincoln Park – Employment Agreement” with **Kathleen Skrobala** for the position of Health Officer/Public

Health Nurse, subject to the terms and conditions set forth in the Employment Agreement, a copy of which is attached hereto as Exhibit A; and,

**WHEREAS, Kathleen Skrobala** desires to continue to work as the Health Officer/Public Health Nurse of the Borough of Lincoln Park, subject to the terms and conditions set forth in the attached Employment Agreement; and,

**WHEREAS,** the Council of the Borough of Lincoln Park finds that it is in the best interests of the Borough of Lincoln Park to approve and authorize the execution of the attached Employment Agreement;

**NOW, THEREFORE, BE IT RESOLVED** By the Governing Body of the Borough of Lincoln Park, that the Mayor of the Borough of Lincoln Park is hereby authorized to execute the attached Employment Agreement with **Kathleen Skrobala** for the position of Health Officer/Public Health Nurse on behalf of the Borough of Lincoln Park.

Kerwin: Please call the Roll.

Yes: Council Members: Cardillo, Gemian, Moeller, Ross, Thompson, Wild and Kerwin.

No: None

Absent: None

Abstain: None

The Resolution was adopted.

Kerwin: R16-110, Authorize Employment Agreement with Perry Mayers, Borough Administrator.

Kerwin: Any questions or comments regarding Resolution R16-110?

Thompson: So Moved

Ross: Second

**RESOLUTION 16-110**

**WHEREAS,** the Borough of Lincoln Park desires to enter into an Agreement entitled "Borough of Lincoln Park – Employment Agreement" with **Perry T. Mayers** for the position of Borough Administrator, subject to the terms and conditions set forth in the Employment Agreement, a copy of which is attached hereto as Exhibit A; and,

**WHEREAS, Perry T. Mayers** desires to continue to work as the Borough Administrator of the Borough of Lincoln Park, subject to the terms and conditions set forth in the attached Employment Agreement; and,

**WHEREAS,** the Council of the Borough of Lincoln Park finds that it is in the best interests of the Borough of Lincoln Park to approve and authorize the execution of the attached Employment Agreement;

**NOW, THEREFORE, BE IT RESOLVED** By the Governing Body of the Borough of Lincoln Park, that the Mayor of the Borough of Lincoln Park is hereby authorized to execute the attached Employment Agreement with **Perry T. Mayers** for the position of Borough Administrator on behalf of the Borough of Lincoln Park.

Kerwin: Please call the Roll.

Yes: Council Members: Cardillo, Gemian, Moeller, Ross, Thompson, Wild and Kerwin.

No: None

Absent: None

Abstain: None

The Resolution was adopted.

Kerwin: R16-111, Authorize Employment Agreement with Patricia Fritz, Municipal Court Administrator.

Kerwin: Any questions or comments regarding Resolution R16-111?

Moeller: So Moved

Thompson: Second

**RESOLUTION 16-111**

**WHEREAS**, the Borough of Lincoln Park desires to enter into an Agreement entitled "Borough of Lincoln Park – Employment Agreement" with **Patricia Fritz** for the position of Municipal Court Administrator, subject to the terms and conditions set forth in the Employment Agreement, a copy of which is attached hereto as Exhibit A; and,

**WHEREAS**, **Patricia Fritz** desires to continue to work as the Municipal Court Administrator of the Borough of Lincoln Park, subject to the terms and conditions set forth in the attached Employment Agreement; and,

**WHEREAS**, the Council of the Borough of Lincoln Park finds that it is in the best interests of the Borough of Lincoln Park to approve and authorize the execution of the attached Employment Agreement;

**NOW, THEREFORE, BE IT RESOLVED** By the Governing Body of the Borough of Lincoln Park, that the Mayor of the Borough of Lincoln Park is hereby authorized to execute the attached Employment Agreement with **Patricia Fritz** for the position of Municipal Court Administrator on behalf of the Borough of Lincoln Park.

Kerwin: Please call the Roll.

Yes: Council Members: Cardillo, Gemian, Moeller, Thompson, Wild and Kerwin.  
No: Ross  
Absent: None  
Abstain: None

The Resolution was adopted.

Kerwin: R16-112, Authorize Employment Agreement with Richard Beyer, Superintendent of Public Works.

Kerwin: Any questions or comments regarding Resolution R16-112?

Moeller: So Moved  
Thompson: Second

**RESOLUTION 16-112**

**WHEREAS**, the Borough of Lincoln Park desires to enter into an Agreement entitled "Borough of Lincoln Park – Employment Agreement" with **Richard Beyer** for the position of Superintendent of Public Works, subject to the terms and conditions set forth in the Employment Agreement, a copy of which is attached hereto as Exhibit A; and,

**WHEREAS**, **Richard Beyer** desires to continue to work as the Superintendent of Public Works of the Borough of Lincoln Park, subject to the terms and conditions set forth in the attached Employment Agreement; and,

**WHEREAS**, the Council of the Borough of Lincoln Park finds that it is in the best interests of the Borough of Lincoln Park to approve and authorize the execution of the attached Employment Agreement;

**NOW, THEREFORE, BE IT RESOLVED** By the Governing Body of the Borough of Lincoln Park, that the Mayor of the Borough of Lincoln Park is hereby authorized to execute the attached Employment Agreement with **Richard Beyer** for the position of Superintendent of Public Works on behalf of the Borough of Lincoln Park.

Kerwin: Please call the Roll.

Yes: Council Members: Cardillo, Gemian, Moeller, Thompson, Wild and Kerwin.  
No: Ross  
Absent: None  
Abstain: None

The Resolution was adopted.

Kerwin: R16-113, Authorize Employment Agreement with Salvatore Marino, Construction Official/Building Inspector and Code Enforcement Officer.

Kerwin: Any questions or comments regarding Resolution R16-113?

Moeller: So Moved

Gemian: Second

**RESOLUTION 16-113**

**WHEREAS**, the Borough of Lincoln Park desires to enter into an Agreement entitled “Borough of Lincoln Park – Employment Agreement” with **Salvatore Marino** for the position of Construction Official/Building Inspector and Code Enforcement Officer, subject to the terms and conditions set forth in the Employment Agreement, a copy of which is attached hereto as Exhibit A; and,

**WHEREAS**, **Salvatore Marino** desires to continue to work as the Construction Official/Building Inspector and Code Enforcement Officer of the Borough of Lincoln Park, subject to the terms and conditions set forth in the attached Employment Agreement; and,

**WHEREAS**, the Council of the Borough of Lincoln Park finds that it is in the best interests of the Borough of Lincoln Park to approve and authorize the execution of the attached Employment Agreement;

**NOW, THEREFORE, BE IT RESOLVED** By the Governing Body of the Borough of Lincoln Park, that the Mayor of the Borough of Lincoln Park is hereby authorized to execute the attached Employment Agreement with **Salvatore Marino** for the position of Construction Official/Building Inspector and Code Enforcement Officer on behalf of the Borough of Lincoln Park

Kerwin: Please call the Roll.

Yes: Council Members: Cardillo, Gemian, Moeller, Ross, Thompson, Wild and Kerwin.  
No: None  
Absent: None  
Abstain: None

The Resolution was adopted.

Kerwin: R16-114, Authorize Employment Agreement with Geraldine Valente-Stoel, Confidential Secretary to the Mayor and Borough Administrator.

Kerwin: Any questions or comments regarding Resolution R16-114?

Thompson: So Moved  
Ross: Second

**RESOLUTION 16-114**

**WHEREAS**, the Borough of Lincoln Park desires to enter into an Agreement entitled “Borough of Lincoln Park – Employment Agreement” with **Geraldine Valente-Stoel** for the position of Confidential Secretary to the Mayor and Borough Administrator, subject to the terms and conditions set forth in the Employment Agreement, a copy of which is attached hereto as Exhibit A; and,

**WHEREAS**, **Geraldine Valente-Stoel** desires to continue to work as the Confidential Secretary to the Mayor and Borough Administrator of the Borough of Lincoln Park, subject to the terms and conditions set forth in the attached Employment Agreement; and,

**WHEREAS**, the Council of the Borough of Lincoln Park finds that it is in the best interests of the Borough of Lincoln Park to approve and authorize the execution of the attached Employment Agreement;

**NOW, THEREFORE, BE IT RESOLVED** By the Governing Body of the Borough of Lincoln Park, that the Mayor of the Borough of Lincoln Park is hereby authorized to execute the attached Employment Agreement with **Geraldine Valente-Stoel** for the position of Confidential Secretary to the Mayor and Borough

Kerwin: Please call the Roll.

Yes: Council Members: Cardillo, Gemian, Moeller, Ross, Thompson, Wild and Kerwin.  
No: None  
Absent: None  
Abstain: None

The Resolution was adopted.

Kerwin: R16-115, Authorize Tax Judgment Refund to F.P Duffy, Inc..  
 Kerwin: Any questions or comments regarding Resolution R16-115?  
 Wild: So Moved  
 Ross: Second

**RESOLUTION R16-115**

**WHEREAS**, there were negotiations between F.P. Duffy, Inc and the Borough of Lincoln Park before trial and a settlement has been proposed and is being recommended by the Borough Attorney and the Borough Tax Assessor

**WHEREAS**, said judgment reduces the assessment of the subject property of block 5, lot 3 from \$2,728,300 to \$2,553,300 for 2012; and

**WHEREAS**, said judgment also reduces the assessment of the subject property of block 5, lot 3 from \$2,728,300 to \$2,553,300 for 2013; and

**WHEREAS**, said judgment also reduces the assessment of the subject property of block 5, lot 3 from \$2,728,300 to \$2,553,300 for 2014; and

**WHEREAS**, said judgment also reduces the assessment of the subject property of block 5, lot 3 from \$2,728,300 to \$2,553,300 for 2015; and

**WHEREAS**, this tax court judgment is on file in the Office of the Tax Assessor and the Tax Collector and are subject to annual audit; and

**NOW, THEREFORE, BE IT RESOLVED** By the Governing body of the Borough of Lincoln Park, that the Tax Collector is hereby authorized to refund the amount of \$17,494.75 made out to Duffy, F.P., Inc., c/o Skoloff & Wolfe, P.C., at 293 Eisenhower Parkway, Livingston, New Jersey 07039

Block/lot	Year	Refund
5/3	2012	\$4,301.50
5/3	2013	\$4,350.50
5/3	2014	\$4,373.25
5/3	2015	\$4,469.50
	<b>Total</b>	<b>\$17,494.75</b>

Kerwin: Please call the Roll.

Yes: Council Members: Cardillo, Gemian, Moeller, Ross, Thompson, Wild and Kerwin.  
 No: None  
 Absent: None  
 Abstain: None

The Resolution was adopted.

Kerwin: R16-116, Authorize Grant Identifier FS16-216.  
 Kerwin: Any questions or comments regarding Resolution R16-116?  
 Wild: So Moved  
 Thompson: Second

**RESOLUTION R16-116**

**GRANT  
 AGREEMENT  
 BETWEEN  
 BOROUGH OF LINCOLN PARK  
 AND**

THE STATE OF NEW JERSEY BY AND FOR THE DEPARTMENT OF ENVIRONMENTAL PROTECTION

GRANT IDENTIFIER: FS16-218

GOVERNING BODY RESOLUTION

The governing body of the Borough of Lincoln Park desires to further the public interest by obtaining a grant from the State of New Jersey in the amount of approximately \$3,000.00 to fund the following project:

Green Communities Grant

Therefore, the governing body resolves that Perry Mayers or the successor to the office of Administrator is authorized (a) to make application for such a grant, (b) if awarded, to execute a grant agreement with the State for a grant in an amount not less than \$3,000.00 and not more than \$3,000.00, and (c) to execute any amendments thereto any amendments thereto which do not increase the Grantee's obligations.

\*The Council of the Borough of Lincoln Park authorizes and hereby agrees to match 50% of the Total Project Amount, in compliance with the match requirements of the agreement. The availability of the match for such purposes, whether cash, services, or property, is hereby certified. Zero% of the match will be made up of in-kind services (if allowed by the grant program requirements and the agreement).\*

\*The portion of this form between the asterisks should only be completed if matching funds are required under the terms of the agreement. Where in-kind services are allowed and are stipulated by the Grantee, an attachment must be provided and appended hereto, breaking out the in-kind services to be provided by the Grantee.

Kerwin: Please call the Roll.

Yes: Council Members: Gemian, Moeller, Ross, Thompson, Wild and Kerwin.

No: None

Absent: Cardillo

Abstain: None

The Resolution was adopted.

Kerwin: R16-117, Authorize Updated Recreational Open Space Inventory ROSI for Submission to Green Acres.

Kerwin: Any questions or comments regarding Resolution R16-117?

Thompson: So Moved

Ross: Second

RESOLUTION R16-117

A RESOLUTION authorizing the Mayor to sign and execute updated Recreational Open Space Inventory (ROSI) for submission to Green Acres

WHEREAS, the New Jersey Green Acres Program was created in 1961 to meet New Jersey's growing recreation and conservation needs; and

WHEREAS, all lands that a county or municipality holds for recreation and conservation purposes at the time it accepts Green Acres funds are subject to a Green Acres restriction. The Recreation and Opens Space Inventory ("ROSI") is the master list of Green-Acres encumbered properties in each municipality (both funded and unfunded parkland.); and

WHEREAS, each Local Unit (municipality or county) is required to prepare and maintain a ROSI as a condition of applying for and receiving Green Acres funding. The ROSI lists all Green Acres-funded properties (funded parkland) as well as other lands held for conservation and/or recreation purposes (unfunded parkland) at the time the local unit last received funding from Green Acres. Lands listed on the ROSI include those owned, leased, or otherwise controlled by the Local Unit for recreation purposes, land owned by a private entity upon which the Local Unit holds a conservation easement, or any land which the Local Unit holds a specific recreation and/or conservation interest; and

**WHEREAS**, an updated ROSI has been prepared on behalf of the Borough of Lincoln Park with the assistance of The Land Conservancy of New Jersey,

**NOW THEREFORE BE IT RESOLVED**, by the Council of the Borough of Lincoln Park, in the County of Morris, State of New Jersey, that the Mayor of Lincoln Park is authorized to sign and execute the updated Recreational Open Space Inventory (ROSI) for submittal to Green Acres.

Kerwin: Please call the Roll.

Yes: Council Members: Cardillo, Gemian, Moeller, Ross, Thompson, Wild and Kerwin.

No: None

Absent: None

Abstain: None

**IX. MISCELLANEOUS/COUNCIL COMMITTEE REPORTS:**

Cardillo: No Report

Gemian: No Report

Moeller: No Report

Ross: No Report

Thompson: No Report

Wild: No Report

Kerwin: No Report

**X. MAYOR'S AGENDA:**

Mayor Runfeldt expressed sincere condolences to Councilman Wild with the passing of Barbara Wild.

**XI. PUBLIC HEARING:**

Council President Kerwin asked for a Voice Vote. The Public Hearing was Opened.

Thompson: So Moved

Ross: Second

Council President Kerwin: All in favor, the Council responded as I.

Council President Kerwin: Anyone wishing to speak may do so now.

Patricia Mill, 17 Bridge Court, spoke about Resolution R16-102 that is being filed and asked if all of the buildings are zoned that this document represents.

Betsy McKenzie, Borough Attorney for COAH, said that the zoning is not in place. If an adopted plan is ultimately presented to the Court, the zoning would be prepared to reflect whatever it is the Planning Board and the Governing Body decide what they want to adopt for that site.

Cynthia Davis, 17 Bristol Court, asked Betsy McKenzie if they will be moving forward on changing that zoning prior to getting feedback on Resolution R16-102.

Betsy McKenzie said that they probably will not but they will certainly be looking at the zoning and what is appropriate for that site if that opportunity arises.

Sue Grabowsk, 116 Main Street, requested that 107 and 117 be removed from the Fair Share Housing Plan. She said that these are two (2) residential properties that are located in a residential neighborhood with one (1) of them being an historical property. There are many residents that do not want to see this property destroyed. If these properties were not up for sale, what other arrangements could the Town have made?

Betsy McKenzie said that there were a couple of things that the Town looked at and we have that in the plan.

Mike Garbe, 283 Ryerson Road, spoke about Park Ave and said that it is a disaster and asked when the Town was going to repave it.

Mayor Runfeldt said that a Grant was submitted and the Borough is waiting to hear the results from the Grant.

Mike Grabe asked if the Town video tapes the Meetings and asked if there was any thought to doing so.

Mayor Runfeldt said that they do not video tape the Meetings. It has come up in the past but no they do not.

Mike Grabe asked about the Housing proposal and if the apartments that are currently in the Borough now count.

Betsy McKenzie said that they do not because of their age and the time that they were developed. There are no deeds on those properties for affordable units either. There was never a requirement that any of those units be deed restricted for low and moderate income housing. So as a result they cannot be counted.

Thompson: Seeing that no one else is wishing to speak I move we Close the Public Hearing.

Moeller: Second

Councilman Kerwin asked for a Voice Vote. The Council responded as I. The Public Hearing was Closed

**XII. ADJOURNMENT:**

Thompson: Motion to Adjourn.

Moeller: Second

There being no further business to come before the Council the Regular Meeting of March 21, 2016 was adjourned at 9:27 PM.

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Council President, Raymond Kerwin

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Municipal Clerk, Cindi Sloane, RMC, CMR