

I. CALL TO ORDER:

II. PLEDGE OF ALLEGIANCE:

A Regular Meeting of the Governing Body of the Borough of Lincoln Park was held in the Council Chambers of the Municipal Building, 34 Chapel Hill Road, Lincoln Park, New Jersey on, May 16, 2016. The Clerk Called the Meeting to Order at 7:30 PM and made the Statement of Compliance with the Open Public Meetings Act. The Clerk advised those present where the exits to the room were and to turn off all cell phones. After the Pledge of Allegiance the Clerk called the Roll showing the following:

III. ROLL CALL:

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

ABSENT: None

Also PRESENT were Mayor Runfeldt, Perry Mayers, Borough Administrator, Chris Dilorenzo, Borough Attorney.

IV. MINUTES FOR APPROVAL:

Kerwin: Minutes for Approval, April 18, 2016 Regular Meeting Minutes.

Moeller: So Moved
Wild: Second

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

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

The Minutes of April 18, 2016 were approved.

Kerwin: Minutes for Approval, May 2, 2016 Work Session Minutes.

Moeller: So Moved
Ross: Second

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

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

The Minutes of May 2, 2016 were approved.

V. ORDINANCES FOR INTRODUCTION:

Kerwin: Ordinance 5-16 for Introduction. 5-16 Ordinance Appropriating \$185,000 for the Purchase of Various Equipment and Improvements to Various Borough Facilities.

The Clerk read the following Resolution:

BE IT RESOLVED, that an Ordinance entitled;

5-16

AN ORDINANCE OF THE BOROUGH OF LINCOLN PARK, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING \$185,000.00 FOR THE PURCHASE OF VARIOUS EQUIPMENT AND IMPROVEMENTS TO VARIOUS FACILITIES IN AND FOR THE BOROUGH OF LINCOLN PARK, IN THE COUNTY OF MORRIS, NEW JERSEY

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

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

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

The Clerk read the following Resolution:

BE IT RESOLVED, that an Ordinance entitled;

5-16

AN ORDINANCE OF THE BOROUGH OF LINCOLN PARK, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING \$185,000.00 FOR THE PURCHASE OF VARIOUS EQUIPMENT AND IMPROVEMENTS TO VARIOUS FACILITIES IN AND FOR THE BOROUGH OF LINCOLN PARK, IN THE COUNTY OF MORRIS, NEW JERSEY

Be passed on First Reading; and

BE IT FURTHER RESOLVED that said Ordinance be considered for Final Passage at the meeting of the governing body of the Borough of Lincoln Park on the 20th day of June 2016 at approximately **7:30 PM** in the Municipal building at which time and place all persons interested shall be given an opportunity to be heard concerning said Ordinance; and

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

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

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

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

The Resolution was adopted.

Kerwin: Ordinance 6-16 for Introduction. 6-16 Ordinance Appropriating 50,000 for Improvements to the Water System and its Facilities for the Borough.

The Clerk read the following Resolution:

BE IT RESOLVED, that an Ordinance entitled;

6-16

AN ORDINANCE OF THE BOROUGH OF LINCOLN PARK, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING \$50,000.00 FOR IMPROVEMENTS TO THE WATER SYSTEM AND ITS FACILITIES IN AND

**FOR THE BOROUGH OF LINCOLN PARK, IN THE COUNTY OF MORRIS,
NEW JERSEY**

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

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

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

The Clerk read the following Resolution:

BE IT RESOLVED, that an Ordinance entitled;

6-16

AN ORDINANCE OF THE BOROUGH OF LINCOLN PARK, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING \$50,000.00 FOR IMPROVEMENTS TO THE WATER SYSTEM AND ITS FACILITIES IN AND FOR THE BOROUGH OF LINCOLN PARK, IN THE COUNTY OF MORRIS, NEW JERSEY

Be passed on First Reading; and

BE IT FURTHER RESOLVED that said Ordinance be considered for Final Passage at the meeting of the governing body of the Borough of Lincoln Park on the 20th day of June 2016 at approximately **7:30 PM** in the Municipal building at which time and place all persons interested shall be given an opportunity to be heard concerning said Ordinance; and

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

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

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

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

The Resolution was adopted.

VI. ORDINANCE FOR ADOPTION:

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

The Clerk Read the following Resolution:

BE IT RESOLVED, that an Ordinance entitled;

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

Be read by Title on Second Reading and a Hearing Held Thereon

Thompson: So Moved
Wild: Second

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

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

The Resolution was adopted.

Thompson: Motion to go to Public
Wild: Second

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

Kerwin: Anyone wishing to speak on Ordinance 1-16 only may do so now.

Thompson: Seeing no one wishing to speak I Move we Close the Public Hearing.

Wild: Second

Councilman Kerwin asked for a Voice Vote. The Public Hearing was Closed

Kerwin: Read it again, please.

The Clerk Read the following Resolution:

BE IT FURTHER RESOLVED, that an Ordinance entitled;

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

Be passed on Final Reading and a Notice of Final Passage of said Ordinance be published according to law.

Thompson: So Moved
Wild: Second
Kerwin: Please call the Roll.

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

The Ordinance was adopted.

VII. RESOLUTIONS: CONSENT AGENDA

Kerwin: Resolutions Consent Agenda R16-130 through R16-148.

Ross: So Moved
Thompson: Second

RESOLUTION R16-130

WHEREAS, Butler Sign Co. (J D T Rehab Center) had heretofore deposited with the Borough of Lincoln Park a Zoning Permit 2010-92 in connection with a property located at 503 Pine Brook Road, Lincoln Park 07035; and

WHEREAS, Butler Sign Co. (J D T Rehab Center) has submitted a written request, on file in the Office of the Chief Financial Officer, that unused escrow funds be returned; and

WHEREAS, Kerry Geisler, Chief Financial Officer for the Borough, has reported in her Certification of funds for Release of Escrow Money, that a balance does remain in the 2015 General Trust Escrow Account –

Bank Account #041-41378-4, Escrow Account # 2133 and may be refunded to **Butler Sign Co. (J D T Rehab Center) and;**

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

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Lincoln Park, that funds on deposit from, **Butler Sign Co. (J D T Rehab Center)** in the 2015 General Trust Escrow Account – Bank Account #041-41378-4, Escrow Account #2133 for a Zoning Permit 2010-92 in connection with a property located at 503 Pine Brook Road, Lincoln Park 07035; be and hereby are ordered released/refunded by the Borough subject to the CFO first confirming that all bills (submitted and pending) from the Board Attorney, and Borough Engineer have been properly and fully satisfied.

RESOLUTION R16-131

WHEREAS, Philip & Rebecca Laman had heretofore deposited with the Borough of Lincoln Park a Cash Bond Road Improvements, Minor Subdivision and Variance 630 in connection with a property located at 22 Clover Lane/Mason Ave & Clover Lane, Lincoln Park 07035; and

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

WHEREAS, Kerry Geisler, Chief Financial Officer for the Borough, has reported in her Certification of funds for Release of Escrow Money, that a balance does remain in the 2015 General Trust Escrow Account – Bank Account #041-41378-4, Escrow Account # 2332-A and may be refunded to **Philip and Rebecca Laman and;**

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

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Lincoln Park, that funds on deposit from, **Philip and Rebecca Laman** in the 2015 General Trust Escrow Account – Bank Account #041-41378-4, Escrow Account #2332-A for cash bond road improvements and Minor Subdivision and Variance 630 in connection with a property located at 22 Clover Lane/Mason Ave and Clover Lane, Lincoln Park 07035; be and hereby are ordered released/refunded by the Borough subject to the CFO first confirming that all bills (submitted and pending) from the Board Attorney, and Borough Engineer have been properly and fully satisfied.

RESOLUTION R16-132

WHEREAS, Butler Sign Company (Supercuts) had heretofore deposited with the Borough of Lincoln Park a Zoning Permit 2014-53Z in connection with a property located at 60 Beaver Brook Road Store 16A, Lincoln Park 07035; and

WHEREAS, Butler Sign Company (Supercuts) has submitted a written request, on file in the Office of the Chief Financial Officer, that unused escrow funds be returned; and

WHEREAS, Kerry Geisler, Chief Financial Officer for the Borough, has reported in her Certification of funds for Release of Escrow Money, that a balance does remain in the 2015 General Trust Escrow Account – Bank Account #041-41378-4, Escrow Account # 2312 and may be refunded to **Butler Sign Company (Supercuts) and;**

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

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Lincoln Park, that funds on deposit from, **Butler Sign Company (Supercuts)** in the 2015 General Trust Escrow Account – Bank Account #041-41378-4, Escrow Account #2312 for Zoning Permit 2014-53Z in connection with a property located at 60 Beaver Brook Road Store 16A Lincoln Park 07035; be and hereby are ordered released/refunded by the Borough subject to the CFO first confirming that all bills (submitted and pending) from the Board Attorney, and Borough Engineer have been properly and fully satisfied.

RESOLUTION R16-133

WHEREAS, Richard Siedel had heretofore deposited with the Borough of Lincoln Park a Cash Bond; Variance Application 2013-05 – Flood Plain Encroachment FPE13-04 and Zoning Permit 2013-71Z in connection with a property located at 268 Ryerson Road, Lincoln Park 07035; and

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

WHEREAS, Kerry Geisler, Chief Financial Officer for the Borough, has reported in her Certification of funds for Release of Escrow Money, that a balance does remain in the 2015 General Trust Escrow Account – Bank Account #041-41378-4, Escrow Account # 2276 & 2276A and may be refunded to **Richard Siedel and;**

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

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Lincoln Park, that funds on deposit from, **Richard Siedel** in the 2015 General Trust Escrow Account – Bank Account #041-41378-4, Escrow Account #2276 & 2276A for Cash Bond and Variance Application 2013-05 & Flood Plain Encroachment FPE13-04 and Zoning Permit 2013-71Z in connection with a property located at 268 Ryerson Road, Lincoln Park 07035; be and hereby are ordered released/refunded by the Borough subject to the CFO first confirming that all bills (submitted and pending) from the Board Attorney, and Borough Engineer have been properly and fully satisfied.

RESOLUTION R16-134

WHEREAS, Mediterranean Chef, Inc. had heretofore deposited with the Borough of Lincoln Park a Site Plan Exemption #SPE 14- 05 and Zoning Permit 2014-27 Z in connection with a property located at 3F Borinski Road, Lincoln Park 07035; and

WHEREAS, Mediterranean Chef, Inc., has submitted a written request, on file in the Office of the Chief Financial Officer, that unused escrow funds be returned; and

WHEREAS, Kerry Geisler, Chief Financial Officer for the Borough, has reported in her Certification of funds for Release of Escrow Money, that a balance does remain in the 2015 General Trust Escrow Account – Bank Account #041-41378-4, Escrow Account # 2303 and may be refunded to **Mediterranean Chef, Inc. and;**

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

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Lincoln Park, that funds on deposit from, **Mediterranean Chef, Inc.** in the 2015 General Trust Escrow Account – Bank Account #041-41378-4, Escrow Account #2303 for Site Plan Exemption #SPE 14-05 and Zoning Permit 2014-27Z in connection with a property located at 3F Borinski Road, Lincoln Park 07035; be and hereby are ordered

released/refunded by the Borough subject to the CFO first confirming that all bills (submitted and pending) from the Board Attorney, and Borough Engineer have been properly and fully satisfied.

RESOLUTION R16-135

WHEREAS, D.O.C.C. had heretofore deposited with the Borough of Lincoln Park a Site Plan Exemption #SPE 14- 02 and Zoning Permit 2014-8 Z in connection with a property located at 3 B & C Borinski Road, Lincoln Park 07035; and

WHEREAS, D.O.C.C. has submitted a written request, on file in the Office of the Chief Financial Officer, that unused escrow funds be returned; and

WHEREAS, Kerry Geisler, Chief Financial Officer for the Borough, has reported in her Certification of funds for Release of Escrow Money, that a balance does remain in the 2016 General Trust Escrow Account – Bank Account #041-41378-4, Escrow Account # 2293 and may be refunded to **D.O.C.C. and;**

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

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Lincoln Park, that funds on deposit from, **D.O.C.C.** in the 2016 General Trust Escrow Account – Bank Account #041-41378-4, Escrow Account #2293 for Site Plan Exemption #SPE 14-02 and Zoning Permit 2014-8Z in connection with a property located at 3B & C Borinski Road, Lincoln Park 07035; be and hereby are ordered released/refunded by the Borough subject to the CFO first confirming that all bills (submitted and pending) from the Board Attorney, and Borough Engineer have been properly and fully satisfied.

RESOLUTION R16-136

WHEREAS, Renal Centers of North Jersey, LLC. had heretofore deposited with the Borough of Lincoln Park a Variance Application # 2009-3, Preliminary and Final Major Site Plan Exemption #326 and Flood Plain Encroachment FPE 09-3 in connection with a property located at 6A Frassetto Way, Lincoln Park 07035; and

WHEREAS, Renal Centers of North Jersey, LLC. has submitted a written request, on file in the Office of the Chief Financial Officer, that unused escrow funds be returned; and

WHEREAS, Kerry Geisler, Chief Financial Officer for the Borough, has reported in her Certification of funds for Release of Escrow Money, that a balance does remain in the 2016 General Trust Escrow Account – Bank Account #041-41378-4, Escrow Account # 2064 and may be refunded to **Renal Centers of North Jersey, LLC and;**

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

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Lincoln Park, that funds on deposit from, **Renal Centers of North Jersey, LLC** in the 2016 General Trust Escrow Account – Bank Account #041-41378-4, Escrow Account #2064 for Variance Application # 2009-3, Preliminary and Final Major Site Plan Exemption #326 and Flood Plain Encroachment FPE 09-3 in connection with a property located at 6A Frassetto Way, Lincoln Park 07035; be and hereby are ordered released/refunded by the Borough subject to the CFO first confirming that all bills (submitted and pending) from the Board Attorney, and Borough Engineer have been properly and fully satisfied.

RESOLUTION R16-137

WHEREAS, Alliance Communications Cable, Inc. had heretofore deposited with the Borough of Lincoln Park a Site Plan Exemption # SPE 10-14 and Zoning Permit # 2010-60Z in connection with a property located at 2A Frassetto Way, Lincoln Park 07035; and

WHEREAS, Alliance Communications Cable, Inc.. has submitted a written request, on file in the Office of the Chief Financial Officer, that unused escrow funds be returned; and

WHEREAS, Kerry Geisler, Chief Financial Officer for the Borough, has reported in her Certification of funds for Release of Escrow Money, that a balance does remain in the 2016 General Trust Escrow Account – Bank Account #041-41378-4, Escrow Account # 2180 and may be refunded to **Alliance Communications Cable, Inc. and;**

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

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Lincoln Park, that funds on deposit from, **Alliance Communications Cable, Inc.** in the 2016 General Trust Escrow Account – Bank Account #041-41378-4, Escrow Account #2180 for a Site Plan Exemption SPE 10-14 and Zoning Permit 2010-60Z in connection with a property located at 2A Frassetto Way, Lincoln Park 07035; be and hereby are ordered released/refunded by the Borough subject to the CFO first confirming that all bills (submitted and pending) from the Board Attorney, and Borough Engineer have been properly and fully satisfied.

RESOLUTION R16-138

RESOLUTION OF THE BOROUGH OF LINCOLN PARK PROVIDING FOR THE ISSUANCE OF REFUNDING BONDS FOR THE REFUNDING OF CERTAIN OUTSTANDING BONDS OF THE BOROUGH IN CONNECTION WITH THE ISSUANCE BY THE MORRIS COUNTY IMPROVEMENT AUTHORITY OF ITS COUNTY OF MORRIS GUARANTEED LOAN REVENUE REFUNDING BONDS, SERIES 2016 (LINCOLN PARK REFUNDING PROJECT); PROVIDING FOR THE FORM, MATURITIES AND OTHER DETAILS OF THE BOROUGH'S REFUNDING BONDS; PROVIDING FOR THE SALE OF THE REFUNDING BONDS TO THE MORRIS COUNTY IMPROVEMENT AUTHORITY; AND APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY BY THE BOROUGH OF A BOND PURCHASE AGREEMENT AND A CONTINUING DISCLOSURE AGREEMENT

WHEREAS, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law") authorizes the issuance by the Borough of Lincoln Park, in the County of Morris, State of New Jersey (the "Borough"), of bonds for the purpose of refunding outstanding bonds of the Borough; and

WHEREAS, the Borough has previously issued its \$20,930,000 General Obligation Bond, Series 2009, dated February 25, 2009 (the "2009 Bond"), and delivered the 2009 Bond to The Morris County Improvement Authority (the "Authority") pursuant to a Loan Agreement dated as of February 15, 2009, by and between the Authority and the Borough (the "Loan Agreement"), in connection with the issuance by the Authority of \$20,930,000 of its County of Morris Guaranteed Loan Program Bonds, Series 2009 (Lincoln Park Project);

WHEREAS, the principal payable on the Borough's 2009 Bond on February 15 in the years 2020 to 2030, inclusive, in the aggregate principal amount of \$16,575,000, is subject to optional prepayment on any date on or after February 15, 2019 under the terms and conditions, and in the amounts, provided in the Loan Agreement; and

WHEREAS, in accordance with the Local Bond Law, the Borough Council did, on April 18, 2016, finally adopt Ordinance No. 3-16 (the "Refunding Ordinance") authorizing the issuance by the Borough of refunding bonds in the amount of not to exceed \$18,700,000 for the purpose of refunding all or a part of the principal payable on the Borough's 2009 Bond on February 15 in the years 2020 to 2030, inclusive, in the aggregate principal amount of \$16,575,000 (the "Refunded Bond"), to provide debt service savings for the Borough; and

WHEREAS, the Authority has advised the Borough that it plans to distribute a Preliminary Official Statement pertaining to the issuance by the Authority of its County of Morris Guaranteed Loan Revenue Refunding Bonds, Series 2016 (Lincoln Park Refunding Project) (the "Authority's Bonds"), to be issued pursuant to a bond resolution of the Authority adopted on May 11, 2016 (said bond resolution, together with any amendments and supplements thereto, is referred to herein as the "Authority's Bond Resolution"), and that the proceeds of the Authority's Bonds will be applied to the refunding the Borough's Refunded Bond; and

WHEREAS, in accordance with the Local Bond Law, the Borough desires to (i) authorize and approve the issuance of refunding bonds (the "Bonds" or the "Refunding Bonds") in the aggregate or original principal amount not to exceed \$18,700,000, to be issued for the purpose of refunding all or a portion of the Borough's Refunded Bond; and (ii) to provide for the form of the Refunding Bonds and the sale of the Refunding Bonds to the Authority; and

WHEREAS, in connection with the sale and issuance of the Refunding Bonds, the Borough also desires to approve and authorize the forms and the entering into of a Bond Purchase Agreement with the Authority (the "Bond Purchase Agreement"), pursuant to which the Authority will agree to purchase the Refunding Bonds upon satisfaction of the conditions precedent set forth therein and with such terms for the Refunding Bonds as shall be set forth therein, a Continuing Disclosure Agreement (the "Continuing Disclosure Agreement") by and among the Authority, the Borough and The Bank of New York Mellon, as trustee for the Authority's Bonds (the "Authority's Trustee"), as dissemination agent, and an Escrow Deposit Agreement among the Authority, the Borrower and the Authority's Trustee, as Escrow Agent (the "Escrow Agreement").

NOW THEREFORE, BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF LINCOLN PARK, IN THE COUNTY OF MORRIS, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The Borough hereby authorizes the issuance and sale of the Refunding Bonds of the Borough in the aggregate principal amount not to exceed \$18,700,000. The proceeds of the Refunding Bonds shall be applied for the purpose of refunding all or a portion of the Borough's Refunded Bond and paying the costs of issuing the Refunding Bonds.

Section 2. The Refunding Bonds shall be issued as a single registered bond designated as "General Obligation Refunding Bond, Series 2016". The Refunding Bonds shall be in the form, shall be dated, shall be issued in the denomination, and shall be issued as a fully registered bond as provided in the Bond Purchase Agreement. The Refunding Bonds shall mature in the years and in the principal amounts and shall bear interest at the rate or rates and shall be payable on the dates as shall be determined by the Mayor or the Chief Financial Officer of the Borough within the limitations hereinafter provided and as shall be provided in the Bond Purchase Agreement.

The Council hereby delegates to each of the Mayor and the Chief Financial Officer of the Borough the power and authority to sell and award the Refunding Bonds in accordance with this Resolution and in accordance with the following parameters: the Refunding Bonds shall be issued in a maximum aggregate principal amount not to exceed \$18,700,000; the present value savings in connection with the issuance of the Refunding Bonds to refund the Borough's Refunded Bond shall not be less than 3% of the principal amount of the Borough's Refunded Bond; the new debt service on the Refunding Bonds shall be structured such that no annual debt service payment on the Refunding Bonds shall be more than the annual debt service payment on the original debt service schedule for the Borough's Refunded Bond; the final maturity of the Refunding Bonds shall not extend past the final maturity date of the Borough's Refunded Bond; and the debt savings shall be substantially level across the life of the Refunding Bonds. The Chief Financial Officer of the Borough is hereby directed, within 10 days of the closing on the sale of the Refunding Bonds, to file with the Local Finance Board and with the Mayor and the Borough Council a comparison of the initial and refunding debt service schedule showing annual present value savings; a summary of the refunding; and an itemized accounting of all costs of issuance in connection with the issuance of the Refunding Bonds; together with a certification from the Chief Financial Officer that all of the conditions of section 5:30-2.5 of the New Jersey Administrative Code have been met with respect to the Refunding Bonds, and that this resolution, adopted pursuant to N.J.S.A. 40A:2-51(c), passed by two-thirds of the full membership of the governing body of the Borough, allowed for the refunding.

The Refunding Bonds shall be in substantially the form thereof attached as an exhibit to the form of the Bond Purchase Agreement attached hereto and approved herein, with such omissions, insertions and variations as are properly required.

Section 3. The Refunding Bonds shall be executed by the Mayor and the Chief Financial Officer, by their manual or facsimile signatures, and the corporate seal of the Borough shall be affixed thereto, or imprinted or reproduced thereon, and attested by the manual signature of the Borough Clerk.

Section 4. The execution, delivery and performance by the Borough of the Bond Purchase Agreement by and between the Borough and the Authority relating to the sale of the Refunding Bonds, in substantially the form attached hereto as Exhibit A, is hereby authorized and approved. The Mayor, the Chief Financial Officer and the Administrator (each an "Authorized Officer") of the Borough are each hereby authorized to execute the Bond Purchase Agreement on behalf of the Borough with such insertions, revisions and changes therein as shall be approved by the Authorized Officer executing the same in consultation with the Borough's Bond Counsel, such approval to be conclusively evidenced by the execution thereof.

Section 5. The execution, delivery and performance by the Borough of the Continuing Disclosure Agreement in substantially the form attached hereto as Exhibit B is hereby authorized and approved, and the Chief Financial Officer or any other Authorized Officer is hereby authorized and directed to execute and deliver the Continuing Disclosure Agreement on behalf of the Borough in substantially such form, with such insertions, revisions and changes therein as shall be approved by the Authorized Officer in consultation with the Borough's Bond Counsel, such approval to be conclusively evidenced by the execution thereof.

Section 6. The execution, delivery and performance by the Borough of the Escrow Agreement in substantially the form attached hereto as Exhibit C is hereby authorized and approved, and the Chief Financial Officer or any other Authorized Officer is hereby authorized and directed to execute and deliver the Escrow Agreement on behalf of the Borough in substantially such form, with such insertions, revisions and changes therein as shall be approved by the Authorized Officer in consultation with the Borough's Bond Counsel, such approval to be conclusively evidenced by the execution thereof.

Section 7. In order to maintain the exclusion from gross income for federal income tax purposes of interest on the Refunding Bonds under Section 103 of the Internal Revenue Code of 1986, as amended (the "Code"), and for no other purpose, the Borough covenants to comply with each applicable requirement of the Code applicable to said Refunding Bonds, and the Borough covenants not to take any action or fail to take any action which would cause the interest on said Refunding Bonds to lose the exclusion from gross income for federal income taxation purposes under Section 103 of the Code.

The Borough covenants and agrees with the holders of the Refunding Bonds that the Borough shall not take any action or omit to take any action which would cause the Refunding Bonds to be "private activity bonds" or "arbitrage bonds" within the meaning of Sections 141(a) or 148, respectively, of the Code, or any successor provision.

The Borough covenants that it will take no action which would cause the Refunding Bonds to be federally guaranteed (within the meaning of Section 149(b) of the Code).

Section 8. The Mayor, the Chief Financial Officer, the Administrator and the Clerk of the Borough are hereby designated, authorized and directed to perform any action or to determine any other matters or details relating to the Refunding Bonds, as may be required hereunder or under the Authority's Bond Resolution, and to do or perform or cause to be done or performed any and all acts as such officers or Bond Counsel may deem necessary or appropriate in order to effect the proper issuance, execution and delivery of the Refunding Bonds, and to execute, among other things, a tax and arbitrage certificate certifying that, among other things, the Borough, to the extent it is empowered and allowed under applicable law, covenants that it will do and perform all acts and things necessary or desirable for the purpose of monitoring compliance to assure that interest paid on the Refunding Bonds is excludable from gross income under the Code, an IRS Form 8038-G pertaining to the Refunding Bonds, if required, and any and all instruments, opinions, affidavits, certificates, resolutions, documents or other papers as may be deemed necessary or desirable.

Section 9. This resolution shall take effect upon the adoption hereof or, if later, upon the Refunding Ordinance taking effect in accordance with the Local Bond Law.

CERTIFICATE

I, Cynthia Sloane, Borough Clerk of the Borough of Lincoln Park, in the County of Morris, State of New Jersey, HEREBY CERTIFY that the foregoing is a true and compared copy of an original resolution now on file and of record in my office which was duly adopted at a meeting of the Borough Council of the Borough of Lincoln Park, on the 16 day of May 2016.

I DO HEREBY CERTIFY that said Borough Council consists of seven (7) members and that _____ members thereof were present at said meeting and that _____ members voted affirmatively for the adoption of said resolution.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Borough this 16 day of May, 2016.

Cynthia Sloane, Borough Clerk

RESOLUTION R16-139

**RESOLUTION AUTHORIZING THE EXPENDITURE OF \$2000
IN FURTHERANCE OF THE PURPOSES OF THE MUNICIPAL
SHARED SERVICES DEFENSE AGREEMENT**

WHEREAS, the Borough Council of the Borough of Lincoln Park ("Borough") entered into the Municipal Shared Services Defense Agreement ("MSSDA") for the purpose as set forth therein, which included retaining a common expert in the Declaratory Judgment action ("Litigation") that was filed in accordance with In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 221 N.J. 1 (2015) ("Decision"); and

WHEREAS, the Mayor and Council authorized the expenditure of \$2,000 for the preparation of the expert report; and

WHEREAS, an Amendment to the MSSDA ("Amendment") was authorized by Resolution to substitute Econsult Solutions, Inc. as the expert for the municipalities participating in the MSSDA (the "Consortium"); and

WHEREAS, the Borough recognizes that the Litigation requires further reports to be prepared as well as other legal matters to be addressed by the Consortium; and

WHEREAS, the Borough has determined that it is in the best interests of the citizens of the Borough of Lincoln Park to approve additional funding to enable the Consortium and its expert to address the multiplicity of issues raised and associated with the Litigation and the continued implementation of the MSSDA.

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

1. The amount of \$2,000 is hereby authorized to be expended by the Borough of Lincoln Park in furtherance of the purposes of the MSSDA.

2. This Resolution shall take effect immediately.

Resolution R16-140

WHEREAS, the Borough of Lincoln Park has acquired properties through donation by the owner and;

WHEREAS, these properties have open 2015 and 2016 property taxes that must be cancelled since the Borough is owner;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Lincoln Park, that

the Tax Collector is hereby authorized to cancel the following taxes:

Block/Lot	Address	2015	2016
8/11	Dodds Ave, Franklin	\$202.41	\$135.36
13/1	President St	\$142.76	\$94.50
17/1	Obrien Ave	\$156.26	\$103.44
18/1	Obrien, Wrtmn, Frnkn	\$179.41	\$118.76
19/48	Wortman Ave	\$52.09	\$34.48
19/95	Wortman Ave	\$88.74	\$58.74

RESOLUTION R16-141

**BOROUGH OF LINCOLN PARK
APPROVING THE ADOPTION OF THE REVISED EMPLOYEE HANDBOOK**

WHEREAS, the Borough of Lincoln Park is a member of the Morris County Municipal Joint Insurance Fund and the New Jersey Municipal Excess Liabilities Fund; and

WHEREAS, the Employee Handbook and Personnel Policies and Procedures Manual is required to be updated every two years or when there is a significant change in policy or procedure; and

WHEREAS, certain revisions to the Employee Handbook and Personnel Policies and Procedures Manual are necessary in order to comply with the Morris County Municipal Joint Insurance Fund and the New Jersey Municipal Excess Liabilities Fund's requirements.

NOW THEREFORE BE IT RESOLVED by the Borough of Lincoln Park that the Employee Handbook and Personnel Policies and Procedures Manual is updated as follows;

- A. **Change One:** Modification to Anti-Discrimination Policy/ American's with Disabilities Act Policy (Section 1 of Manual) and Employment Application to comply with the New Jersey Pregnant Worker's Fairness Act. The foregoing referenced policies and application were amended to comply with the New Jersey Pregnant Worker's Fairness Act, which amended the Law Against Discrimination to prevent discrimination based upon pregnancy, childbirth or pregnancy related medical condition. It also requires employers to provide reasonable accommodation.
- B. **Change Two:** Modification to the Social Media Policy portion of the **Communication Media Policy** (Section 2 of the Manual) to reflect changes in technology and practices of government.
- C. **Change Three:** Addition of Employee Dating Policy to Section 2 of the Manual. This policy is adopted as an optional policy to require supervisor/ subordinate dating to notify human resources.
- D. **Change Four:** Addition of I9 (Employment Eligibility Verification Form) language to Employment Procedure in Section 5
- E. **Change Five:** Modification to Open Public Meetings Act Procedures concerning Personnel Matters.
- F. **Change Six:** Model Employment Application to be Compliant with Ban the Box Legislation. In March of 2015, New Jersey's Ban the Box Legislation become effective, which prohibits employers from asking on an employment application about a candidate's criminal background. Therefore, we have eliminated the question from the standard job application.
- G. **Change Seven:** CEPA Notice. Removed outdated CEPA notice and replaced with most current version.

WHEREAS, all revisions have been reviewed and approved of by the Mayor and Borough of Lincoln Park Council;

NOW THEREFORE BE IT RESOLVED that the Borough of Lincoln Park hereby agrees to adopt the revised version of the Employee Handbook and Personnel Policies and Procedures Manual for the Borough of Lincoln Park; and

BE IT FURTHER RESOLVED that the policies revised in the Employee Handbook and Personnel Policies and Procedures Manual shall be effective immediately from the adoption of this Resolution; and

BE IT FURTHER RESOLVED that copies of the revised Handbook will be made available to all current and future employees of the Borough of Lincoln Park.

ADOPTED at a regular meeting of the Council of the Borough of Lincoln Park on Tuesday, May 16, 2016.

RESOLUTION R16-142

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

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

WHEREAS, the Borough of Lincoln Park has received notice of an award of \$172,500.00 from The State of New Jersey, Department of Transportation and wishes to amend its 2016 Budget to include this amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Lincoln Park, in the County of Morris, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2016 in the sum of \$172,500.00 which is now available as a revenue from:

- Miscellaneous Revenues:
- Special Items of General Revenue Anticipated

with Prior Written Consent of the Director of the
Division of Local Government Services:
Public and Private Revenues Off-set with Appropriation:
NJ DOT – Park Avenue

BE IT FURTHER RESOLVED that the like sum of \$172,500.00 be and the same is hereby appropriated under the caption of:

General Appropriations:
(a) Operations Excluded from CAPS
Public and Private Programs Off-Set by Revenues:
NJ DOT – Park Avenue

RESOLUTION R16-143

RESOLUTION AUTHORIZING THE PUBLICATION OF BID SPECIFICATIONS FOR A SINGLE AXLE REAR LOADER TRUCK

WHEREAS, the Department of Public Works Superintendent had determined that there is a need for the Borough of Lincoln Park to acquire a new Single Axle Rear Loader Truck; and

WHEREAS, the expected costs associated with the acquisition of the new Single Axle Rear Loader Truck are expected to exceed the bid threshold established by the New Jersey Local Public Contracts Law; and

WHEREAS, funds have been budgeted for the purchase of a new Single Axle Rear Loader Truck; and

WHEREAS, it is required that the Borough publish bid specifications for such purchase,

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Lincoln Park, in the County of Morris and State of New Jersey, that the Borough Administrator is hereby authorized to publish bid specifications for the acquisition of one new Single Axle Rear Loader Truck.

BOROUGH OF LINCOLN PARK RESOLUTION R16-144

Subject: Resolution of the Borough of Lincoln Park, County of Morris, State of New Jersey Authorizing the Sale of Surplus Property No Longer Needed for Public Use on an Online Auction Website.

- WHEREAS**, the Borough of Lincoln Park has determined that surplus items including but not limited to,
- A. Lot of fifteen (15) Dell computers — Hard drives removed or wiped clean, had windows XP originally
 - B. One (1) Samsung 17" Laptop — No Hard Drive, Bad Motherboard
 - C. Four (4) Panasonic 13" Toughbook Laptops— Hard Drives removed or wiped clean
 - D. One (1) General Dynamic 13" Laptop — Hard Drive wiped Clean
 - E. One (1) HP LaserJet P3000x desktop copier-S/N CNJIR97548
 - F. One (1) Kyocera C3232 color copier — DP-710, machine #8744011
 - G. One (1) Pitney Bowes Postage Machine — model# DM800, S/N 0003172
 - H. Lot of Radar Detectors —7 heads & 9 Antennas
 - I. One (1) Tally T6212 Dot Matrix Printer- model 621, S/N H21G223798
 - J. One (1) Genicom 3810S Dot Matrix Printer — model 3800, S/N 9424-D00120

are property no longer needed for public use; and

WHEREAS, the State of New Jersey permits the sale of surplus property no longer needed for public use through the use on an online auction services, pursuant to the Local Unit Electronic Technology Pilot Program and Study Act, P.L. 2001, c.30; and

WHEREAS, the Borough of Lincoln Park has the property listed in schedule A, attached to this Resolution, and desires to sell this property online.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Lincoln Park’s Governing Body that the Borough of Lincoln Park is hereby authorized to post an offer to sell the items listed on schedule A, on an auction website as follows:

Online Auction Site: www.govdeals.com
Length of Auction: 14 Days.
Start Date: Tuesday, May 17, 2016 (see schedule A)
End Date: Tuesday, May 31, 2016 (see schedule A)
Auction Fees: 7.5% of the winning bid amount, paid through proceeds of the sale.

Shipping All shipping arrangements and shipping costs are the responsibility of the buyer. Item pickup on location: 34 Chapel Hill Road, Lincoln Park, NJ.
 Possession: Within 10 business days (excluding holidays) of winning bid and at pickup location.
 Other Terms: All items are being sold "as is, where is". Payment by the bidder must be submitted within 5 business days (excluding holidays) of winning the bid. Pickup of items auctioned must be made within 10 business days (excluding holidays) of winning bid unless other arrangements have been made prior.

Schedule A

Auction 1: Lot of fifteen (15) Dell computers — Hard drives removed or wiped clean, had windows XP originally

Bid Start: Tuesday, May 17, 2016: 9:00AM
Bid Stop: Tuesday May 31, 2016: 3:00PM

Auction 2: One (1) Samsung 17" Laptop — No Hard Drive, Bad Motherboard

Bid Start: Tuesday, May 17, 2016: 9:00AM
Bid Stop: Tuesday May 31, 2016: 3:00PM

Auction 3: Four (4) Panasonic 13" Toughbook Laptops— Hard Drives removed or wiped clean

Bid Start: Tuesday, May 17, 2016: 9:00AM
Bid Stop: Tuesday May 31, 2016: 3:00PM

Auction 4: 2003 One (1) General Dynamic 13" Laptop — Hard Drive wiped Clean

Bid Start: Tuesday, May 17, 2016: 9:00AM
Bid Stop: Tuesday May 31, 2016: 3:00PM

Auction 5: One (1) HP LaserJet P3000x desktop copier-S/N CNJIR97548

Bid Start: Tuesday, May 17, 2016: 9:00AM
Bid Stop: Tuesday May 31, 2016: 3:00PM

Auction 6: One (1) Kyocera C3232 color copier — DP-710, machine #8744011

Bid Start: Tuesday, May 17, 2016: 9:00AM
Bid Stop: Tuesday May 31, 2016: 3:00PM

Auction 7: One (1) Pitney Bowes Postage Machine — model# DM800, S/N 0003172

Bid Start: Tuesday, May 17, 2016: 9:00AM
Bid Stop: Tuesday May 31, 2016: 3:00PM

Auction 8: Lot of Radar Detectors —7 heads & 9 Antennas

Bid Start: Tuesday, May 17, 2016: 9:00AM
Bid Stop: Tuesday May 31, 2016: 3:00PM

Auction 9: One (1) Tally T6212 Dot Matrix Printer- model 621, S/N H21G223798

Bid Start: Tuesday, May 17, 2016: 9:00AM
Bid Stop: Tuesday May 31, 2016: 3:00PM

Auction 10: One (1) Genicom 3810S Dot Matrix Printer — model 3800, S/N 9424-D00120

Bid Start: Tuesday, May 17, 2016: 9:00AM
Bid Stop: Tuesday May 31, 2016: 3:00PM

RESOLUTION R16-145

A RESOLUTION IN SUPPORT OF VETERANS TREATMENT COURTS

WHEREAS, in 2010 the New Jersey Legislature enacted an Act establishing a task force to study the treatment of Veterans diagnosed with post-traumatic stress disorder (PTSD) in judicial proceedings; and

WHEREAS, the New Jersey Veterans PTSD Task Force will identify and review the issues and concerns facing veterans of the United States Armed Forces and New Jersey National Guard who have been diagnosed with PTSD and how that diagnosis has impacted their treatment in judicial proceedings; and

WHEREAS, the Veterans Treatment Court (“VTC”) model is based on drug treatment and/or mental health treatment courts, where substance abuse or mental health treatment is offered as an alternative to incarceration and, typically, veteran mentors assist with the programs; and

WHEREAS, VTC’s start with the premise of providing Veterans involved in the criminal justice system with a program and services to overcome the challenges they face; and, a VTC would maximize utilization of Department of Veterans Affairs resources and ensure that Veterans are getting the treatment they are owed; and

WHEREAS, according to current research, 9% of the people caught up in the NJ criminal justice system, or nearly 12,000, are Veterans and though a large majority (82%) of these Veterans are eligible for VA services, 18% do not have access to the VA Services; and

WHEREAS, Veterans Administration professionals and other professional counselors and health care professionals are available – at no cost to the judicial or justice systems, and have been utilized efficiently in many other venues and jurisdictions; and

WHEREAS, New Jersey is home to 413,000 Veterans, the 16th highest state Veteran population in the nation, yet New Jersey remains one of only a handful of states without a VTC System; and

WHEREAS, 38 other states (more than one-half of the U.S.) have already adopted such VTC’s and New Jersey lags grievously behind in adopting such a program, thus denying their Veterans the justice and gratitude they have earned for keeping their fellow New Jerseyans safe; and

WHEREAS, VTC’s recognize the tremendous service members of our Armed Forces provide to our Country;

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Lincoln Park recognize the work of the New Jersey Veterans PTSD Task Force and urge the Task Force to find in favor of establishing a Veterans Treatment Court System in New Jersey.

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be forwarded to the Morris County Freeholders and the 11th Legislative District representatives urging them to support a Veterans Treatment Court System in New Jersey, and that it is also the sense of the Governing Body that June be declared “Veterans Treatment Court” Month in the Borough of Lincoln Park, Morris County, New Jersey.

RESOLUTION R16-146

**BOROUGH OF LINCOLN PARK
COUNTY OF MORRIS, STATE OF NEW JERSEY
GREEN GROUNDS AND MAINTENANCE POLICY**

WHEREAS, the Borough of Lincoln Park is desirous of promoting the initiatives and benefits that can be achieved by building a green sustainable community; and

WHEREAS, the Borough is aware that using “green products and practices” provides many benefits to community sustainability; and

WHEREAS, the Lincoln Park Borough Green Team has developed a Green Grounds and Maintenance Policy, setting forth guidelines to use that encourage the best management practices to achieve environmentally sound and efficient results in the area of maintaining and designing municipal buildings and property; and

WHEREAS, the Borough Council has determined that it is in the best interest of the public to formally adopt the Green Grounds and Maintenance Policy as part of the Borough’s Sustainable Jersey initiative;

NOW, THEREFORE BE IT RESOLVED by the Council of the Borough of Lincoln Park the Lincoln Park Borough hereby adopts the Green Grounds and Maintenance Policy developed by the Lincoln Park Borough Green Team and approves the continued implementation of same in an effort to support the Borough’s Sustainable Jersey initiative.

BOROUGH OF LINCOLN PARK

RESOLUTION R16-147 AUTHORIZING EXECUTIVE SESSION

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

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

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

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

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

a. Litigation

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Lincoln Park, assembled in public session on the 16 day of May 2016, that an Executive Session, closed to the public, shall be on the 16 day of May 2016, at approximately 7:30 pm in the Borough of Lincoln Park, Municipal Building, 34 Chapel Hill Road, Lincoln Park, New Jersey 07035

RESOLUTION R16-148

**BOROUGH OF LINCOLN PARK
COUNTY OF MORRIS**

WHEREAS, the local municipal budget for the fiscal year 2016 was adopted on the 18th day of April, 2016, and;

WHEREAS, a copy of the adopted budget has been forwarded to the Morris County Board of Taxation for final certification of the 2016 tax rate, and tax bills cannot be distributed to its residents until said certification is received, and;

WHEREAS, in order to meet statutory obligations to the County, School District and Library along while sustaining Municipal operations, the Chief Financial Officer in consultation with the Tax Collector have computed an estimated tax levy in accordance to NJSA 54:4-66.3 and have both signed a certification attesting to the calculation;

NOW, THEREFORE BE IT RESOLVED, by the Governing body of the Borough of Lincoln Park, County of Morris that the Lincoln Park Tax Collector is hereby authorized to prepare and issue estimated tax bills for the third installment of the 2016 taxes;

BE IT FURTHER RESOLVED, that the Lincoln Park Tax Collector is hereby authorized to prepare and issue estimated tax bills for the third installment of 2016 based up an annualized levy analysis totaling \$35,284,293.00. The Tax Collector shall proceed and take such actions as are permitted and required by P.L. 1994, c.72 (N.J.S.A. 54:4-66.2 and 54:4-66.3).

BE IT FURTHER RESOLVED, that in accordance with the law, third quarter installments of the 2016 taxes shall not be subject to interest until the later of either August 10, 2016 or twenty-five calendar days after the date estimated bills were mailed. Contained on the estimated bill shall specify the date on which interest may begin to accrue.

Kerwin: Please call the Roll.

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

No: None

Absent: None

Abstain: None

VIII. RESOLUTIONS: REGULAR AGENDA:

Kerwin: R16-149, Authorize Resolution Opposing the Rate Increase Petition Requested by New Jersey Natural Gas.

Kerwin: Any questions or comments regarding Resolution R16-149?

Moeller: So Moved

Gemian: Second

RESOLUTION R16-149

**RESOLUTION OPPOSING THE RATE INCREASE PETITION REQUESTED BY
NEW JERSEY NATURAL GAS**

WHEREAS, on November 13, 2015, New Jersey Natural Gas filed a petition with the New Jersey Board of Public Utilities requesting an increase in the Company’s base rate charges for natural gas services; and

WHEREAS, New Jersey Natural Gas’s requested increase would result in an increase of approximately \$22.00 per month to a ratepayer’s bill; and

WHEREAS, the additional rate increase would be adding to the overall financial burden of natural gas consumers and impact negatively on Lincoln Park Borough’s homeowners; and

WHEREAS, the Borough of Lincoln Park has a large population of senior citizens and others living on a fixed income whom cannot afford an increase of over \$260.00 a year; and

WHEREAS, the Borough of Lincoln Park has learned that large, unreasonable, and excessive increases in salaries and benefits have been proposed for New Jersey Natural Gas executives; and

WHEREAS, New Jersey Natural Gas has not shown that an increase in this magnitude is necessary to operate and maintain its gas distribution system in a safe, adequate, and proper manner.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Lincoln Park in the County of Morris and State of New Jersey, that the Borough of Lincoln Park **STRONGLY** opposes the application filed by New Jersey Natural Gas for a rate increase and urges the Board of Public Utilities to limit any rate increases to that which is necessary to maintain the gas distribution system in a safe, adequate and proper manner and to carefully review salaries and compensation proposed for executive employees.

Kerwin: Please call the Roll.

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

No: None

Absent: Ross

Abstain: None

The Resolution was Adopted.

Kerwin: R16-150, Authorize Pay Bills.

Kerwin: Any questions or comments regarding Resolution R16-150?

Moeller: So Moved

Gemian: Second

RESOLUTION R16-150

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

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

CHECK NO.

ACCOUNT

TOTAL

44341-44469	Current	\$ 2,352,483.68
1371-1374	Accutrack	14,856.63
1197	Administrative Resale	800.00
1134&1135	Affordable Housing	487.50
1366-1367	Dog License	9,818.55
3333-3338	General Capital	19,236.65
2761-2767	General Trust	2,661.57
1003	Grants	56,179.76
1003	Open Space	5,012.50
2001	Recycling	20,000.00
2913	Water Capital	48.00
8186& bt	Water Utility	408,877.16

Kerwin: Please call the Roll.

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

The Resolution was Adopted.

Kerwin: R16-151, Authorize Confirmed Bills.

Kerwin: Any questions or comments regarding Resolution R16-151?

Moeller: So Moved
 Gemian: Second

RESOLUTION R16-151

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

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

ACCOUNT

<u>CHK NO.</u>	<u>PAID TO</u>	<u>PURPOSE</u>	<u>AMOUNT</u>
CURRENT			
BT	LP Board of Education	April	\$1,474,980.75
BT	Payroll Net	Void for Payroll	\$115,521.73
BT	Payroll Escrow	Void for Payroll	\$92,854.99
44341	Prudential Retirement	DCRP April 2016	\$315.69
44342	Horizon Blue Cross	April/May Dental Benefits	\$16,270.96
BT	Net Payroll	Void for Payroll	\$136,399.09
BT	Payroll Escrow	Void for Payroll	\$99,916.09
44345	USPS Reserve Account	Postage	\$3,000.00
	Meeting Checks	44346-44469	\$2,352,483.68

WATER UTILITY

Bt	Borough of Lincoln Park	Sewer Payment	\$252,948.87
BT	Water Payroll	Void for Payroll	\$10,445.40
BT	Water Escrow Payroll	Void For Payroll	\$7,719.49
8186	USPS Reserve Account	Pitney Bowes Postage	\$3,000.00
BT	Water Payroll	Void for Payroll	\$10,812.92
BT	Water Payroll Escrow	Void for Payroll	\$7,784.75
	Regular Meeting Checks	8189-8206	\$408,877.16

Kerwin: Please call the Roll.

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

The Resolution was Adopted.

Kerwin: R16-152, Authorize the Purchase of Goods and Services from Various Morris County Cooperative Pricing Council Vendors for the Pine Brook Road Improvements Project.

Kerwin: Any questions or comments regarding Resolution R16-152?

Wild: So Moved
Ross: Second

RESOLUTION R16-152

**AUTHORIZING THE PURCHASE OF
GOODS AND SERVICES FROM VARIOUS MORRIS
COUNTY COOPERATIVE PRICING COUNCIL VENDORS
FOR THE PINE BROOK ROAD IMPROVEMENTS PROJECT,
FOR A TOTAL COST OF \$412,819.31**

WHEREAS, the Borough of Lincoln Park ("Borough") desires to complete a roadway improvement project for Pine Brook Road between Chapel Hill Road and the municipal boundary of Montville Township, (the "Project"); and,

WHEREAS, the Borough has received a grant in the amount of \$220,000.00 from the State of New Jersey Department of Transportation's Transportation Trust Fund to perform improvements within the limits of the Project; and,

WHEREAS, the Borough desires to use the Morris County Cooperative Pricing Council ("MCCPC") in order to award contracts to various vendors to complete the Project; and,

WHEREAS, the Borough desires to purchase materials and services from the various vendors awarded contracts by the MCCPC as follows:

- A. MCCPC Contract #6 to Tilcon New York, Inc., located at 9 Entin Road, Parsippany, New Jersey, 07054, for road resurfacing;
- B. MCCPC Contract #14 to General Foundries, Inc., located at 1 Progress Road, North Brunswick, New Jersey 08902; for storm inlet and manhole castings;
- C. MCCPC Contract #26 to Road Safety Systems, LLC, located at 12 Park Drive, Shamong, New Jersey, 08088; for beam guide rails;
- D. MCCPC Contract #28 to Osburn Associates, Inc., located at P.O. Box 912, Logan, OH 43138; for traffic sign materials;
- E. MCCPC Contract #28 to Garden State Highway Products, Inc., located at 1740 East Oak Road, Vineland, NJ 08361, for traffic sign materials; and,
- F. MCCPC Contract #36 to Denville Line Painting, Inc., located at 2 Green Pond Road, Rockaway, New Jersey 07866, for traffic striping.

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

1. The Borough of Lincoln Park hereby authorizes the purchase of the following:
 - a) Road resurfacing services from Tilcon New York, Inc., in the amount of \$253,375.00;
 - b) Storm inlet and manhole castings from General Foundries, Inc., in the amount of \$11,632.80;
 - c) Beam guide rails from Roadway Safety Systems, LLC, in the amount of 117,500.00;
 - d) Traffic sign materials from Osburn Associates, Inc., in the amount of 1,284.11;

- e) Traffic sign materials from Garden State Highway Products, Inc., in the amount of \$2,375.40; and,
 - f) Traffic striping services from Denville Line Painting, Inc., in the amount of \$26,652.00.
2. The Mayor and Business Administrator are hereby authorized and directed to execute MCCPC Contract Nos. 6, 14, 26, 28 and 36, and said officers, together with all other officers, professionals and employees of the Borough are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of this Resolution.
 3. The foregoing awards are subject to the certification of availability of funds by the appropriate officers of the Borough.
 4. This Resolution shall take effect as herein provided.

IX MISCELLANEOUS/COUNCIL COMMITTEE REPORTS:

Cardillo: No Report

Gemian: No Report

Moeller: No Report

Ross: No Report

Thompson: Asked Chris DiLorenzo, Borough Attorney, when the Codification will be completed. Chris DiLorenzo stated that they were shooting for June 2016.

Wild: No Report

Kerwin: The First Aid Squad is back in their building in regards to the flood that has taken place.

X. MAYOR'S AGENDA:

Mayor Runfeldt reminded everyone that this is EMS week so remember to thank them for their services.

The sidewalk improvement has started on Route 202 and has been running smoothly.

There has been flags marked out on Main Street this is due to the continuation of the gas main replacement that New Jersey Natural Gas is doing.

In front of the Council is a letter from the American Legion. If anyone is interested in marching in the Memorial Day Parade please advise Cindi. I will have Dina get wreaths unless anyone wants to do separate wreaths from the Council.

If anyone has gone by Ker's Funeral Home today there was a fairly large turnout for the passing of the retired Lieutenant from the Roxbury Police Department as well as a long time Lincoln Park resident Joey Franklin.

The Lincoln Park Historical Society has reassembled after 5 years and will reopen alternating Sundays starting the Sunday after Memorial Day from 1 P.M. to 4 P.M.

With regards to Resolution R16-145 it is great that we all support this Resolution. Currently in the court we announce ahead of time that if there are any Veteran's that need assistance we offer that to them in the court. We have this posted on our Website as well. We go out of our way to support them in any way that we can.

The Girl's Softball Angel's won 5 and 0 this week.

There will be a Closed Session Meeting tonight.

XI. PUBLIC HEARING:

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

Moeller: So Moved

Thompson: Second

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

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

Barbara Moeller, 11 Washington Avenue and Patricia Hermann, 6 Washington Avenue spoke about the speeding on Washington Avenue. They are requesting a sign to be posted. Patricia Hermann said that she spoke with Chief West last week and he said that he will look into posting signs and will place a Police Officer at this location. A Police Officer has been posted at various times on Washington Avenue. Patricia Hermann is asking the Council if they have heard if any sign is going to be posted on Washington Avenue or if a sign is allowed to be posted.

Councilwoman Thompson said that she will follow up with Chief West and she will call Barbara Moeller and Patricia Hermann when she gets a response.

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

Moeller: Second

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

XII. CLOSED SESSION: MATTERS RELATIING TO LITIGATION, NEGOTIATIONS AND THE ATTORNEY CLIENT PRIVILEGE:

Thompson: Motion to go to Closed.

Ross: Second

Motion passed unanimously at 7:54 P.M.

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

- A. Update on Retiree Health Care Litigation
 - i. Vicki Flynn to present

Thompson: Motion to come out of Closed.

Ross: Second

Motion passed unanimously at 8:17 P.M.

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

Chris Dilorenzo, Borough Attorney, stated that No Formal Action was taken by the Council.

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

XIII. ADJOURNMENT:

Thompson: Motion to Adjourn.

Gemian: Second

There being no further business to come before the Council the Regular Meeting of May 16, 2016 was adjourned at 8:19 PM.

Council President, Raymond Kerwin

Municipal Clerk, Cindi Sloane, RMC, CMR

