

I. CALL TO ORDER/PLEDGE OF ALLEGIANCE:

An Organization 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, January 4, 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:

Councilman Kerwin asked for everyone to stand and have a moment of silence for the loss of Richard Somerville, former Councilman of the Borough of Lincoln Park.

II. ROLL CALL

PRESENT: Council Members: Robert Cardillo
Gary Gemian
Raymond T. Kerwin
Dan Moeller
Ann Thompson
Jim Wild

ABSENT: Ellen Ross

Also PRESENT were Mayor David A. Runfeldt, Borough Administrator Perry Mayers, Treasurer Kerry Geisler, Ken Rush Borough Attorney and Chris DiLorenzo Borough Attorney.

III. ELECTION OF COUNCIL PRESIDENT:

Municipal Clerk: At this time I will take nominations for the Council President Position.

Thompson: I would like to nominate Raymond Kerwin.

Wild: I would like to Second that.

Thompson: Moved to close the nominations for Council President.

Wild: Second.

Municipal Clerk: With the nominations closed I will now take the Roll for Raymond Kerwin, Council President.

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

Absent: Ross

Abstain: None

Clerk: Vote is unanimous for Raymond Kerwin 2016 Council President.

Council President Raymond Kerwin welcomed everyone here this evening and thanked Assembly Woman Decroce for coming.

IV. MAYOR'S REMARKS:

Welcome to the 2016 Edition of the State of the Borough Address.

Ten years ago, when I made my first of these addresses, I mentioned that the issues of taxes, flooding and development swirl around us in an endless dance.

Over the last 10 years this administration and council have done a superb job of responsibly controlling taxes and spending and 2015 was yet another year in which Lincoln Park had a only a minimal tax increase and was well within the cap limits imposed upon us. I am happy to report that in 2015 the Borough of Lincoln Park was able to continue to provide top quality service to our residents. With just a minimal tax increase last year the borough made improvements to our parks, playgrounds and facilities, hired new police officers, offered well deserved yet modest pay increases to our dedicated employees, provided new equipment for our emergency services and public works and expanded programs through our health and recreation departments.

Luckily, 2015 was another year in which Mother Nature treated us well in this area as there were no flood events. This is not to say that flooding does not continue to be an issue that demands much of our attention. We are experiencing firsthand the difficulty of doing anything in the flood plain as we still continue to struggle to be able to maximize the use of the grants for desnagging and desilting that we were awarded two years ago. On a good note, the hard work of our Engineering, Building Department and Administration has paved the way for Lincoln Park to re-enter the FEMA Community Rating System, which will lower premiums paid by our residents for flood insurance premiums. We are hoping that we will gain final approval from FEMA over the next few months and residents will notice a significant savings shortly. New flood mapping has affected us as well. There are a few areas of town which have been removed from the flood hazard area, but there remain significant areas which have been adversely affected by the new mapping. The town will continue to fight for our residents and for acceptance of flood mapping which is fair and just. Lincoln Park, along with many surrounding towns, has continued to lose tax ratables in the form of buyouts of flood prone properties by FEMA, New Jersey DEP Blue Acres and the Morris County Open Space Preservation Trust. On one hand we are thankful that these agencies are able to help the residents affected by flooding and especially thankful we have been able to do it with

minimal cost to the borough. On the other hand, however, the remaining residents in our community are faced with the burden of absorbing a larger share of taxes due to the loss of these ratables.

All of which leaves us with development. I think it is important to mention that my comments 10 years ago echoed those of Mayor Michael Harrigan who originally made the "taxes, flooding, development" statement nearly 20 years before me. I say it's important to note, as it is imperative to realize that the issues surrounding development are not a new one in Lincoln Park at all. Development has not been brought to the forefront just now. It has always been here. It is not on our minds solely because a proposal has been made. Your elected officials, town professionals and volunteer land use board appointees deal with this issue with as much effort and attention as flooding and taxes...and they always have. It is also important to note that development is not just "should we build this?" or "shouldn't we build this?". Issues regarding planning, residential development, commercial development, Council on Affordable Housing requirements, residential and commercial tax appeals, upgrades to aging infrastructure such as water mains, sewer lines and storm drains and of course, the aforementioned loss of homes through flood buyouts are all part of the equation regarding development and why the solution is so much more involved than "should we or shouldn't we?". In fact, just saying unequivocally "NO" to development is just as irresponsible as thoughtlessly saying "YES". Development is part of growth. The antonym of growth is decay. We, and not just the people sitting up here, but all of Lincoln Park needs to be acutely aware that if we do not grow, if we do not continue to be a vibrant community, then we risk slipping into decay.

You have elected your town leaders because you trust them. You trust them to make decisions. You trust them to insure the quality of life you are used to. You trust them to make sure Lincoln Park continues to thrive as a community we can be proud of. You trust them to provide services for you. You trust them to keep you and your property safe. You trust them to help raise your children. You trust them to solve problems. Often they have solutions to the problems presented them. Often they ask for professional assistance in solving problems. ALWAYS they listen to what you, the people of town, are saying.

Conversely, some citizens' groups and various social media sites, are in existence to present problems, usually offering no suggestions or solutions other than direct opposition to the issue they want you to be aware of. The irony is that these groups are given just as much, and often more, consideration as everyone else in town. I personally, and I'm fairly certain I speak for the members of the Borough Council, look forward to working with anyone who has an opinion on anything that comes up in town. In my first 10 years of being Mayor and nearly 30 years of community service in this magnificent town, I have met with a great many of you on numerous topics. I have found that when dialog and discussion is geared to solutions and ideas, absent of rumors and untruths, often a mutual solution...a "win/win" if you will...for all involved was the outcome.

The proposed Rehabilitation Zone in our downtown area is one that we have been working on for many years...long before any potential development on any particular piece of property. This is the result of holding many public meetings, focus groups with residents and business owners and with the input of our local planning officials and the New Jersey State Office of Planning. The rationale behind this extensive work is to help make our downtown area a more vibrant and vital part of our community. It will provide a means to help encourage the property owners in the downtown area to make improvements to their investments which will make the area more attractive and aesthetically pleasing to residents, business owners and customers. Improvements in this area of town should help stabilize falling commercial property values. It should create a more pleasing first impression of Lincoln Park to visitors from out of town. This in turn should make Lincoln Park more attractive to people looking for a place to settle and raise a family, and in turn raise residential property values as well. Ideally, even just making our community more attractive to retaining our young people, rather than have them move out of town as they get older or start their own families helps Lincoln Park grow as well.

Lincoln Park has a long history of appropriate planning and zoning in town. It has a long history of making sure that development fits properly in our town. It has a long history of insuring that development looks like it belongs and is not an eyesore. It has a history of making changes to zoning laws when it makes sense or solves a problem. Keep in mind much of our zoning laws go back to the 1950's with some serious changes in the early 1980's. Just like we found in the 80's, planning that is based on situations 35 years earlier may not be in the best interests of the community today. Between 1950 and 1985 there were 2 major floods in town. In the last 10 years we have had over 9 major flooding events. In 1950 we were encouraging people to build in the flat, low lying areas of town. In the last several years we have, or are about to, remove nearly 80 of those homes. Change is not a bad thing...I realize it can be difficult at times, but even difficult doesn't mean bad. I have no doubt in my mind that the officials, professionals and volunteers involved in making these decisions are committed to carrying on the tradition of excellent planning that has occurred in Lincoln Park in the past and will be in the best interests of the community as a whole.

Speaking of Community, there are so many people that add to the value of our community. Here in town hall, our department heads Perry Mayers, Kerry Geisler, Rick Beyer, Sal Marino, Kathy Scrobala, Police Chief Mark West, Court Clerk Patty Fritz, Municipal Clerk Cindi Sloan and all of their dedicated staff and employees give so much of themselves to make this town function at it's best. Our town professionals Paul Darmofalski, Tom Boorady, Chris DiLorenzo, Ken Rush and all of the volunteer members of our various boards and committees watch out of all of us. Fire Chief Joe Fede and EMS Chief Bobby Ward and their great volunteers and the men and women of our police department have protected us throughout the year. All of the civic organizations that we have in town, the Lions Club, the Rotary Club, the American Legion and all of the others always add to the pride in our community. The parent volunteers and coaches of the PAL and the various scouting troops provide a great opportunity to help make our children the best they can be. Our business owners are very generous to our community whether or not they are town residents themselves. As you can see, a lot goes into the makings and the workings of this great community.

Happy New Year to all and I look forward to another year of working for you and with you to continue making Lincoln Park the best community in this great state!

Council President Raymond Kerwin thanked Mr. Jay Webber, Assembly Man from this District and Senator Joe Pennacchio for coming.

At this time, Council President Raymond Kerwin called on Sister Ellen Byrnes, St. Joseph's Church for the Invocation.

Let us pray. God our Father, God our creator, guide us all into being. We ask that you watch over and protect our wonderful village of Lincoln Park. We ask you to guide the leadership of this Town, help this Council as they make difficult decisions and help them as they work for the citizens of this Town. Let them not only look to what is good for all, but for what is also good for the poor and the needy. Lord, as we start this New Year, help them with all the difficult decisions, let them know the blessings of their service and let us all realize that we live and breathe for the greatness of who you are. And we lift up this prayer, trusting in your ever presence, watching and caring and moving and shaping all of us. And we pray this in God's name, Amen.

V. COUNCIL PRESIDENT'S REMARKS:

Council President Raymond Kerwin thanked the members of the Council for re-electing him as Council President. He will endeavor to do the best job that he possibly can with their cooperation.

Councilman Robert Cardillo wished everyone a Happy and Healthy New year. He thanked everyone for all that they do. He is looking forward to working with the Borough and the Residents.

Councilman Gary Gemian wished everyone a Happy and Healthy New Year. He acknowledged Mayor Runfeldt's opening statements and asked that everyone keep the State of the Borough address in mind as we face issues in our Community.

Councilwoman Ann Thompson wished everyone a Happy, Healthy and Prosperous New Year. Like always her phone is always on and her door is always open for anyone who has any concerns.

Councilman Dan Moeller wished everyone a Happy New Year and stated that he looks forward to working with everyone.

Councilwoman Ellen Ross was absent.

Councilman Wild wished everyone a Happy and Healthy New Year and looks forward to working with everyone.

VI. RESOLUTIONS: CONSENT AGENDA

Kerwin: Resolutions Consent Agenda R16-1 through R16-9
 Thompson: So Moved
 Wild: Second

Kerwin: Please call the Roll.

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

RESOLUTION R16-1

BE IT RESOLVED, by the Governing Body of the Borough of Lincoln Park, that the first Monday of each month shall be designated as **WORK MEETINGS OF THE GOVERNING BODY** and the third Monday of each month shall be designated as **REGULAR MEETINGS OF THE GOVERNING BODY**, said meetings to be held in the Council Chambers of the Municipal Building, 34 Chapel Hill Road, Lincoln Park, New Jersey, and to commence at 7:30 pm. Prevailing time for the year 2016;

BE IT FURTHER RESOLVED, that should a **WORK MEETING** or **REGULAR MEETING** date fall on a holiday, the **WORK MEETING** or **REGULAR MEETING** will be held the following **TUESDAY**;

BE IT FURTHER RESOLVED, there shall be a - **SUMMER SCHEDULE** – for July and August there will be one **REGULAR MEETING** only; and

BE IT FURTHER RESOLVED, there shall be a **PUBLIC HEARING** at all **WORK MEETINGS** as well as at all **REGULAR MEETINGS**.

2016 Lincoln Park Borough Council Meetings

WORK MEETINGS	REGULAR MEETINGS
January, 4 Org. Meeting & Work Meeting	January, 19 Regular Meeting – Tuesday
February, 1 Work Meeting	February, 16 Regular Meeting – Tuesday
March, 7 Work Meeting	March, 21 Regular Meeting
April, 4 Work Meeting	April, 18 Regular Meeting
May, 2 Work Meeting	May, 16 Regular Meeting
June, 6 Work Meeting	June, 20 Regular Meeting
Summer schedule no work meeting	July 18, Regular Meeting
Summer schedule no work meeting	August, 15 Regular Meeting
September, 6 Work Meeting Tuesday	September, 19 Regular Meeting
October, 3 Work Meeting	October 17, Regular Meeting
November, 7 Work Meeting	November 21, Regular Meeting
December, 5 Work Meeting	December 19, Regular Meeting

RESOLUTION R16-2

RESOLUTION OF THE BOROUGH OF LINCOLN PARK, COUNTY OF MORRIS, STATE OF NEW JERSEY, AUTHORIZING THE BOROUGH ADMINISTRATOR TO REINSTATE AND MAINTAIN VARIOUS PETTY CASH FUNDS (AS LISTED BELOW) TO FACILITATE "CHANGE FUNDS" AND REQUIRED PETTY CASH REIMBURSEMENTS FOR VARIOUS MINOR EXPENDITURES MADE BY BOROUGH EMPLOYEES

WHEREAS, N.J.S.A. 40A:5-21 authorizes the establishment of a Petty Cash and Change Funds; and

WHEREAS, it is necessary from time to time to allow the availability of cash funds for immediate unforeseen minor cash expenditures no greater than \$25.00 each as follows:

<u>CHANGE FUND</u>	<u>AMOUNT</u>
Tax Collector	\$350.00
Municipal Court	\$400.00
Health Department/Registrar	\$100.00
Municipal Clerk	\$100.00
Water Department	\$250.00
Recreation Department	\$100.00

<u>PETTY CASH FUNDS</u>	<u>AMOUNT</u>
Police Department	\$100.00
Finance Department	\$200.00
Department of Public Works	\$200.00

WHEREAS, the custodian for these Petty Cash Funds are as follows:

Police Department	Chief Mark West
Finance Department	Kerry Geisler, CFO
Department of Public Works	Rick Beyer, Director

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Lincoln Park, County of Morris, State of New Jersey, that a reimbursable aforementioned impress funds aggregate of \$1,800.00 be re-established for 2016;

BE IT FURTHER RESOLVED, that the Borough of Lincoln Park hereby authorizes such action and that two (2) copies of this Resolution be filed with the Division of Local Government Services, New Jersey, Department of Community Affairs;

BE IT FURTHER RESOLVED, that said Petty Cash Funds are to be returned to the Borough's General Fund no later than December 31st each year.

RESOLUTION R16-3

WHEREAS, taxes are payable in quarterly installments on **FEBRUARY 1, MAY 1, AUGUST 1** and **NOVEMBER 1** in each year and installments become delinquent if not paid on or before these dates;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Lincoln Park, that the interest to be charged a delinquent taxpayer for the non-payment of real property taxes or assessments shall be in the sum of **8%** per annum on the first \$1,500.00 of delinquency and **18%** per annum on any payment in excess of \$1,500.00;

BE IT FURTHER RESOLVED, that the Governing Body shall provide a grace period of ten (10) days within which an installment of taxes may be received without additional charge of interest from the due date;

BE IT FURTHER RESOLVED, that New Jersey Statute **N.J.S.A. 54:4-67** has been amended to define the new tax delinquency;

BE IT FURTHER RESOLVED, by the Governing Body of the Borough of Lincoln Park, that the interest to be charged a delinquent taxpayer for non-payment of real property taxes shall be an additional penalty of **6%** of the amount of delinquency in excess of \$10,000.00 at the end of a calendar year;

BE IT FURTHER RESOLVED that this delinquency now is to be calculated on the sum of all taxes from year to year and not to be calculated on an individual yearly basis.

RESOLUTION R16-04

WHEREAS, N.J.S. 40A:4-19 provides that where any contract, commitment or payments are to be made prior to the final adoption of the 2016 budget, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided, and

WHEREAS, the date of this resolution is within the first 30 days of the fiscal year, and

WHEREAS, the total appropriations in the 2015 Current Fund budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement and public assistance in said budget is the sum of \$15,332,341.00, and

WHEREAS, the total appropriations in the 2015 Water Utility budget, exclusive of any appropriations made for interest and debt redemption charges and capital improvement in said budget is the sum of \$2,276,310.00, and

WHEREAS, 26.25% of the total appropriations in the 2015 Current Fund budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement and public assistance in said budget is the sum of \$4,024,739.00, and

WHEREAS, 26.25% of the total appropriations in the 2015 Water Utility budget, exclusive of any appropriations made for interest and debt redemption charges and capital improvement in said budget is the sum of \$597,531.00,

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Lincoln Park, County of Morris and State of New Jersey, that the following appropriations be made and a certified copy of this resolution be transmitted to the Chief Finance Officer for the record:

CURRENT FUND – TEMPORARY APPROPRIATIONS – 2016

	Salaries & Wages	Other Expenses
Administrative & Executive	30,000.00	25,000.00
Financial Administration	20,900.00	7,500.00
Tax Assessment	32,000.00	10,000.00
Tax Collection	19,025.00	1,000.00
Legal Services		35,000.00
Engineering Services		10,000.00
Borough Clerk's Office	30,500.00	6,000.00
Public Buildings & Grounds		100,000.00
Planning Department	20,000.00	1,000.00
Planning Board	2,000.00	4,500.00
Board of Adjustment	1,625.00	2,000.00
Group Insurance Plan		425,000.00
Other Insurance		200,000.00
Aid to Fire Department		20,000.00
Police Department	800,290.00	75,000.00
Police Radio		8,000.00
First Aid Organization		7,000.00
Emergency Management		2,500.00
Fair Housing		100.00
Streets and Roads	245,000.00	50,000.00
Street Lighting		15,000.00
Street Signs		500.00
Sewer System		5,000.00
Board of Health	44,500.00	7,750.00
Garbage and Trash	20,000.00	150,000.00
Dog Regulation		7,000.00
Public Assistance		0.00
Parks and Playgrounds	30,000.00	15,000.00
Municipal Lake		5,000.00
Celebration of Public Events		0.00
Aid to Museum		0.00
Senior Citizen Transportation		0.00
Building Inspection	34,000.00	2,000.00
Plumbing Inspection		500.00
Electric Inspection		500.00
Capital Improvement Fund		0.00
Motor Fuel		45,000.00
NJ Bureau of Fire Safety	2,500.00	500.00
Condominium Reimbursement		7,500.00
Statutory Expenditures		808,049.00
Municipal Court	30,000.00	2,500.00
Single Audit Act		5,000.00
TBSA		475,000.00
Debt Service		2,146,991.00
Maintenance of Library		120,000.00
Public Defender	1,000.00	
TOTAL	1,363,340.00	4,808,390.00
Debt Service	2,146,991.00	
Salary & Wages/Other Expenses	4,024,739.00	
Grand Total	6,171,730.00	

WATER UTILITY – TEMPORARY APPROPRIATIONS – 2016

	Salaries & Wages	Other Expenses
--	------------------	----------------

Water Utility	150,000.00	385,710.00
Statutory Expenditures		61,821.00
Debt Service		199,800.00
Capital Improvement Fund		
TOTAL	150,000.00	557,931.00
Debt Service		199,800.00
Salary & Wages/Other Expenses		597,531.00
Grand Total		797,331.00

RESOLUTION R16-5

BE IT RESOLVED by the Governing Body of the Borough of Lincoln Park, that the Official Depositories of the municipalities for the year 2016 be designated as follows:

- BANK OF AMERICA**
- CAPITAL ONE BANK**
- STATE OF NEW JERSEY CASH MANAGEMENT FUND**
- VALLEY NATIONAL BANK**
- P.N.C. BANK**
- JP MORGAN CHASE**
- BOILING SPRINGS BANK**
- LINCOLN PARK SAVINGS BANK**

WHEREAS, it is in the best interest of the Borough of Lincoln Park to earn additional revenues through the investment and prudent management of its cash receipts; and

WHEREAS, P.L. 1983, CHAPTER 8, approved January 18, 1993, is an Act concerning the Local Fiscal Affairs Law and amends **N.J.S.A. 40A:5-2** and **N.J.S.A. 40A:5-14**; and

WHEREAS, this law requires that each local unit shall Adopt a **CASH MANAGEMENT PLAN**;

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Lincoln Park hereby authorizes that the following shall constitute the **CASH MANAGEMENT PLAN** for the Borough of Lincoln Park and the Chief Financial Officer shall deposit and manage its funds pursuant to this plan **Definitions**:

1. Chief Financial Officer means the Official appointed pursuant to **N.J.S.A. 40A:9-140-1**, responsible for the proper financial administration of the Borough of Lincoln Park.
2. Fiscal Year shall mean the twelve-month period ending December thirty-one.
3. **CASH MANAGEMENT PLAN** shall mean the Plan as pursuant to **N.J.S.A. 40A:5-14**.

Designation of Depositories:

At least once each fiscal year, the Governing Body shall by Resolution, designate the depositories for the Borough of Lincoln Park in accordance with **N.J.S.A. 40A:5-14**. The depositories designated by Resolution R16-05 for 2016 are:

- BANK OF AMERICA**
- CAPITAL ONE BANK**
- STATE OF NEW JERSEY CASH MANAGEMENT FUND**
- VALLEY NATIONAL BANK**
- P.N.C. BANK**
- JP MORGAN CHASE**
- BOILING SPRINGS BANK**
- LINCOLN PARK SAVINGS BANK**

Audit Requirements:

The **CASH MANAGEMENT PLAN** shall be subject to the Annual Audit conducted pursuant to **N.J.S.A. 40A:5-4**.

Authority to make Deposits:

The Governing Body shall pass a Resolution at its first meeting of the fiscal year designating the Borough Chief Financial Officer as the official who shall make and be responsible for municipal deposits.

Records and Reports:

1. The Chief Financial Officer shall report all investment deposits made in accordance with **N.J.S.A. 40A:5-14**.
2. At a minimum, the Chief Financial Officer shall:
 - a. Keep a record of all investments

- b. Keep a cash portion record which reveals, on a daily basis, the status of cash balances.
- c. Report monthly to the Governing Body as to the status of cash balances in banks, revenue collection and interest earned.

Cash Flow:

- 1. The Chief Financial Officer shall ensure that the accounting system provides regular information concerning the cash portion and investment performances.
- 2. All monies shall be turned over to the Chief Financial Officer and deposited in accordance with **N.J.S.A. 40A:5-15**.
- 3. The Chief Financial Officer is authorized and directed to invest surplus funds of the Borough as the availability of the funds permit in interest-bearing accounts and the State of New Jersey Cash Management Fund **CASH MANAGEMENT PLAN**. In addition, it shall be the responsibility of the Chief Financial Officer to minimize the possibility of idle cash by depositing the monies in interest bearing accounts in accordance with the **CASH MANAGEMENT PLAN**.

RESOLUTION R16-6

BE IT RESOLVED, by the Governing Body of the Borough of Lincoln Park, that the **DAILY RECORD** be designated as the Official Newspaper and designating the **SUBURBAN TRENDS** as the Alternate Official Newspaper of the Borough for the year 2016.

RESOLUTION R16-7

WHEREAS, N.J.S.A. 10:4-6, et seq., requires that the Governing Body of the Borough of Lincoln Park designate two (2) newspapers to receive notices of its meetings;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Lincoln Park, that the **DAILY RECORD** and the **SUBURBAN TRENDS** be designated as the newspapers to receive notices required by the **OPEN PUBLIC MEETINGS ACT** for 2016.

RESOLUTION R16-8

BE IT RESOLVED by the Governing Body of the Borough of Lincoln Park, that the **OUTSIDE CONTRACTOR'S RATE** for the **LINCOLN PARK POLICE DEPARTMENT** shall be at the rate of \$100.00 per hour (\$85.00 plus \$15.00 Administrative Costs), effective January 1, 2016 and terminating December 31, 2015.

RESOLUTION R16-9

BE IT RESOLVED by the Governing Body of the Borough of Lincoln Park, that pursuant to **N.J.S.A. 40A:5-17.1**, the **TAX COLLECTOR** be forgiven the collection or refund of taxes of any amount \$5.00 or less for the year 2016.

VII. MAYOR'S APPOINTMENTS:

A. WITHOUT ADVICE AND CONSENT:

- Planning Board Member Class II (1 year term) Sal Marino
- Planning Board Member Class IV (4 year term) Kevin Lancaster
- Planning Board Member Class III (1 year term) Jim Wild
- Planning Board Member Class IV (2 year term) Joshua Kaufman
- Planning Board Member Alt #1 (1 year term) Jonathan Ferrero
- Planning Board Member Alt #2 (vacancy)

B. WITH ADVICE AND CONSENT:

- Borough Attorney – DiLorenzo and Rush – (1 year term)
- Library Board Member – Lynn English (5 year term)
- Municipal Prosecutor – Kim Kassar – (1 year term)
- Green Team Members – Perry Mayers, Kathleen Skrobala, Rick Beyer, Janet Cassidy, Mark West and Dina Valente (1 year term)

VIII. CONFIRMATION OF MAYORS APPOINTMENTS:

- R16-10 Authorize Professional Services Contract – Borough Attorney-DiLorenzo/Rush**
- 11 Authorize Appointment of Municipal Prosecutor-Kassar**
- 12 Authorize Appointment of Alternate Prosecutors**
- 13 Authorize Appointment of Green Team Members – Perry Mayers, Kathleen Skrobala, Rick Beyer, Janet Cassidy, Mark West, and Dina Valente-Stole**
- 14 Authorize Appointment of Library Board Member – Lynn English**

RESOLUTION R16-10

AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT TO Di LORENZO AND RUSH TO PROVIDE LEGAL SERVICES AS MUNICIPAL ATTORNEYS

WHEREAS, there exists a need for the Professional Services of a **MUNICIPAL ATTORNEY** for the Borough of Lincoln Park, in the County of Morris, State of New Jersey, for the 2016 fiscal year, in accordance with the “Local Public Contracts Law” (N.J.S.A. 40A:11-1 et seq.) as a Non-Fair and Open contract, pursuant to the provisions of N.J.S.A. 19:44A-20.4 and/or N.J.S.A. 19:44-20.5; and

WHEREAS, Perry Mayers, Qualified Purchasing Agent for the Borough of Lincoln Park has determined that the value of the service may exceed \$17,500.00; and

WHEREAS, DiLORENZO AND RUSH, LLC, One University Plaza, Suite 210, Hackensack, NJ 07601 has submitted a proposal to provide Legal services for a contract term of one (1) year, expiring December 31, 2016, at the hourly billing rates of: \$125.00 per hour for the Attorneys; \$75 per hour for paralegals/legal assistants; flat fee of \$250 per Council Meeting; and

WHEREAS, DiLORENZO AND RUSH, LLC has more than 10 years of experience in Municipal Legal advisement and has successfully provided reliable, professional legal services to the Borough of Lincoln Park for two years; and

WHEREAS, the Borough Council finds and concludes that it would be in the best interest of the Borough of Lincoln Park to enter into a professional services contract with **DiLORENZO AND RUSH, LLC** based upon **DiLORENZO AND RUSH, LLC** expertise in municipal legal services, extensive legal experience, and competitive cost proposal; and

WHEREAS, DiLORENZO AND RUSH, LLC has completed and submitted a Political Contribution Disclosure Form, Stockholder Disclosure Certification, and Business Entity Disclosure Certification which certifies that **DiLORENZO AND RUSH, LLC** has not made any reportable contributions to any candidate committee, joint candidates committee, or political party committee representing the elected officials of the Borough of Lincoln Park in the previous one year period, pursuant to P.L. 2004, Chapter 19 (as amended by P.L. 2005, c.51), N.J.S.A. 19:44A-20.4 et seq., and/or Lincoln Park Borough Ordinance 9-15, and that the contract will prohibit **DiLORENZO AND RUSH, LLC** from making any such reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer of the Borough of Lincoln Park has certified, in accordance with N.J.A.C. 5:30(a)(1), that sufficient funds will be available for said purpose in the 2016 budget; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the Resolution authorizing the award of contracts for “Professional Services” without competitive bids, and the contract itself, must be available for public inspection;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Lincoln Park authorizes and directs that the Mayor, Borough Administrator, and/or Purchasing Agent enter into a professional services contract with **DiLORENZO AND RUSH, LLC** as described herein and at a cost not to exceed \$75,000;

BE IT FURTHER RESOLVED that this contract is awarded without competitive bidding as a “Professional Service” in accordance with N.J.S.A. 40A:11-5(1) (a) of the Local Public Contracts Law because the contract is for a service performed by a person(s) authorized by law to practice a recognized profession that is regulated by law;

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this Resolution;

BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized and directed to cause notice to be published in the official newspaper of the Borough of Lincoln Park stating the nature, duration, service, and amount of the contract and that the resolution and contract are on file and are available for public inspection in the Office of the Borough Clerk..

RESOLUTION R16-11

BE IT RESOLVED by the Governing Body of the Borough of Lincoln Park, that the Mayor's appointment of **CAMILLE ("KIM") JOSEPH KASSAR** as the Borough's **MUNICIPAL PROSECUTOR** for a term of one (1) year is hereby confirmed.

RESOLUTION R16-12

BE IT RESOLVED by the Governing Body of the Borough of Lincoln Park, that all **MUNICIPAL PROSECUTORS** in the County of Morris are hereby appointed **ALTERNATES** in the event the Borough's Primary Municipal Prosecutor is unavailable for a case for the year 2015.

RESOLUTION R16-13

**ESTABLISHING A GREEN TEAM
ADVISORY COMMITTEE**

WHEREAS, the Governing Body of the Borough of Lincoln Park strives to save tax dollars, assure clean air and water, improve working and living environments to build a community that is sustainable economically, environmentally and socially; a community which would thrive well into the new century; and

WHEREAS, the Governing Body of the Borough of Lincoln Park wishes to build a model of government which benefits our residents now and far into the future with green community initiatives which are easy to replicate and affordable to implement; and

WHEREAS, in an attempt to focus attention on "Green" issues, the Governing Body wishes to establish a Green Team Advisory Committee (GTA); and

WHEREAS, solar power, changes to fleet purchasing and maintenance, water quality improvements, and operational changes will all be considered as the Borough's move to do their share to lessen the environmental impact of its operations;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Lincoln Park that we do hereby establish a Green Team Advisory Committee consisting of three members who shall be residents or employees of the Borough of Lincoln Park, appointed annually but whose initial term of appointment shall be through December 31, 2016;

BE IT FURTHER RESOLVED, by the Governing Body of the Borough of Lincoln Park that the Mission, Goals and Objectives for the GTA through December 31, 2016 are established as follows:

Mission:

The Borough of Lincoln Park's Green Team Advisory Committee will advise the Governing Body on ways to improve municipal operations with "Green" initiatives which are economically and environmentally sound through research and evaluation.

Goals:

Submit a report and recommendations to the Borough Council by October 1, 2016 to include:

1. Complete an Environmental Resource Inventory.
2. Increase purchases of products with recycled material.
3. Create a Green Team web link and post a periodic updates/news/info on Borough website.

Objectives:

1. Buy paper that is 100% recycled for all offices.
2. Increase purchase of office supplies made with recycled content
3. Research and analyze green initiatives which make practical environmental and financial sense.
4. Appoint strong team members representing municipal staff, elected officials, citizen leaders and, community organizations/businesses.

BE IT FURTHER RESOLVED by the Governing Body of the Borough of Lincoln Park that the following persons are hereby appointed to the GTA for the year 2016:

Perry Mayers – Borough Administrator
Kathleen Skrobala – Public Health Officer
Rick Beyer –DPW Superintendent
Janet Cassidy – Recreation Director
Mark West – Chief of Police
Dina Valente – LP BOE Member

RESOLUTION R16-14

BE IT RESOLVED by the Governing Body of the Borough of Lincoln Park that **LYNN ENGLISH** be re-appointed as Library Trustee to the **Lincoln Park Library Board** for a term of five (5) years.

Kerwin: Confirmation of Mayors Appointments: Regular Agenda R16-10 through R16-14

Thompson: So Moved
Gemian: Second

Kerwin: Please call the Roll.

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

IX. COUNCIL APPOINTMENTS

CONSENT:

- R16-15 Authorize Professional Services Contract – Borough Auditor –Ferraioli, Cerullo & Cuva, P.A.
- 16 Authorize Appointment Zoning Board of Adjustment Members – Bracchitta, Erickson, Foreman, and Dubowsky
- 17 Authorize Appointment of Council Liaison – Health/Public Works
- 18 Authorize Appointment of Council Liaison – Recreation Department
- 19 Authorize Appointment of Council Liaison – First Aid Squad
- 20 Authorize Appointment of Council Liaison – Fire/Police Departments
- 21 Authorize Appointment of Council Liaison – Finance Department
- 22 Authorize Council Representative to the MC JIF
- 23 Authorize Appointments of Police Matrons and Crossing Guards
- 24 Authorize Appointment of Public Agency Compliance Office
- 25 Authorize Borough Engineer to Sign CP#1 Forms for year 2016
- 26 Authorize Borough’s Representative to the North Jersey HIF
- 26A Authorize Appointments to MC Joint Insurance Fund
- 27 Authorize Appointments to MC Community Development
- 28 Authorize Tax Collector Hold Tax Lien Sales for 2016
- 29 Authorize Tax Collector Charge Fee for Mailing of Notice of Tax Lien and Replacement of Lost Tax Lien Certificates
- 30 Authorize Appointment of Municipal Public Defender-David Amadio
- 31 Authorize Professional Services Contract -Risk Management Consultant- Insurance Management and Consulting, LLC, DBA IMAC Insurance Agency, LLC
- 32 Authorize 2016 Emergency Management Council Ledger
- 33 Authorize Purchase of 2016 Ad Boonton High School Year Book
- 34 Authorize Mandatory Source Separation and Recycling Act
- 35 Authorize the Bid Threshold and the Appointment of Qualified Purchasing Agent-Perry Mayers

- 36 **Authorize Professional Services Contract – Bond Counsel – DeCotiis, Fitzpatrick & Cole, LLP**
- 37 **Authorize Professional Services Contract – Labor Attorney – DeCotiis, Fitzpatrick & Cole, LLP**
- 38 **Authorize Professional Services Contract – Borough Engineer –Darmofalski Engineering Associates, Inc.**
- 39 **Authorize Assessor to Prosecute, Defend and Settle Tax Appeals**
- 40 **Authorize 2015 County Alliance Steering Subcommittee**
- 41 **Authorize Professional Services Contract - Tax Appeal Attorney – Buzak Law Group, LLC**
- 42 **Authorize Professional Services Contract – Legal Services as Special Counsel in Affordable Housing and Other Matters – Buzak Law Group, LLC**
- 43 **Authorize Contract – IT Service Provider – Quikteks, LLC**
- 44 **Authorize Professional Services Contract - Independent Registered Municipal Advisor of Record and a Continuing Disclosure Agent Service for 2016 – Phoenix Advisors, LLC**
- 45 **Authorize Professional Services Contract – Municipal Redevelopment Attorney – DeCotiis, Fitzpatrick & Cole, LLP**
- 46 **Authorize Professional Services Contract – Water Supply and Wastewater Operator Services – Anderson & Denzler Associates, Inc.**
- 47 **Authorize Professional Services Contract Dental Insurance Broker Services – Insurance Management and consulting, LLC, DBA IMAC Insurance Agency, LLC**

RESOLUTION R16-15

AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT TO FERRAIOLI, WIELKOTZ, CERULLO & CUVA, P.A. TO PROVIDE MUNICIPAL AUDITOR SERVICES

WHEREAS, there exists a need for the Professional Services of a **MUNICIPAL AUDITOR** for the Borough of Lincoln Park, in the County of Morris, State of New Jersey, for the 2016 fiscal year, in accordance with the “Local Public Contracts Law” (N.J.S.A. 40A:11-1 et seq.) as a Non-Fair and Open contract, pursuant to the provisions of N.J.S.A. 19:44A-20.4 and/or N.J.S.A. 19:44-20.5; and

WHEREAS, Perry Mayers, Qualified Purchasing Agent for the Borough of Lincoln Park, has determined that the value of the service may exceed \$17,500.00; and

WHEREAS, **Ferraioli, Wielkatz, Cerullo & Cuva, P.A.**, 401 Wanaque Avenue, Pompton Lakes, NJ 07442 has submitted a proposal to provide Municipal Auditor services for a contract term of one (1) year, expiring December 31, 2016, at the hourly billing rates of: \$150.00 per hour; and

WHEREAS, **Ferraioli, Wielkatz, Cerullo & Cuva, P.A.** has more than 50 years of experience in Municipal Auditing, represents over 50 NJ municipalities and county governments, and has successfully provided expert auditing services to the Borough of Lincoln Park for over fourteen years; and

WHEREAS, the Borough Council finds and concludes that it would be in the best interest of the Borough of Lincoln Park to enter into a professional services contract with **Ferraioli, Wielkatz, Cerullo & Cuva, P.A.** based upon the expertise of **Ferraioli, Wielkatz, Cerullo & Cuva, P.A.** in Municipal Auditing, extensive Municipal Auditing experience, and competitive cost proposal; and

WHEREAS, **Ferraioli, Wielkatz, Cerullo & Cuva, P.A.** has completed and submitted a Political Contribution Disclosure Form, Stockholder Disclosure Certification, and a Business Entity Disclosure Certification which certifies that **Ferraioli, Wielkatz, Cerullo & Cuva, P.A.** has not made any reportable contributions to any candidate committee, joint candidates committee, or political party committee representing the elected officials of the Borough of Lincoln Park in the previous one year period, pursuant to P.L. 2004, Chapter 19 (as amended by P.L. 2005, c.51), N.J.S.A. 19:44A-20.4 et seq., and/or Lincoln Park Borough Ordinance 9-15, and that the contract will prohibit **Ferraioli, Wielkatz, Cerullo & Cuva, P.A.** from making any such reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer of the Borough of Lincoln Park has certified, in accordance with N.J.A.C. 5:30(a)(1), that sufficient funds will be available for said purpose in the 2016 budget; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the Resolution authorizing the award of contracts for "Professional Services" without competitive bids, and the contract itself, must be available for public inspection;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Lincoln Park authorizes and directs that the Mayor, Borough Administrator, and/or Purchasing Agent enter into a professional services contract with **Ferraioli, Wielkocz, Cerullo & Cuva, P.A.** as described herein;

BE IT FURTHER RESOLVED that this contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1) (a) of the Local Public Contracts Law because the contract is for a service performed by a person(s) authorized by law to practice a recognized profession that is regulated by law;

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this Resolution;

BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized and directed to cause notice to be published in the official newspaper of the Borough of Lincoln Park stating the nature, duration, service, and amount of the contract and that the resolution and contract are on file and are available for public inspection in the Office of the Borough Clerk.

RESOLUTION R16-16

BE IT RESOLVED by the Governing Body of the Borough of Lincoln Park that the Council Appointments of **Robert Bracchitta, John Erickson and Kenneth Foreman** as members of the **ZONING BOARD OF ADJUSTMENT** for a term of two (4) years, said terms expiring December 31, 2019, is hereby confirmed.

BE IT FURTHER RESOLVED by the Governing Body of the Borough of Lincoln Park that the Council Re-Appointment of **Bruce Dubowsky** as Alternate #1 member of the Zoning Board of Adjustment is a two year term, expiring 12/31/17.

RESOLUTION R16-17

BE IT RESOLVED by the Governing Body of the Borough of Lincoln Park that **COUNCILMAN DANIEL MOELLER** be appointed Council Liaison to the **HEALTH DEPARTMENT and the DEPARTMENT OF PUBLIC WORKS** for a term of one (1) year.

RESOLUTION R16-18

BE IT RESOLVED by the Governing Body of the Borough of Lincoln Park that **COUNCILMAN ROBERT CARDILLO** be appointed Council Liaison to the **RECREATION ADVISORY BOARD** for a term of one (1) year.

RESOLUTION R16-19

BE IT RESOLVED by the Governing Body of the Borough of Lincoln Park that **COUNCILMAN RAYMOND T. KERWIN** be appointed Council Liaison to the **FIRST AID SQUAD** for a term of one (1) year.

RESOLUTION R16-20

BE IT RESOLVED by the Governing Body of the Borough of Lincoln Park that **COUNCIL WOMAN ANN THOMPSON** be appointed Council Liaison to the **FIRE DEPARTMENT** and **POLICE DEPARTMENT** for a term of one (1) year.

RESOLUTION R16-21

BE IT RESOLVED by the Governing Body of the Borough of Lincoln Park that **COUNCILMAN RAY KERWIN** be appointed Council Liaison to the **FINANCE DEPARTMENT** for a term of one (1) year.

RESOLUTION R-16-22

BE IT RESOLVED by the Governing Body of the Borough of Lincoln Park, that **ELLEN ROSS** be appointed as the Borough's **COUNCIL REPRESENTATIVE** to the **MORRIS COUNTY JOINT INSURANCE FUND**;

RESOLUTION R16-23

BE IT RESOLVED by the Governing Body of the Borough of Lincoln Park that the following persons be appointed **POLICE MATRONS** and **CROSSING GUARDS** for the year 2016 effective immediately:

POLICE MATRONS

Nicole Ruggiero

Nancy Heykoop

Courtney Fitzpatrick

CROSSING GUARDS

Diane Karback

Michelle Herbeck

Elizabeth Wallis

RESOLUTION R16-24

BE IT RESOLVED by the Governing Body of the Borough of Lincoln Park, that **PERRY MAYERS** be appointed **PUBLIC AGENCY COMPLIANCE OFFICER**, for a period of one (1) year, said term expiring December 31, 2016 is hereby confirmed.

RESOLUTION R16-25

WHEREAS, from time to time there are development proposals approved by the Borough of Lincoln Park Planning Board and Zoning Board of Adjustment which include the construction of sanitary sewer extensions; and

WHEREAS, pursuant to the requirements of the New Jersey Department of Environmental Protection application forms (**WQM-003 {CP #1}**), must be submitted for such sanitary sewer extension approvals; and

WHEREAS, such application forms (**WQM-003 {CP #1}**), must be endorsed by Municipal Officials;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Lincoln Park that the Borough of Lincoln Park does and hereby approves the submission of these application forms (**WQM-003 {CP #1}**) for those projects approved by the Borough of Lincoln Park Planning Board and Zoning Board of Adjustment;

BE IT FURTHER RESOLVED that the Borough Engineer of the Borough of Lincoln Park be and is hereby authorized to sign and submit said necessary forms (**WQM-003 {CP #1}**) to the New Jersey Department of Environmental Protection.

RESOLUTION R16-26

BE IT RESOLVED by the Governing Body of the Borough of Lincoln Park, that **DINA VALENTI** be appointed as the Borough's **PRIMARY REPRESENTATIVE** to the **NORTH JERSEY MUNICIPAL EMPLOYEE HEALTH INSURANCE FUND (HIF)**;

BE IT FURTHER RESOLVED that **PERRY MAYERS** be appointed as the Borough's **ALTERNATE REPRESENTATIVE** to the **NORTH JERSEY MUNICIPAL EMPLOYEE HEALTH INSURANCE FUND**.

RESOLUTION R16-26A

BE IT RESOLVED by the Governing Body of the Borough of Lincoln Park, that **PERRY MAYERS** be appointed as the Borough's **PRIMARY REPRESENTATIVE** to the **MORRIS COUNTY JOINT INSURANCE FUND**;

BE IT FURTHER RESOLVED that **DINA VALENTE** be appointed as the Borough's **ALTERNATE REPRESENTATIVE** to the **MORRIS COUNTY JOINT INSURANCE FUND**.

RESOLUTION R16-27

WHEREAS, Mayor David Runfeldt, has appointed **PERRY MAYERS** as the **MAYOR'S APPOINTEE** and **RICK BEYER** as **ALTERNATE** to the **MORRIS COUNTY COMMUNITY DEVELOPMENT PROGRAM** for the calendar year 2016; and

WHEREAS, the Co-operative Agreement By-Laws between the Borough of Lincoln Park and Morris County, provides for an additional appointment to be made by the Council;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Lincoln Park, that **COUNCILWOMAN ELLEN ROSS** is hereby appointed as the Council's Representative to the **MORRIS COUNTY COMMUNITY DEVELOPMENT PROGRAM** for the calendar year 2016.

RESOLUTION R16-28

**AUTHORIZING THE TAX COLLECTOR TO
CONDUCT A TAX LIEN SALE**

WHEREAS, there remains on the records and books of the Borough of Lincoln Park delinquent taxes, water-sewer utility charges, and other municipal charges owing as of December 31, 2013; and

WHEREAS, the Statutes of the State of New Jersey, expressly N.J.S.A. 54:5 et seq., provide for the enforcement and collection of such delinquencies through a tax lien sale; and

WHEREAS, the Tax Collector is empowered by Statute to conduct and preside over the sale of liens;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Lincoln Park, a Municipal corporation of the State of New Jersey that the Borough of Lincoln Park's Tax Collector is authorized to conduct a tax lien sale for 2016 delinquent taxes, utility, and other municipal charges on or before December 31, 2016.

RESOLUTION R16-29

WHEREAS, N.J.S.A. 54:5-26 has been amended, permitting the Tax Collector to give notice of **TAX LIEN** to property owners, by regular or certified mail, with the maximum fee to be charged therefore in the sum of **\$25.00** per mailing/per owner; and

WHEREAS, N.J.S.A. 54:5-21.1 has also been amended, permitting the Tax Collector to charge a fee of **\$100.00** for the replacement of lost **TAX SALE CERTIFICATES**;

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Lincoln Park, that the following charges are hereby authorized and effective and may be charged and collected by the Tax Collector for and during 2016:

Notice of Tax Lien (regular or Certified Mail)	\$25.00 per Mailing/ per owner
Replacement of lost Tax Title Lien Certificate(s)	\$100.00 per Certificate

RESOLUTION R16-30

BE IT RESOLVED by the Governing Body of the Borough of Lincoln Park that the Council Appointment of **DAVID AMADIO** as the Municipal Public Defender for the year 2016, is hereby confirmed.

RESOLUTION R16-31

AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT TO INSURANCE MANAGEMENT AND CONSULTING, LLC DBA IMAC INSURANCE AGENCY, LLC TO PROVIDE RISK MANAGEMENT CONSULTANT SERVICES

WHEREAS, the Borough of Lincoln Park has resolved to join the Morris County Municipal Joint Insurance Fund, following a detailed analysis; and

WHEREAS, the bylaws of said Fund requires that each Governing Body appoint a **RISK MANAGEMENT CONSULTANT** to perform various professional services as detailed in the bylaws; and

WHEREAS, the Board of Fund Commissioners established a fee equal to five percent (6%) of the Municipal assessment which expenditure represents reasonable compensation for the services required and was included in the cost considered by the Governing Body; and

WHEREAS, Insurance Management and Consulting, LLC, DBA IMAC Insurance Agency, LLC, 540 Mill Street, Belleville, NJ 07109 has submitted a proposal to provide Risk Management Consultant Services; and

WHEREAS, Insurance Management and Consulting, LLC, DBA IMAC Insurance Agency, LLC has more than 10 years of experience in Municipal Risk Management Consultant services; and

WHEREAS, the judgmental nature of the Risk Management Consultant's duties renders comparative bidding impractical; and

WHEREAS, N.J.S.A. 40A:11-5 allows for the awarding of Insurance Consultation Services as an Extraordinary Unspecifiable Services as the judgmental nature of the Risk Management Consultant's duties renders competitive bidding impractical; and

WHEREAS, the Borough Council finds and concludes that it would be in the best interest of the Borough of Lincoln Park to enter into a professional services contract with **Insurance Management and Consulting, LLC, DBA IMAC Insurance Agency, LLC** based upon **Insurance Management and Consulting, LLC, DBA IMAC Insurance Agency, LLC's** expertise in Municipal Risk Management;

WHEREAS, Insurance Management and Consulting, LLC, DBA IMAC Insurance Agency, LLC has completed and submitted a Political Contribution Disclosure Form, Stockholder Disclosure Certification, and a Business Entity Disclosure Certification which certifies that **Insurance Management and Consulting, LLC, DBA IMAC Insurance Agency, LLC** has not made any reportable contributions to any candidate committee, joint candidates committee, or political party committee representing the elected officials of the Borough of Lincoln Park in the previous one year period, pursuant to P.L. 2004, Chapter 19 (as amended by P.L. 2005, c.51), N.J.S.A. 19:44A-20.4 et seq., and/or Lincoln Park

Borough Ordinance 9-15, and that the contract will prohibit **Insurance Management and Consulting, LLC, DBA IMAC Insurance Agency, LLC** from making any such reportable contributions through the term of the contract; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the Resolution authorizing the award of contracts without competitive bids, and the contract itself, must be available for public inspection;

NOW THEREFORE, be it resolved that the Governing Body of the Borough of Lincoln Park does hereby appoint **Insurance Management and Consulting, LLC, DBA IMAC Insurance Agency, LLC**, 540 Mill Street, Belleville, NJ 07109 as its Risk Management Consultant in accordance with the Fund's bylaws; and

BE IT FURTHER resolved that the Mayor is hereby authorized and directed to execute the Risk Management Consultant's Agreement annexed hereto and to cause a notice of this decision to be published according to NJSA 40A:11-5.

BE IT FURTHER RESOLVED that this contract is awarded without competitive bidding as a "Extraordinary Unspecifiable Service" in accordance with N.J.S.A. 40A:11-5(1) (a) (ii) of the Local Public Contracts Law;

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this Resolution;

BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized and directed to cause notice to be published in the official newspaper of the Borough of Lincoln Park stating the nature, duration, service, and amount of the contract and that the resolution and contract are on file and are available for public inspection in the Office of the Borough Clerk..

RESOLUTION R16-32

BE IT RESOLVED by the Governing body of the Borough of Lincoln Park, that pursuant to **PUBLIC LAW #438**, the below list of appointments to the **EMERGENCY MANAGEMENT COMMITTEE LEDGER 2014** is hereby approved.

EMERGENCY MANAGEMENT COUNCIL ROSTER

Jurisdiction: BOROUGH OF LINCOLN PARK County: MORRIS

NAME	WORKING TITLE	1	2	3
David Runfeldt	Emergency Management Coord.	X		
Michael Runfeldt	Dep. EMC/DPW/CERT Co-Manager		X	
	Training Officer		X	
Sal Marino	Operations Officer			X
Rick Beyer	Logistics Officer/DPW		X	
Kerry Geisler	Finance Officer		X	
Mark West	Police Chief		X	
George Morere	Fire Director			X
Donna Ransom-Moeller	LPEMS			X
Christine Cusick	Shelter Director			X
Kevin Reardon	Deputy Shelter Director			X
Kathy Skrobala	Health Officer		X	
Dina Valente	OEM Secretary/Utilities Liason		X	
Kevin McNeil	RACES Radio Operator			X
Joe Fede	Fire Chief			X
Mark West	Communications		X	
David Runfeldt	Mayor	X		
James Wild	Council Member	X		
Chris Dilorenzo	Borough Attorney		X	
James Grube	Board of Education			X
	Volunteer/Emergency Hotline Coordinator			X
Perry Mayers	Public Information Officer		X	

1. Elected Officials
2. Borough Employees
3. Emergency Management Volunteers

RESOLUTION R16-33

BE IT RESOLVED by the Governing Body of the Borough of Lincoln Park, that the sum of **\$100.00 Dollars** is hereby authorized to be expended for a full page ad in the **BOONTON HIGH SCHOOL YEAR BOOK**.

RESOLUTION R16-34

WHEREAS, MANDATORY SOURCE SEPARATION AND RECYCLING ACT, P.L. 1987, C.102, has established a Recycling Fund from which a tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and spirit of the **MANDATORY SOURCE SEPARATION AND RECYCLING ACT** to use the tonnage grants to develop new Municipal recycling programs and to continue and expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the **MANDATORY SOURCE SEPARATION AND RECYCLING ACT**; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a Resolution authorizing this municipality to apply for such tonnage grants for 2015 will memorialize the commitment of this municipality to recycling and to indicate the assent of the **BOROUGH OF LINCOLN PARK** to the efforts undertaken by the municipality and the requirements contained in the **RECYCLING ACT** and **RECYCLING REGULATIONS**; and

WHEREAS, such a Resolution should designate the individual authorized to ensure the application is properly completed and timely filed;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Lincoln Park of Morris County that the Borough of Lincoln Park hereby endorses the submission of the **RECYCLING TONNAGE GRANT APPLICATION** to the New Jersey Department of Environmental Protection and designates **KEVIN A. MACKEY** to ensure that the application is properly filed;

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be solely for the purposes of recycling.

RESOLUTION R16-35

RESOLUTION TO AUTHORIZE THE BID THRESHOLD AND APPOINT A QUALIFIED PURCHASING AGENT

WHEREAS, the recent changes to the Local Public Contracts Law gave local contracting units the ability to increase their bid threshold up to \$38,000.00; and

WHEREAS, **N.J.S.A. 40A:11-3a**, permits an increase in the bid threshold if a Qualified Purchasing Agent is appointed as well as granted the authorization to negotiate and award such contracts below the bid threshold; and

WHEREAS, **N.J.A.C. 5:34-5 et seq.**, establishes the criteria for qualifying as a Qualified Purchasing Agent; and

WHEREAS, **PERRY MAYERS** possesses the designation of Qualified Purchasing Agent as issued by the Director of the Division of Local Government Services in accordance with **N.J.A.C. 5:34-5 et seq.**;

WHEREAS, the Borough of Lincoln Park desires to take advantage of the increased bid threshold;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Lincoln Park, in the County of Morris, in the State of New Jersey, hereby increases its bid threshold to \$38,000.00;

BE IT FURTHER RESOLVED that the Governing Body of the Borough of Lincoln Park hereby appoints **PERRY MAYERS** as the **QUALIFIED PURCHASING AGENT** to exercise the duties of a **PURCHASING AGENT** pursuant to **N.J.S.A. 40A:11-2(30)**, with specific relevance to the authority, responsibility, and accountability of the purchasing activity of the contracting unit;

BE IT FURTHER RESOLVED, that in accordance with **N.J.A.C. 5:34-5.2**, the local unit Clerk is hereby authorized and directed to forward a Certified copy of this Resolution and a copy of **PERRY MAYERS** Certification to the Director of the Division of Local Government Services.

RESOLUTION R16-36

AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT TO DeCOTIIS, FITZPATRICK, and COLE, LLP TO PROVIDE LEGAL SERVICES AS MUNICIPAL BONDING ATTORNEY

WHEREAS, there exists a need for the Professional Services of a **MUNICIPAL BONDING ATTORNEY** for the Borough of Lincoln Park, in the County of Morris, State of New Jersey, for the 2016 fiscal year, in accordance with the "Local Public Contracts Law" (N.J.S.A. 40A:11-1 et seq.) as a Non-Fair and Open contract, pursuant to the provisions of N.J.S.A. 19:44A-20.4 and/or N.J.S.A. 19:44-20.5; and

WHEREAS, Perry Mayers, Qualified Purchasing Agent for the Borough of Lincoln Park has determined that the value of the service may exceed \$17,500.00; and

WHEREAS, **DeCotiis, Fitzpatrick and Cole, LLP** Glenpointe Centre West, 500 Frank W. Burr Blvd., Teaneck, NJ 07666 has submitted a proposal to provide Legal services for a contract term of one (1) year, expiring December 31, 2016, at the hourly billing rates of: \$150.00 per hour for the Attorneys; \$75 per hour for paralegals/legal assistants; and

WHEREAS, DeCotiis, Fitzpatrick and Cole, LLP was established in 1986 and has more than 20 years of experience in municipal finance advisement and has provided Bonding Attorney services to the Borough of Lincoln Park for more than two years; and

WHEREAS, the Borough Council finds and concludes that it would be in the best interest of the Borough of Lincoln Park to enter into a professional services contract with **DeCotiis, Fitzpatrick and Cole, LLP** based upon the vast municipal finance experience of **DeCotiis, Fitzpatrick and Cole, LLP**, as well as their expertise in general municipal matters and competitive cost proposal; and

WHEREAS, DeCotiis, Fitzpatrick and Cole, LLP has completed and submitted a Political Contribution Disclosure Form, Stockholder Disclosure Certification, and a Business Entity Disclosure Certification which certifies that **DeCotiis, Fitzpatrick and Cole, LLP** has not made any reportable contributions to any candidate committee, joint candidates committee, or political party committee representing the elected officials of the Borough of Lincoln Park in the previous one year period, pursuant to P.L. 2004, Chapter 19 (as amended by P.L. 2005, c.51), N.J.S.A. 19:44A-20.4 et seq., and/or Lincoln Park Borough Ordinance 9-15, and that the contract will prohibit **DeCotiis, Fitzpatrick and Cole, LLP** from making any such reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer of the Borough of Lincoln Park has certified, in accordance with N.J.A.C. 5:30(a)(1), that sufficient funds will be available for said purpose in the 2016 budget; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the Resolution authorizing the award of contracts for "Professional Services" without competitive bids, and the contract itself, must be available for public inspection;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Lincoln Park authorizes and directs that the Mayor, Borough Administrator, and/or Purchasing Agent enter into a professional services contract with **DeCotiis, Fitzpatrick and Cole, LLP** as described herein;

BE IT FURTHER RESOLVED that this contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1) (a) of the Local Public Contracts Law because the contract is for a service performed by a person(s) authorized by law to practice a recognized profession that is regulated by law;

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this Resolution;

BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized and directed to cause notice to be published in the official newspaper of the Borough of Lincoln Park stating the nature, duration, service, and amount of the contract and that the resolution and contract are on file and are available for public inspection in the Office of the Borough Clerk..

RESOLUTION R16-37

AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT TO DeCOTIIS, FITZPATRICK, and COLE, LLP TO PROVIDE LEGAL SERVICES AS MUNICIPAL LABOR ATTORNEY

WHEREAS, there exists a need for the Professional Services of a **MUNICIPAL LABOR ATTORNEY** for the Borough of Lincoln Park, in the County of Morris, State of New Jersey, for the 2016 fiscal year, in accordance with the "Local Public Contracts Law" (N.J.S.A. 40A:11-1 et seq.) as a Non-Fair and Open contract, pursuant to the provisions of N.J.S.A. 19:44A-20.4 and/or N.J.S.A. 19:44-20.5; and

WHEREAS, Perry Mayers, Qualified Purchasing Agent for the Borough of Lincoln Park, has determined that the value of the service may exceed \$17,500.00; and

WHEREAS, DeCotiis, Fitzpatrick and Cole, LLP Glenpointe Centre West, 500 Frank W. Burr Blvd., Teaneck, NJ 07666 has submitted a proposal to provide Legal services for a contract term of one (1) year, expiring December 31, 2016, at the hourly billing rates of: \$150.00 per hour for the Attorneys; \$75 per hour for paralegals/legal assistants; and

WHEREAS, DeCotiis, Fitzpatrick and Cole, LLP was established in 1986 and has more than 25 years of extensive experience in the area of governmental contract negotiations and litigation and has successfully provided expert labor related legal services to the Borough of Lincoln Park for two years; and

WHEREAS, the Borough Council finds and concludes that it would be in the best interest of the Borough of Lincoln Park to enter into a professional services contract with **DeCotiis, Fitzpatrick and Cole, LLP** based upon the extensive experience of **DeCotiis, Fitzpatrick and Cole, LLP** as well as their expertise in contract negotiations and labor relations, and competitive cost proposal; and

WHEREAS, DeCotiis, Fitzpatrick and Cole, LLP has completed and submitted a Political Contribution Disclosure Form, Stockholder Disclosure Certification, and a Business Entity Disclosure Certification which certifies that **DeCotiis, Fitzpatrick and Cole, LLP** has not made any reportable contributions to any candidate committee, joint candidates committee, or political party committee representing the elected officials of the Borough of Lincoln Park in the previous one year period, pursuant to P.L. 2004, Chapter 19 (as amended by P.L. 2005, c.51), N.J.S.A. 19:44A-20.4 et seq., and/or Lincoln Park Borough Ordinance 9-15, and that the contract will prohibit **DeCotiis, Fitzpatrick and Cole, LLP** from making any such reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer of the Borough of Lincoln Park has certified, in accordance with N.J.A.C. 5:30(a)(1), that sufficient funds will be available for said purpose in the 2016 budget; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the Resolution authorizing the award of contracts for "Professional Services" without competitive bids, and the contract itself, must be available for public inspection;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Lincoln Park authorizes and directs that the Mayor, Borough Administrator, and/or Purchasing Agent enter into a professional services contract with **DeCotiis, Fitzpatrick and Cole, LLP** as described herein and at a cost not to exceed \$35,000;

BE IT FURTHER RESOLVED that this contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1) (a) of the Local Public Contracts Law because the contract is for a service performed by a person(s) authorized by law to practice a recognized profession that is regulated by law;

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this Resolution;

BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized and directed to cause notice to be published in the official newspaper of the Borough of Lincoln Park stating the nature, duration, service, and amount of the contract and that the resolution and contract are on file and are available for public inspection in the Office of the Borough Clerk.

RESOLUTION R 16-38

AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT TO DARMOFALSKI ENGINEERING ASSOCIATES, INC. TO PERFORM ENGINEERING SERVICES AS MUNICIPAL ENGINEER

WHEREAS, there exists a need for the Professional Services of a **MUNICIPAL ENGINEER** for the Borough of Lincoln Park, in the County of Morris, State of New Jersey, for the 2016 fiscal year, in accordance with the "Local Public Contracts Law" (N.J.S.A. 40A:11-1 et seq.) as a Non-Fair and Open contract, pursuant to the provisions of N.J.S.A. 19:44A-20.4 and/or N.J.S.A. 19:44-20.5; and

WHEREAS, Perry Mayers, Qualified Purchasing Agent for the Borough of Lincoln Park has determined that the value of the service may exceed \$17,500.00; and

WHEREAS, **DARMOFALSKI ENGINEERING ASSOCIATES, INC., 86 NEWARK-POMPTON TURNPIKE, RIVERDALE, NEW JERSEY 07457** has submitted a proposal to provide Engineering services for a contract term of one (1) year, expiring December 31, 2016, at the hourly billing rates of: Professional Engineer \$125.00 per hour; CAD Design \$75.00 per hour; Field Inspector \$75.00 per hour; and

WHEREAS, **DARMOFALSKI ENGINEERING ASSOCIATES, INC.** has more than 24 years of experience in Municipal Engineering and has successfully and professionally provided Engineering services to the Borough of Lincoln Park for seven years; and

WHEREAS, the Borough Council finds and concludes that it would be in the best interest of the Borough of Lincoln Park to enter into a professional services contract with **DARMOFALSKI ENGINEERING ASSOCIATES, INC.** based upon **DARMOFALSKI ENGINEERING ASSOCIATE'S** expertise in engineering, extensive municipal engineering experience, and competitive cost proposal; and

WHEREAS, **DARMOFALSKI ENGINEERING ASSOCIATES, INC.** has completed and submitted a Political Contribution Disclosure Form, Stockholder Disclosure Certification, and a Business Entity Disclosure Certification which certifies that **DARMOFALSKI ENGINEERING ASSOCIATES, INC.** has not made any reportable contributions to any candidate committee, joint candidates committee, or political party committee representing the elected officials of the Borough of Lincoln Park in the previous one year period, pursuant to P.L. 2004, Chapter 19 (as amended by P.L. 2005, c.51), N.J.S.A. 19:44A-20.4 et seq., and/or Lincoln Park Borough Ordinance 9-15, and that the contract will prohibit **DARMOFALSKI ENGINEERING ASSOCIATES, INC** from making any such reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer of the Borough of Lincoln Park has certified, in accordance with N.J.A.C. 5:30(a)(1), that sufficient funds will be available for said purpose in the 2016 budget; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the Resolution authorizing the award of contracts for "Professional Services" without competitive bids, and the contract itself, must be available for public inspection;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Lincoln Park authorizes and directs that the Mayor, Borough Administrator, and/or Purchasing Agent enter into a professional services contract with **DARMOFALSKI ENGINEERING ASSOCIATES, INC.** as described herein and at a cost not to exceed \$50,000;

BE IT FURTHER RESOLVED that this contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1) (a) of the Local Public Contracts Law because the contract is for a service performed by a person(s) authorized by law to practice a recognized profession that is regulated by law;

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this Resolution;

BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized and directed to cause notice to be published in the official newspaper of the Borough of Lincoln Park stating the nature, duration, service, and amount of the contract and that the resolution and contract are on file and are available for public inspection in the Office of the Borough Clerk..

RESOLUTION R16-39

WHEREAS, the Governing Body of the Borough of Lincoln Park (the "Borough") intends to authorize the Assessor of the Borough to prosecute, defend and settle tax appeals on behalf of the Borough before the Morris County Board of Taxation (the "Tax Board") with the advice and consent of the Tax Appeal Attorney; and

WHEREAS, the Governing Body intends to authorize the Assessor and the Borough Attorney to prosecute, defend and recommend settlements of tax appeals before the Tax Court to the Borough Council for approval.

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

1. The Assessor and the Tax Appeal Attorney are hereby authorized, on behalf of the Borough, to prosecute, defend and settle tax appeals before the Morris County Board of Taxation.
2. The Assessor and the Tax Appeal Attorney are hereby authorized to prosecute, defend and recommend the settlement of tax appeals before the Tax Court to the Borough Council for approval.
3. All tax appeals and stipulations of settlement which were filed on behalf of the Borough to the Tax Board prior to the adoption of this Resolution are hereby authorized and ratified *nunc pro tunc*.
4. A copy of this Resolution shall be sent to the Assessor, the Tax Appeal Attorney and the Morris County Board of Taxation.
5. This Resolution shall take effect immediately.

RESOLUTION R16-40

BE IT RESOLVED, by the Governing Body of the Borough of Lincoln Park that the following are hereby appointed as members of the County Alliance Steering Subcommittee (CASS) for a term of one (1) year to expire on December 31, 2016 without salary.

Janet Cassidy	Cristina Castells
David Runfeldt	Mary Vineis
Perry Mayers	Patti Delaporte
Dina Valente	Lori Johnson
Mark West	Cathy Adubato
James Grube	Jack Cassidy
Michael Meyer	Rich Williams
Michelle Bammer	Jaclyn Braddock
Wendy Vander Vliet	Sue Iapocce

RESOLUTION R16-41

AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT TO THE BUZAK LAW GROUP, LLC TO PERFORM LEGAL SERVICES AS TAX APPEAL COUNSEL

WHEREAS, there exists a need for the Professional Services of a **MUNICIPAL TAX APPEAL COUNSEL** for the Borough of Lincoln Park, in the County of Morris, State of New Jersey, for the 2016 fiscal year, in accordance with the "Local Public Contracts Law" (N.J.S.A. 40A:11-1 et seq.) as a Non-Fair and Open contract, pursuant to the provisions of N.J.S.A. 19:44A-20.4 and/or N.J.S.A. 19:44-20.5; and

WHEREAS, Perry Mayers, Qualified Purchasing Agent for the Borough of Lincoln Park, has determined that the value of the service may exceed \$17,500.00; and

WHEREAS, **The Buzak Law Group, LLC** located at 150 River Road, Suite N4, Montville, New Jersey 07045 has submitted a proposal to provide Legal services as Tax Appeal Counsel for a contract term of one (1) year, expiring December 31, 2016, at the hourly billing rate of \$155.00 per hour; and

WHEREAS, **The Buzak Law Group, LLC** has more than 32 years of experience in the area of municipal law and has successfully provided expert tax appeal legal services to the Borough of Lincoln Park for more than nine years; and

WHEREAS, **The Buzak Law Group, LLC** has completed and submitted a Political Contribution Disclosure Form, Stockholder Disclosure Certification, and a Business Entity Disclosure Certification which certifies that **The Buzak Law Group, LLC** has not made any reportable contributions to any candidate committee, joint candidates committee, or political party committee representing the elected officials of the Borough of Lincoln Park in the previous one year period,

pursuant to P.L. 2004, Chapter 19 (as amended by P.L. 2005, c.51), N.J.S.A. 19:44A-20.4 et seq., and/or Lincoln Park Borough Ordinance 9-15, and that the contract will prohibit **The Buzak Law Group, LLC** from making any such reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer of the Borough of Lincoln Park has certified, in accordance with N.J.A.C. 5:30(a)(1), that sufficient funds will be available for said purpose in the 2016 budget; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the Resolution authorizing the award of contracts for "Professional Services" without competitive bids, and the contract itself, must be available for public inspection;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Lincoln Park authorizes and directs that the Mayor, Borough Administrator, and/or Purchasing Agent enter into a professional services contract with **The Buzak Law Group, LLC** as described herein and at a cost not to exceed \$40,000;

BE IT FURTHER RESOLVED that this contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1) (a) of the Local Public Contracts Law because the contract is for a service performed by a person(s) authorized by law to practice a recognized profession that is regulated by law;

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this Resolution;

BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized and directed to cause notice to be published in the official newspaper of the Borough of Lincoln Park stating the nature, duration, service, and amount of the contract and that the resolution and contract are on file and are available for public inspection in the Office of the Borough Clerk.

RESOLUTION R16-42

AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT TO THE BUZAK LAW GROUP, LLC TO PERFORM LEGAL SERVICES AS SPECIAL COUNSEL IN AFFORDABLE HOUSING AND OTHER MATTERS

WHEREAS, there exists a need for the Professional Services of a **SPECIAL COUNSEL INAFFORDABLE HOUSING AND OTHER MATTERS** for the Borough of Lincoln Park, in the County of Morris, State of New Jersey, for the 2016 fiscal year, in accordance with the "Local Public Contracts Law" (N.J.S.A. 40A:11-1 et seq.) as a Non-Fair and Open contract, pursuant to the provisions of N.J.S.A. 19:44A-20.4 and/or N.J.S.A. 19:44-20.5; and

WHEREAS, Perry Mayers, Qualified Purchasing Agent for the Borough of Lincoln Park, has determined that the value of the service may exceed \$17,500.00; and

WHEREAS, **The Buzak Law Group, LLC** located at 150 River Road, Suite N4, Montville, New Jersey 07045 has submitted a proposal to provide Legal Services as Special Counsel in Affordable Housing and Other Matters for a contract term of one (1) year, expiring December 31, 2016, at the hourly billing rate of \$155.00 per hour; and

WHEREAS, **The Buzak Law Group, LLC** has more than 32 years of experience in the area of municipal law and has successfully provided expert legal services in the area Affordable Housing and other related matters to the Borough of Lincoln Park for more than nine years; and

WHEREAS, **The Buzak Law Group, LLC** has completed and submitted a Political Contribution Disclosure Form, Stockholder Disclosure Certification, and a Business Entity Disclosure Certification which certifies that **The Buzak Law Group, LLC** has not made any reportable contributions to any candidate committee, joint candidates committee, or political party committee representing the elected officials of the Borough of Lincoln Park in the previous one year period, pursuant to P.L. 2004, Chapter 19 (as amended by P.L. 2005, c.51), N.J.S.A. 19:44A-20.4 et seq., and/or Lincoln Park Borough Ordinance 9-15, and that the contract will prohibit **The Buzak Law Group, LLC** from making any such reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer of the Borough of Lincoln Park has certified, in accordance with N.J.A.C. 5:30(a)(1), that sufficient funds will be available for said purpose in the 2016 budget; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the Resolution authorizing the award of contracts for "Professional Services" without competitive bids, and the contract itself, must be available for public inspection;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Lincoln Park authorizes and directs that the Mayor, Borough Administrator, and/or Purchasing Agent enter into a professional services contract with **The Buzak Law Group, LLC** as described herein and at a cost not to exceed \$40,000;

BE IT FURTHER RESOLVED that this contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1) (a) of the Local Public Contracts Law because the contract is for a service performed by a person(s) authorized by law to practice a recognized profession that is regulated by law;

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this Resolution;

BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized and directed to cause notice to be published in the official newspaper of the Borough of Lincoln Park stating the nature, duration, service, and amount of the contract and that the resolution and contract are on file and are available for public inspection in the Office of the Borough Clerk.

RESOLUTION R16-43

WHEREAS, there exists a need for **Information Technology Consulting and Management Services** for the Borough of Lincoln Park, in the County of Morris, State of New Jersey, for the 2016 fiscal year, in accordance with the "Local Public Contracts Law" (N.J.S.A. 40A:11-1 et seq.) as a Competitive Contract, pursuant to the provisions of N.J.S.A. 19:44A-20.4 and/or N.J.S.A. 19:44-20.5; and

WHEREAS, Perry Mayers, Qualified Purchasing Agent for the Borough of Lincoln Park, has determined that the value of the service will exceed \$17,500.00; and

WHEREAS, the Borough has agreed to retain **Quikteks, LLC**, located at 373 E Route 46, Fairfield, New Jersey to provide the necessary Information Technology Consulting and Management Services for a contract term of one (1) year, expiring December 31, 2016 as specifically outlined in the Agreement between the Borough and the Quikteks, LLC, at the rate of \$2,300 per month; and

WHEREAS, Quikteks, LLC has more than 13 years of experience in Information Technology Consulting and Management Services and has provided Information Technology Consulting and Management Services successfully and professionally to the Borough of Lincoln Park for the last two years; and

WHEREAS, Quikteks, LLC has completed and submitted a Political Contribution Disclosure Form, Stockholder Disclosure Certification, and a Business Entity Disclosure Certification which certifies that **Quikteks, LLC** has not made any reportable contributions to any candidate committee, joint candidates committee, or political party committee representing the elected officials of the Borough of Lincoln Park in the previous one year period, pursuant to P.L. 2004, Chapter 19 (as amended by P.L. 2005, c.51), N.J.S.A. 19:44A-20.4 et seq., and/or Lincoln Park Borough Ordinance 9-15, and that the contract will prohibit **Quikteks, LLC** from making any such reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer of the Borough of Lincoln Park has certified, in accordance with N.J.A.C. 5:30(a)(1), that sufficient funds will be available for said purpose in the 2016 budget; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the Resolution authorizing the award of contracts without competitive bids, and the contract itself, must be available for public inspection;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Lincoln Park authorizes and directs that the Mayor, Borough Administrator, and/or Purchasing Agent enter into a contract with **Quikteks, LLC** as described herein;

BE IT FURTHER RESOLVED that this contract is awarded in accordance with N.J.S.A. 40A:11-4.5 (Competitive Contracting) of the Local Public Contracts Law;

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this Resolution;

BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized and directed to cause notice to be published in the official newspaper of the Borough of Lincoln Park stating the nature, duration, service, and amount of the contract and that the resolution and contract are on file and are available for public inspection in the Office of the Borough Clerk.

RESOLUTION R16-44

AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT TO PHOENIX ADVISORS, LLC TO PROVIDE INDEPENDENT REGISTERED MUNICIPAL ADVISOR SERVICES

WHEREAS, there exists a need for the services of an Independent Registered Municipal Advisor of Record and a Continuing Disclosure Agent Service in a accordance with the current New Jersey Statutes, Codes, Rules and Regulations; and

WHEREAS, the Bond Issuer has heretofore agreed through the execution of Continuing Disclosure Agreements (CDA's) in connection with one or more bond issuances to provide certain financial and other information and notices, within specified timeframes, in a manner prescribed by the regulators of the underwriter that purchased said bond issues; and

WHEREAS, but for the execution of the CDA's, the underwriter of such bonds would be prohibited from purchasing the bonds of the Bond Issuer; and

WHEREAS, in order to ascertain its compliance with various CDS's executed in conjunction with the issuance of bonds, the Bond Issuer must codify the requirements stipulated in those various CDA's and compare those requirements with its filings and correct any deficiencies; and

WHEREAS, new rules and regulations promulgated by the Securities and Exchange Commission restrict the provision of advice concerning the issuance of municipal debt to those that are appropriately registered with the SEC; and

WHEREAS, it is beneficial to retain assistance of appropriately registered experts in the field of municipal bond finance, with knowledge and experience in these matters, to assist in assuring compliance with CDA's and to stand ready to provide advice as needed with the issuance of municipal debt as Municipal Advisor of Record; and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Lincoln Park, County of Morris and state of New Jersey as follows;

The Agreement between the Borough and:

PHOENIX ADVISORS, LLC, 4 WEST PARK STREET, BORDENTOWN, NJ 08505

CONTINUING DISCLOSURE AGENT SERVICE:

\$650 All-inclusive fee (for up to three (3) outstanding issues), Plus \$100 for each additional outstanding issue, if any, for which filings are required.

AND INDEPENDENT REGISTERED MUNICIPAL ADVISOR OF RECORD:

There is no fee charged by Phoenix Advisors for being designated as Independent Registered Municipal Advisor.

This Resolution will be published in the Borough of Lincoln Park's Legal Newspaper.

RESOLUTION R16-45

AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT TO De COTIIS, FITZPATRICK, and COLE, LLP TO PROVIDE LEGAL SERVICES AS MUNICIPAL REDEVELOPMENT ATTORNEY

WHEREAS, there exists a need for the Professional Services of a **MUNICIPAL REDEVELOPMENT ATTORNEY** for the Borough of Lincoln Park, in the County of Morris, State of New Jersey, for the 2016 fiscal year, in accordance with the "Local Public Contracts Law" (N.J.S.A. 40A:11-1 et seq.) as a Non-Fair and Open contract, pursuant to the provisions of N.J.S.A. 19:44A-20.4 and/or N.J.S.A. 19:44-20.5; and

WHEREAS, Perry Mayers, Qualified Purchasing Agent for the Borough of Lincoln Park has determined that the value of the service may exceed \$17,500.00; and

WHEREAS, DeCotiis, Fitzpatrick and Cole, LLP Glenpointe Centre West, 500 Frank W. Burr Blvd., Teaneck, NJ 07666 has submitted a proposal to provide Legal services for a contract term of one (1) year, expiring December 31, 2016, at the hourly billing rates of: \$150.00 per hour for the Attorneys; \$75 per hour for paralegals/legal assistants; and

WHEREAS, DeCotiis, Fitzpatrick and Cole, LLP was established in 1986 and has more than 10 years of experience in municipal redevelopment advisement and has provided reliable Municipal redevelopment services to the Borough of Lincoln Park for the past year; and

WHEREAS, the Borough Council finds and concludes that it would be in the best interest of the Borough of Lincoln Park to enter into a professional services contract with **DeCotiis, Fitzpatrick and Cole, LLP** based upon the municipal redevelopment experience of **DeCotiis, Fitzpatrick and Cole, LLP**, as well as their expertise in general municipal matters and competitive cost proposal; and

WHEREAS, DeCotiis, Fitzpatrick and Cole, LLP has completed and submitted a Political Contribution Disclosure Form, Stockholder Disclosure Certification, and a Business Entity Disclosure Certification which certifies that **DeCotiis, Fitzpatrick and Cole, LLP** has not made any reportable contributions to any candidate committee, joint candidates committee, or political party committee representing the elected officials of the Borough of Lincoln Park in the previous one year period, pursuant to P.L. 2004, Chapter 19 (as amended by P.L. 2005, c.51), N.J.S.A. 19:44A-20.4 et seq., and/or Lincoln Park Borough Ordinance 9-15, and that the contract will prohibit **DeCotiis, Fitzpatrick and Cole, LLP** from making any such reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer of the Borough of Lincoln Park has certified, in accordance with N.J.A.C. 5:30(a)(1), that sufficient funds will be available for said purpose in the 2016 budget; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the Resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself must be available for public inspection;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Lincoln Park authorizes and directs that the Mayor, Borough Administrator, and/or Purchasing Agent enter into a professional services contract with **DeCotiis, Fitzpatrick and Cole, LLP** as described herein and at a cost not to exceed \$10,000;

BE IT FURTHER RESOLVED that this contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1) (a) of the Local Public Contracts Law because the contract is for a service performed by a person(s) authorized by law to practice a recognized profession that is regulated by law;

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this Resolution;

BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized and directed to cause notice to be published in the official newspaper of the Borough of Lincoln Park stating the nature, duration, service, and amount of the contract and that the resolution and contract are on file and are available for public inspection in the Office of the Borough Clerk..

RESOLUTION R16 -46

AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT TO ANDERSON & DENZLER ASSOCIATES, INC. TO PROVIDE WATER SUPPLY AND WASTEWATER OPERATOR SERVICES

WHEREAS, there exists a need for a Water Supply and Wastewater Operator licensed pursuant to N.J.S.A. 58:11-64, et seq., and the Rules and Regulations promulgated by the Department of Environmental Protection for the Borough of Lincoln Park, in the County of Morris, State of New Jersey, for the 2016 fiscal year, in accordance with the "Local Public Contracts Law" (N.J.S.A. 40A:11-1 et seq.) as a Non-Fair and Open contract, pursuant to the provisions of N.J.S.A. 19:44A-20.4 and/or N.J.S.A. 19:44-20.5; and

WHEREAS, Perry Mayers, Qualified Purchasing Agent for the Borough of Lincoln Park, has determined that the value of the service will exceed \$17,500.00; and

WHEREAS, **Anderson & Denzler Associates, Inc.**, 519 Ridgedale Avenue, East Hanover, NJ 07936 has submitted a proposal to provide Water Supply and Wastewater Operator services for a contract term of one (1) year, expiring December 31, 2016, at monthly rate of \$1,280 per month for Water System Operator Services and \$500 per month for Sewer System Operator services; and

WHEREAS, **Anderson & Denzler Associates, Inc.** possesses the required licenses under N.J.S.A. 58:11-64, et seq. for the operation of the Borough's Water Supply and Wastewater activities; and

WHEREAS, **Anderson & Denzler Associates, Inc.** was established in New Jersey in 1955 has more than 6 decades of experience in Municipal Civil Surveying and Engineering; and

WHEREAS, the Borough Council finds and concludes that it would be in the best interest of the Borough of Lincoln Park to enter into a professional services contract with **Anderson & Denzler Associates, Inc.** based upon **Anderson & Denzler Associates, Inc.** expertise and experience in Municipal Water Supply and Wastewater Operations, and competitive cost proposal; and

WHEREAS, **Anderson & Denzler Associates, Inc.** has completed and submitted a Political Contribution Disclosure Form, Stockholder Disclosure Certification, and a Business Entity Disclosure Certification which certifies that **Anderson & Denzler Associates, Inc.** has not made any reportable contributions to any candidate committee, joint candidates committee, or political party committee representing the elected officials of the Borough of Lincoln Park in the previous one year period, pursuant to P.L. 2004, Chapter 19 (as amended by P.L. 2005, c.51), N.J.S.A. 19:44A-20.4 et seq., and/or Lincoln Park Borough Ordinance 9-15, and that the contract will prohibit **Anderson & Denzler Associates, Inc.** from making any such reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer of the Borough of Lincoln Park has certified, in accordance with N.J.A.C. 5:30(a)(1), that sufficient funds will be available for said purpose in the 2016 budget; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the Resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself must be available for public inspection;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Lincoln Park authorizes and directs that the Mayor, Borough Administrator, and/or Purchasing Agent enter into a professional services contract with **Anderson & Denzler Associates, Inc.** as described herein and at a cost not to exceed \$25,000;

BE IT FURTHER RESOLVED that this contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1) (a) of the Local Public Contracts Law because the contract is for a service performed by a person(s) authorized by law to practice a recognized profession that is regulated by law;

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this Resolution;

BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized and directed to cause notice to be published in the official newspaper of the Borough of Lincoln Park stating the nature, duration, service, and amount of the contract and that the resolution and contract are on file and are available for public inspection in the Office of the Borough Clerk.

RESOLUTION R16-47

**AUTHORIZING THE AWARD OF A PROFESSIONAL
SERVICES CONTRACT TO INSURANCE MANAGEMENT AND CONSULTING, LLC DBA IMAC INSURANCE
AGENCY, LLC TO
PROVIDE DENTAL INSURANCE BROKER SERVICES**

WHEREAS, it is necessary for the proper conduct of the order of business that the Borough of Lincoln Park, County of Morris, State of New Jersey designate and name a Dental Insurance Broker for its dental insurance needs; and

WHEREAS, such specialized Dental Insurance Broker services can be provided by **Insurance Management and Consulting, LLC, DBA IMAC Insurance Agency, LLC**, 540 Mill Street, Belleville, NJ 07109; and

WHEREAS, **Insurance Management and Consulting, LLC, DBA IMAC Insurance Agency, LLC** has more than 7 years of experience in the field of municipal and governmental insurance servicing and has professionally met the Dental Insurance Broker needs of the Borough since 2013; and

WHEREAS, the Borough Council finds and concludes that it would be in the best interest of the Borough of Lincoln Park to enter into a contract with **Insurance Management and Consulting, LLC, DBA IMAC Insurance Agency, LLC** based upon **Insurance Management and Consulting, LLC, DBA IMAC Insurance Agency, LLC's** expertise in municipal insurance, extensive municipal insurance experience, and competitive cost proposal; and

WHEREAS, such service is in the nature of an exception to the bidding requirements as an extraordinary unspecifiable service; and

WHEREAS, the anticipated term of this contract is one (1) year, expiring on December 31, 2016; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1et seq.) requires a governing body of a contracting unit to publish a notice in a newspaper authorized by law to publish its legal advertisements, setting forth the nature, duration, service and amount of the contract where such contract is awarded for "Extraordinary, Unspecifiable Services" without competitive bidding; and

WHEREAS, **Insurance Management and Consulting, LLC, DBA IMAC Insurance Agency, LLC** has completed and submitted a Political Contribution Disclosure Form, Stockholder Disclosure Certification, and a Business Entity Disclosure Certification which certifies that **Insurance Management and Consulting, LLC, DBA IMAC Insurance Agency, LLC** has not made any reportable contributions to any candidate committee, joint candidates committee, or political party committee representing the elected officials of the Borough of Lincoln Park in the previous one year period, pursuant to P.L. 2004, Chapter 19 (as amended by P.L. 2005, c.51), N.J.S.A. 19:44A-20.4 et seq., and/or Lincoln Park Borough Ordinance 9-15, and that the contract will prohibit **Insurance Management and Consulting, LLC, DBA IMAC Insurance Agency, LLC** from making any such reportable contributions through the term of the contract; and

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

1. That **Insurance Management and Consulting, LLC, DBA IMAC Insurance Agency, LLC** is hereby appointed as Dental Insurance Brokers for the Borough of Lincoln Park for the calendar year 2016.
2. The appropriate officers of the Borough of Lincoln Park are hereby authorized to enter into a contract with IMAC Insurance Agency, LLC, for the services above specified, for a one (1) year term commencing January 1, 2016, and to be paid for services rendered in accordance with the normal brokerage commissions that are included in premium payments made by the Borough in an amount not to exceed \$7,500.00.
3. This contract is awarded without competitive bidding as "Extraordinary, Unspecifiable Services" under the provisions of the Local Public Contracts Law, and more specifically noted in N.J.S.A. 40A:11-5 1(m).
4. That the Business Disclosure Entity Certification and the Determination of Value be placed on file with this Resolution.
5. A notice of the award of this contract shall forthwith be printed once in The Record, an official newspaper of Borough of Lincoln Park, authorized by law to publish the legal advertisements of the Borough Council of the Borough of Lincoln Park, setting forth the nature, duration, service and amount of the contract, and further stating that this resolution and the annexed contract are on file and available for public inspection in the Office of the Clerk of the Borough of Lincoln Park.

Kerwin: Council Appointments, Consent, R16-15 through R16-47

Thompson: So Moved

Gemian: Second

Kerwin: Please call the Roll.

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

No: None

Absent: Ross

Abstain: None

X. PUBLIC HEARING:

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

Thompson: So Moved.

Gemian: Second

Council President Thompson: Seeing no one wishes to speak, I move we Close the Public Hearing.

Gemian: Second

XI. ADJOURNMENT:

Kerwin: Motion to Adjourn.

Thompson: So Moved

Gemian: Second

There being no further business to come before the Council the Organization Meeting of January 4, 2016 was adjourned at 7:56 PM.

Council President, Raymond Kerwin

Municipal Clerk, Cynthia L. Sloane, RMC, CMR