

I. Monday, June 6, 2016 Work Meeting of the Governing Body of the Borough of Lincoln Park, the Clerk called the Work Meeting to order and announced the meeting was duly advertised in accordance with the Open Public Meetings Act. The Clerk also advised those present where the exits to the room were and to turn off all Cell Phones. All stood for the Pledge of Allegiance.

II. ROLL CALL

On the Roll Call, Council Members present were: Cardillo, Gemian, Moeller, Ross, Thompson, Wild and Kerwin

Present from Administration: Mayor Runfeldt, Borough Administrator Perry Mayers, CFO Kerry Geisler, and Chris DiLorenzo and Ken Rush Borough Attorney.

III. COUNCIL AGENDA:

1. 2016 – 2017 ABC License Renewals –

Council concurred and a Resolution will be on for the Regular Meeting approving all current Liquor Licenses for 2016 – 2017

2. Courtney Fitzpatrick obtained her RMC designation.

Council concurred and a Resolution will be on for the Regular Meeting giving the Deputy Clerk \$1,000 for obtaining her RMC.

IV. MISCELLANEOUS/COUNCIL COMMITTEE REPORTS:

Councilman Moeller Reported on the following:

1. Mosquitos: We are still waiting for the license to come through from the State.
2. The health department has issued four licenses for the chickens this year.
3. Skin cancer screening scheduled for June 30th.
4. Farmers Market in Montville, will start July 31st and run through November 20th.
5. 202 Bistro and the Sunset Grill are both taking part in our Eat Well Live Well, Lincoln Park Program, with Healthy Menu options.
6. DPW: 2016 Dump Truck should be ready in 2 weeks.
7. One bid was received on the Packer at today's Bid Opening.
8. West Pinebrook Road is getting paved today. George Cobb Lane is scheduled for the end of June.

Councilwoman Ross also commented on the length of time it's taking for the State to issue the Mosquito Spraying this year. Administration commented that each year it takes a long time. The Councilwoman also commented on the large amount of horse flies in town this year.

Councilwoman Thompson discussed on great the new sidewalks look on Route 202. Administration concurred.

V. MAYOR'S AGENDA:

I. Escrow Release

- A. Release of Escrow #2346, 196 Main Street, Block 35.1/Lot 115.3, to Zeynel Murat Ozbeck d/b/a/ 35 Fine Foods, has been approved by the Borough Engineer.
- B. Release of Escrow #2349, 63 Beaver Brook Road, Suite 306C, Block 3/Lot 284.3, to Big Visual Digital Technologies, has been approved by the Borough Engineer.

Council concurred and a Resolutions will be on for the Regular Meeting.

II. Request Resolution Authorizing the Refund of Water Utility Overpayment

- C. Block 136.2 / Lot 3.10 C3010 aka 59 Robertson Way
- D. Over Billed while water was shut off
- E. Payment of \$360.00 to be made to property owner Kim Careccia

Council concurred and a Resolutions will be on for the Regular Meeting.

III. Request Resolution Authorizing the Refund of Tax Overpayments

- F. Block 3.4/Lot 74

- i. Pay to – Corelogic
 - ii. Amount - \$1,875.27
 - iii. Reason – Paid by Title Co. & Mortgage Co.
- G. Block 4.1/Lot 23
 - i. Pay to – Corelogic
 - ii. Amount - \$1,675.42
 - iii. Reason – Paid by Lawyer & Mortgage Co.
- H. Block 9/Lot 17
 - i. Pay to – Corelogic
 - ii. Amount - \$2,200.91
 - iii. Reason – Paid by Title Co. & Mortgage Co.
- I. Block 35/Lot 42.1
 - i. Pay to – Corelogic
 - ii. Amount - \$1,584.98
 - iii. Reason – Paid by Title Co. & Mortgage Co.
- J. Block 7.4/Lot 16.1
 - i. Pay to – Corelogic
 - ii. Amount - \$2,006.17
 - iii. Reason – Paid by Title Co. & Mortgage Co.

Council concurred and a Resolutions will be on for the Regular Meeting.

IV. Tax Lien Redemptions

- K. Block 46.7/Lot 50, aka 50 Stonyridge Drive, Certificate #15-00016
 - i. 2014 Tax, Water & Sewer
 - ii. \$1,756.49 Payable to US Bank Cust for PC 4 & Crdtrs for Certificate Redemption
 - iii. \$800 Payable to US Bank Cust for PC 4 & Crdtrs for Premium Reimbursement

Council concurred and a Resolution will be on for the Regular Meeting.

V. Request Resolution Authorizing Submission of Chapter 159 Request to DLGS

- L. Budget Year 2016
- M. Amount - \$3,000
- N. NJDEP Green Communities Grant/Community Forestry Management Plan

Council concurred and a Resolutions will be on for the Regular Meeting.

VI. Request Resolution Canceling Receivable and Appropriation Balances Upon Recommendation of Auditor

- O. NJ Transportation Trust – Beaver Brook Road
 - i. \$ 5,197.55
- P. NJ Transportation Trust – Two Bridges Road
 - i. \$4,484.04
- Q. NJ Transportation Trust – Ryerson Road
 - i. \$6,164.50

Council concurred and a Resolution will be on for the Regular Meeting.

VII. Request Resolution Canceling Receivable and Appropriation Balance

- R. Federal Assistance to Firefighters Grant
 - i. Receivable - \$83.00
 - ii. Appropriation - \$82.80
 - iii. Cancel to Current Fund Balance

Council concurred and a Resolution will be on for the Regular Meeting.

VIII. Request Resolution Authorizing Fireworks Display

- S. Friday, July 1, 2016
- T. Community Lake
- U. Pyrotecnico
- V. Fire Official to grant permit upon his approval

Council concurred and a Resolution will be on for the Regular Meeting.

IX. Request Resolution Authorizing Mayor and Borough Clerk to Execute Farmer’s Market Agreement with Montville

- W. Joint Project – “John Becker Farm to Table Farmer’s Market – Lincoln Park/Montville”
- X. Sundays – 9 a.m. to 2 p.m.
- Y. 2016 Season – July 31st to November 20th
- Z. Towaco Train Station Parking Lot

Council concurred and a Resolution will be on for the Regular Meeting.

X. Request Resolution Amending Compensation (Salary) Resolution for 2016

- AA. Director of Finance/CFO Salary listing incorrectly in Resolution R-16-126
 - i. Was listed as \$84,590
 - ii. Should have been listed as \$84,950 (The 9 and 5 were apparently transposed)
 - iii. Effective January 1, 2016
- BB. Deputy Borough Clerk Increase of \$1,000
 - i. Received RMC Certification
 - ii. New Salary - \$48,858
 - iii. Effective June 1, 2016

Council concurred and a Resolution will be on for the Regular Meeting.

XI. Request Introduction of Ordinance Authorizing Various Capital Improvements and Acquisitions

- CC. Appropriation - \$1,169,190
- DD. Bonds Authorized - \$993,810

Council concurred and an Ordinance will be Introduced at the June 20th Regular Meeting

XII. Request Resolution Authorizing Amendment to the Open Space Resolution

Amendment will allow the Borough to use the Open Space Funds for Acquisition or Maintenance.

Council concurred and a Resolution will be on for the Regular Meeting. The Resolution will then allow a Referendum to be placed on the November 8th General Election Ballot.

XIII. Resolution authorizing the governing body’s approval for the LP vs. Bower lawsuit.

This Resolution is at the request of the Zoning Board Attorney.

Council concurred and a Resolution is on tonight's agenda.

Council had questions concerning this matter. Administration stated that Mr. Bower had been given sufficient time to correct the items at his property that the Court mandated. He has failed to correct these items, hence the lawsuit.

- XIV.** The Mayor thanked everyone who participated in the Memorial Day Parade. The American Legion, once again did an outstanding job. The Grand Marshall was Command Sergeant Major Hu’Dene B. Wright from Picatinny Arsenal.
- XV.** After being closed for five years the Lincoln park Historical Society’s Museum is open and hopefully, will be open every other Sunday for the Summer.
- XVI.** Tomorrow is Primary Voting day here in town, so get out and vote!
- XVII.** School will be out in 2 weeks. The Mayor stated this is yearly reminder to watch out for kids, bikes and motor cycles.
- XVIII.** Trish D’Antono has resigned from the Planning Board. She was a tremendous asset to the Board. She came from a Construction background which made her an integral member of the Board. A replacement will be named in the near future.

VI. RESOLUTION:

Kerwin: Resolution R16-153 Resolution Authorizing Suite Lincoln Park vs. Bower

Thompson: So Moved

Ross: Second

**RESOLUTION AUTHORIZING SUIT
Resolution R16-153**

WHEREAS, Alice DeFalco (“DeFalco”) is the owner of the property known as 131 Ryerson Road, Lincoln Park, New Jersey and also designated as Block 8, Lot8.3 on the official tax maps of the Borough of Lincoln Park (the “Property”) and Charles Bower, the son of Defalco, operates a business on the Property; and

WHEREAS, at a public meeting held on March 10, 2015, the Board of Zoning Adjustment (the “Board”) adopted a resolution (the “Resolution”) approving the site plan and granting the requested variances for the Property as requested by DeFalco and Bower; and

WHEREAS, the Board’s approval of the site plan and variances was expressly conditioned on the applicant’s complying with each of the thirty-eight separate terms and conditions set forth in the Resolution, and

WHEREAS, the Board imposed these conditions in order to protect the people, property and health and safety of the Borough, and to insure the integrity of the Borough’s zoning ordinance, and

WHEREAS, the Council has been advised that DeFalco and Bowers have failed to comply with many of the conditions imposed by the Resolution; and

WHEREAS, it appears to be in the best interest of the Borough to file a plenary action in the Superior Court of New Jersey to enforce the Resolution,

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 Borough hereby authorizes the commencement of a plenary action in the Superior Court of New Jersey against DeFalco and Bowers to enforce the Resolution.
2. The Borough hereby ratifies any action taken by the Board in connection with filing an action against DeFalco and Bowers, and further authorizes the filing of an amended complaint to substitute the Borough as plaintiff.
3. The Borough may retain Charles S. Lorber, Esq. of Mandelbaum Salsburg P.C. as counsel for the Borough on said matter upon such fee arrangement as may be customarily prevailing and agreeable to the Borough.

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.

VII. PUBLIC HEARING.

Wild: Motion to go to Public

Ross: Second

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

1. Richard Hurford, 108 Main Street – discussed the loud noise coming from trucks using their engine brakes as they are coming down Main Street. Council will consider placing signs on Route 202 asking Truckers to be courteous and not use their engine brakes.

Wild: Motion to Close Public

Ross: Second

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

VIII. ADJOURNMENT:

Thompson: Motion to Adjourn.

Gemian: Second

There being no further business to come before the Council the June 6th meeting was Adjourned.

