

**I. CALL TO ORDER:**

**II. PLEDGE OF ALLEGIANCE:**

Council President Kerwin asked for a moment of silence in memory of Kevin Lancaster who served on the Planning Board for twenty (20) years and served on the Board of Education for thirteen (13) years.

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, June 20, 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, May 16, 2016 Regular Meeting Minutes.

Thompson: So Moved  
Moeller: Second

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

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

The Minutes of May 16, 2016 were approved.

Kerwin: Minutes for Approval, June 6, 2016 Work Session Minutes.

Thompson: So Moved  
Ross: Second

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

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

The Minutes of June 6, 2016 were approved.

**V. ORDINANCES FOR INTRODUCTION:**

Kerwin: Ordinance 7-16 for Introduction. 7-16 Bond Ordinance Authorizing Various Capital Improvements and Acquisitions.

The Clerk read the following Resolution:

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

**7-16**

**BOND ORDINANCE AUTHORIZING VARIOUS CAPITAL IMPROVEMENTS AND ACQUISITIONS IN AND FOR THE BOROUGH OF LINCOLN PARK, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, APPROPRIATING \$1,169,190 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$993,810 IN BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF**

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

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

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

The Clerk read the following Resolution:

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

**7-16**

**BOND ORDINANCE AUTHORIZING VARIOUS CAPITAL IMPROVEMENTS AND ACQUISITIONS IN AND FOR THE BOROUGH OF LINCOLN PARK, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, APPROPRIATING \$1,169,190 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$993,810 IN BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF**

Be passed on First Reading; and

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

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

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

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

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

The Resolution was adopted.

**VI. ORDINANCE FOR ADOPTION:**

Kerwin: Ordinance 5-16 for Adoption. 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;

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

Moeller: 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.

Gemian: 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 5-16 only may do so now.

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

Moeller: 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;

**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 Final Reading and a Notice of Final Passage of said Ordinance be published according to law.

Thompson: So Moved  
Ross: 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.

Kerwin: Ordinance 6-16 for Adoption. 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;

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

Wild: So Moved  
Ross: Second

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

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

The Resolution was adopted.

Thompson: Motion to go to Public  
Ross: Second

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

Kerwin: Anyone wishing to speak on Ordinance 6-16 only may do so now.

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

Ross: 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;

**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 Final Reading and a Notice of Final Passage of said Ordinance be published according to law.

Wild: So Moved  
Moeller: 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 R16-126A through R16-165.

Ross: So Moved  
Gemian: Second

**RESOLUTION R16-126-A**

**WHEREAS**, the Borough of Lincoln Park (“Borough”) Adopted Ordinance 1,557 (1-16) on April 20, 2015 providing the compensation ranges for certain Borough Officials and employees; and

**WHEREAS**, Ordinance No. 1,557 (1-16) provided that the exact compensation for those Officials and employees would be set by the Borough via Resolution;

**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 2016 annual compensation for the following Department Heads within the Borough of Lincoln Park shall be as follows:

**Position**

<u>Title</u>	<u>Base Salary</u> +	<u>Longevity</u> =	<u>Total</u>
Borough Administrator Dept. of Administration	\$ 95,717	\$0.00	\$ 95,717
Director/Chief Dept. of Police	\$155,034	\$0.00	\$155,034
Director of Finance/CFO Dept. of Finance	\$ 84,950	\$0.00	\$ 84,950
Director/Superintendent Dept. of Public Works	\$ 95,203	\$ 0.00	\$ 95,203
Director of Recreation Dept. of Parks & Rec.	\$ 73,440	\$0.00	\$ 73,440
Health Officer/Public Health Nurse	\$107,681	\$0.00	\$107,681

- The 2016 annual compensation for the following Council Employees within the Borough of Lincoln Park shall be as follows:

**Position**

<u>Title</u>	<u>Base Salary</u> +	<u>Longevity</u> =	<u>Total</u>
Borough Clerk	\$73,440	\$ 0.00	\$73,440
Deputy Borough Clerk	\$48,858	\$ 0.00	\$48,858

- The 2016 annual compensation for the following Miscellaneous Employees within the Borough of Lincoln Park shall be as follows:

**Position**

<u>Title</u>	<u>Base Salary</u> +	<u>Longevity</u> =	<u>Total</u>
Tax Assessor	\$64,801	\$ 0.00	\$64,801
Tax Collector	\$74,610	\$ 1,500.00	\$76,110
Municipal Court Judge	\$33,109	\$0.00	\$33,109

4. The 2016 annual compensation for the following Elected Officials within the Borough of Lincoln Park shall be as follows:

**Position**

<u>Title</u>	<u>Base Salary</u> +	<u>Longevity</u> =	<u>Total</u>
Mayor	\$8,000	\$0.00	\$8,000
Council	\$5,500	\$0.00	\$5,500

5. The salaries provided above shall be effective January 1, 2016
6. The Mayor, Business Administrator and Borough Clerk, together with all other Officers, professionals and employees of the Borough are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of this Resolution.
7. This Resolution shall take effect immediately.

**RESOLUTION R16-154**

**BE IT RESOLVED** by the Governing Body of the Borough of Lincoln Park, that the Borough Clerk is hereby authorized to issue a **CONSUMPTION LICENSES TO THE FOLLOWING LICENSE HOLDERS** to be effective July 1, 2016 to June 30, 2017.

**1416-33-008-003** to **PHILHANK PROPERTIES, INC. t/a CAFÉ AT THE MEADOWS** for premises located at 79 Two Bridges Rd;

**1416-33-005-004** to **SUNSET PUB AND GRILL, INC.** for premises located at 425 Beaver Brook Rd.

**1416-33-001-002** to **WEXFORD INN, INC.** for premises located at 247 Main St.

**1416-33-006-008** to **VACI, LLC d/b/a/ 202Bistro** for premises located at 177 Main Street.

**BE IT RESOLVED** by the Governing Body of the Borough of Lincoln Park, that the Borough Clerk is hereby authorized to issue a **DISTRIBUTION LICENSE TO THE FOLLOWING LICENSE HOLDERS** to be effective July 1, 2016 to June 30, 2017.

**1416-44-0025-004** to **JOSEPH WOLFSON, INC.** for premises located at 480 Boonton Tpk.

**1416-44-003-010** to **LINCOLN PARK PLAZA LIQUORS t/a LINCOLN CENTER LIQUORS**, for premises located at 261 Comly Rd.

**1416-44-007-004** to **SHOP RITE LIQUORS OF LINCOLN PARK, INC.,** for premises located at 60 Beaver Brook Rd.

**BE IT RESOLVED** by the Governing Body of the Borough of Lincoln Park, that the Borough Clerk is hereby authorized to issue a **CLUB LICENSE, NO. 1416-31-009-001** to **LINCOLN PARK AMERICAN LEGION POST 279, INC. t/a LINCOLN PARK POST 279**, for premises located at 133 Main St., to be effective July 1, 2016 to June 30, 2017.

**RESOLUTION R16-155**

**WHEREAS, Zeynel Murat Ozbeck d/b/a/ Fine Foods** had heretofore deposited with the Borough of Lincoln Park a Site Plan Exemption # SPE 10-14 and Zoning Permit # 2015-34Z and Site Plan Exemption SPE 15-04 in connection with a property located at 196 Main Street, Lincoln Park 07035; and

**WHEREAS, Zeynel Murat Ozbeck d/b/a/ Fine Foods** 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 # 2346 and may be refunded to **Zeynel Murat Ozbeck d/b/a/ Fine Foods 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, **Zeynel Murat Ozbeck d/b/a/ Fine Foods** in the 2016 General Trust Escrow Account – Bank Account #041-41378-4, Escrow Account #2346 for a Zoning Permit 2015-34Z and a Site Plan Exemption SPE 15-04 in connection with a property located at 196 Main Street, Lincoln Park 07035; be and hereby are ordered released/refunded by the Borough subject to the CFO first confirming that all bills (submitted and pending) from the Board Attorney, and Borough Engineer have been properly and fully satisfied.

**RESOLUTION R16-156**

**WHEREAS**, **Big Visual Digital Technologies** had heretofore deposited with the Borough of Lincoln Park a Site Plan Exemption # SPE 15-06 and Zoning Permit # 2015-39Z and Site Plan Exemption SPE 15-04 in connection with a property located at 636 Beaver Brook Road, Suite 306C, Lincoln Park 07035; and

**WHEREAS**, **Big Visual Digital Technologies** 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 # 2349 and may be refunded to **Big Visual Digital Technologies 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, **Big Visual Digital Technologies** in the 2016 General Trust Escrow Account – Bank Account #041-41378-4, Escrow Account #2349 for a Zoning Permit 2015-39Z and a Site Plan Exemption SPE 15-06 in connection with a property located at 63 Beaver Brook Road, Suite 306C, 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 R16-157**

**WHEREAS**, it has been determined by the Water Supervisor that the taxpayer indicated below is entitled to a water utility overpayment, and;

**WHEREAS**, this overpayment should be returned to the respective taxpayer;

**NOW THEREFORE, BE IT RESOLVED** BY THE Governing body of the borough of Lincoln park, that the Water Supervisor is hereby authorized to make overpayment refunds in the amount shown below to the taxpayer.

Block?lot	Name	Amount	Reason
136.2/310 C3010	Kim Careccia	\$360.00	Over Billed/Water off

129 Woodland Avenue  
 Ramsey, NJ 07446

**RESOLUTION 16-158**

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

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

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

Block/Lot	Name	Amount	Reason
3.4/74	Corelogic	\$1,875.27	Pd by Title Co & Mortgage co
4.1/23	Corelogic	\$1,675.42	Pd by lawyer & Mortgage Co
9/17	Corelogic	\$2,200.91	Pd by title co & Mortgage Co.
35/42.1	Corelogic	\$1,584.98	Pd by title co & Mortgage Co.
7.4/16.1	Corelogic	\$2,006.17	Pd by title co & Mortgage Co

**RESOLUTION 16-159**

**WHEREAS**, at the Municipal Tax Sale held June 24, 2015, a lien was sold on block 46.7, lot 50, also known as 50 Stonyridge Drive in Lincoln Park, for 2014 water and sewer; and

**WHEREAS**, this lien, known as Tax Sale Certificate #15-00016, was sold to US Bank Cust for PC 4 & Crdtrs for a premium of \$800.00; and

**WHEREAS**, Lereta, mortgage company for owner, has effected redemption of certificate #15-00016, in the amount of \$1,756.49;

**NOW, THEREFORE, BE IT RESOLVED**, that the Treasurer be authorized to issue a check in the amount of \$1,756.49 and a \$800.00 premium, for the redemption of Tax Sale Certificate #15-00016, payable to US Bank Cust for PC 4 & Crdtrs at 50 South 16<sup>th</sup> Street, Suite 1950, Philadelphia, PA 19102

**RESOLUTION R16-160**

**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 \$3,000.00 from The State of New Jersey 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 \$3,000.00 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 Forestry Services Green Communities

**BE IT FURTHER RESOLVED** that the like sum of \$3,000.00 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 Forestry Services Green Communities

**BE IT FURTHER RESOLVED** that the sum of \$3,000.00 representing the amount required for the municipality's share of the aforementioned undertaking appears in the budget of the year 2016 under the caption Administration – Hire of Service and is hereby appropriated under the caption of:

General Appropriations:

(a) Operations Excluded from CAPS

Public and Private Programs Off-Set by Revenues:

NJ Forestry Services Green Communities

**RESOLUTION R16-161**

**RESOLUTION OF THE BOROUGH OF LINCOLN PARK, COUNTY OF MORRIS FOR THE CANCELLATION OF RECEIVABLE AND APPROPRIATION BALANCES**

**WHEREAS**, there is a receivable in the amount of \$5,197.55 and an appropriation in the amount of \$5,197.55 from the NJ Transportation Trust for Beaver Brook Road Lane, and

**WHEREAS**, there is a receivable in the amount of \$4,484.04 and an appropriation in the amount of \$4,484.04 from the NJ Transportation Trust for Two Bridges Road, and

**WHEREAS**, there is a receivable in the amount of \$6,164.50 and an appropriation in the amount of \$6,164.50 from the NJ Transportation Trust for Ryerson Road, and

**WHEREAS** these receivables are no longer collectible as revenue and the remaining appropriation will not be expended

**NOW, THEREFORE, BE IT RESOLVED** that the receivables and budget appropriations be cancelled to current fund balance.

**RESOLUTION R16-162**

**RESOLUTION OF THE BOROUGH OF LINCOLN PARK, COUNTY OF MORRIS FOR THE CANCELLATION OF RECEIVABLE AND APPROPRIATION BALANCED**

**WHEREAS**, there is a receivable in the amount of \$83.00 and an appropriation in the amount of \$82.80 from the Federal Assistance to Firefighters Grant, and;

**WHEREAS**, this receivable is no longer collectible as revenue and the remaining Appropriation will not be expended.

**NOW, THEREFORE, BE IT RESOLVED** that the receivable and budget appropriation be cancelled to current fund balance.

**RESOLUTION R16-163**

**WHEREAS**, the Borough of Lincoln Park wishes to provide a Fireworks display on July 1, 2016 at 37 Ryerson Road, aka the Community Lake, and;

**WHEREAS**, the Borough Council desires to approve the discharge of fireworks consistent with the provisions of the Uniform Fire Code of the State of New Jersey and the National Fire Protection Association Standards 1123 and 1124, and;

**WHEREAS**, the New Jersey Uniform Fire Code requires that the governing body of a municipality approve by resolution fireworks displays prior to the issuance of a permit by the Fire Official (N.J.A.C. 5:70 *et seq.*), and;

**WHEREAS**, the Borough of Lincoln Park has received a contract proposal from Pyrotecnico, PO Box 149, New Castel, PA for a Fireworks display on July 1, 2016, and;

**WHEREAS**, Pyrotecnico has provided proof of general liability insurance in excess of \$1,000,000 as required by the Uniform Fire Code of the State of New Jersey (N.J.A.C. 5:70 *et seq.*);

**NOW, THEREFORE BE IT RESOLVED**, by the Governing body of the Borough of Lincoln Park that a fireworks display at the Community Lake conducted by Pyrotecnico on July 1, 2016 is authorized, and;

**BE IT FURTHER RESOLVED**, that a permit may be granted by the Fire Official of the Borough of Lincoln Park, upon his approval, for said Fireworks display on July 1, 2016.

**RESOLUTION R16-164**

**RESOLUTION OF THE BOROUGH OF LINCOLN PARK, COUNTY OF MORRIS AND STATE OF NEW JERSEY AUTHORIZING AND AGREEMENT FOR THE JOHN BECKER FARM TO TABLE FARMERS MARKET, BOROUGH OF LINCOLN PARK/TOWNSHIP OF MONTVILLE WITH TOWNSHIP OF MONTVILLE**

**WHEREAS**, the Township of Montville and Borough of Lincoln Park shall jointly run a Farmers Market known as the "John Becker Farm to Table Farmers Market, Borough of Lincoln Park/Township of Montville" ("Farmers Market"); and

**WHEREAS**, the Farmers Market shall run for the 2016 season beginning July 31, 2016 and ending November 20, 2016 and be held on Sundays from 9 a.m. to 2 p. m. at the Towaco Station Parking Lot, Route 202, Towaco, New Jersey; and

**WHEREAS**, representatives from Montville and Lincoln Park have met and corresponded to establish Policies & Procedures for the Farmers Market and to establish the responsibilities of the respective municipalities for the Farmers Market; and

**WHEREAS**, Montville and Lincoln Park desire to memorialize their responsibilities for the Farmers Market in a written agreement; and

**WHEREAS**, the Borough Council is supportive of the Farmers Market and accordingly, wish to approve the Agreement with Montville for the Farmers Market.

**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 Mayor and Township Clerk are hereby authorized to execute the "Agreement for the John Becker Farm to Table Farmers Market, Borough of Lincoln Park/Township of Montville" with the Township of Montville.

This Resolution will take effect immediately upon its passage.

**RESOLUTION R16-165**

**AUTHORIZING OPEN SPACE RECREATION AND CONSERVATION TRUST FUND  
NOVEMBER BALLOT QUESTION**

**WHEREAS**, at the general election held on November 5, 2002, the voters of the Borough of Lincoln Park approved, via a non-binding referendum, the creation of an annual levy not to exceed \$0.02 per \$100.00 of assessed value of real property located in the Borough for the establishment of a Municipal Open Space Recreation and Conservation Trust Fund for the direct and indirect costs associated with the acquisition of property for recreation and conservation purposes, for the payment of debt service or indebtedness issued or incurred by the Borough for this purpose and maintenance of such existing or acquired properties/facilities; and

**WHEREAS**, the funds raised were to be deposited into a trust fund and designated as follows:

1. Up to \$.01 per \$100.00 of assessed valuation solely for the purpose of acquisition of lands for recreation and conservation purpose within the Borough of Lincoln Park (N.J.S.A. 40:12-15.7.a(1)(a)) and
2. Up to \$.01 per \$100.00 of assessed valuation solely for the purpose of development and maintenance of lands acquired for recreation and conservation purpose within the Borough of Lincoln Park (N.J.S.A. 40:12-15.7.a(1)(b) & (c)); and

**WHEREAS**, N.J.S.A. 40:12-15.7d provides that the Borough Council may subsequently submit to the voters of the Borough in a general or special election a proposition amending or supplementing the proposition previously submitted, approved and implemented pursuant to the aforementioned law changing the amount or rate of the levy or adding or removing purposes authorized pursuant to this law for which the levy may be expended; and

**WHEREAS**, the Borough Council of the Borough of Lincoln Park seeks to ascertain the sentiment of the voters regarding a modification to the purposes for which the funds may be used to include the acquisition of lands for recreation and conservation purposes *and/or* for the purpose of development and maintenance of lands acquired for recreation and conservation purposes.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Lincoln Park, County of Morris, and State of New Jersey that the following question shall be forwarded to the Morris County Clerk for inclusion on the November 8, 2016 General Election ballot for consideration by the voters of the Borough of Lincoln Park:

Shall the Borough of Lincoln Park adopt an ordinance to amend its "Open Space Recreation and Conservation Trust Fund" (the "Fund") (which is funded through the collection of local property taxes in an

amount not to exceed \$.02 per one hundred dollars of assessed value) to provide that the Fund “shall be used for the purposes of acquisition of lands for recreation and conservation within the Borough of Lincoln Park and/or for the purpose of development and maintenance of lands acquired for recreation and conservation purposes.”

YES [ ] NO [ ]

**INTERPRETIVE STATEMENT**

Currently, the annual tax levy of up to \$0.02 per \$100.00 of assessed value of real property is specifically allocated/divided as follows; up to \$0.01 per \$100.00 of assessed value of real property may be used for the acquisition of lands for recreation and conservation purposes and, up to \$0.01 per \$100.00 of assessed value of real property may be used the development and maintenance of lands acquired for recreation and conservation purposes. A “yes” vote would amend the specific allocation/division for which the total annual tax levy of up to \$0.02 per \$100.00 of assessed value of real property may be used to allow for the acquisition of lands for recreation and conservation purposes *and/or* for the purpose of development and maintenance of lands acquired for recreation and conservation purposes, providing the Borough with flexibility in the use of the funds. Examples of how the funds may be used include, but are not limited to, field, turf and playground installation and maintenance, landscaping, lighting, fencing, equipment, safety measures, and acquisition of property.

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be filed immediately with the Morris County Board of Elections who is hereby requested to print the above question and explanatory statement on the official ballots for the General Election to be held on November 8, 2016.

**VIII. RESOLUTIONS: REGULAR AGENDA:**

- Kerwin: R16-166, Authorize 2016 Audit
- Kerwin: Any questions or comments regarding Resolution R16-166?
- Wild: So Moved
- Ross: Second

**RESOLUTION R16-166**

**WHEREAS, N.J.S.A. 40A:5-4** requires the Governing Body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

**WHEREAS,** The Annual Report of Audit for the year 2015 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of **N.J.S. 40A:5-6**, and a copy has been reviewed by each member of the Governing Body; and

**WHEREAS,** the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per **R.S. 52:27BB-34**; and

**WHEREAS,** The Local Finance Board has promulgated a regulation requiring that the Governing Body of each municipality shall by Resolution certify to the Local Finance Board of the State of New Jersey that all members of the Governing Body have reviewed, as a minimum, the sections of the Annual Audit entitled:

**GENERAL COMMENTS**

**RECOMMENDATIONS**

and

**WHEREAS,** the members of the Governing Body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

**GENERAL COMMENTS**

**RECOMMENDATIONS**

as evidenced by the group affidavit form of the Governing Body; and

**WHEREAS**, such Resolution of certification shall be Adopted by the Governing Body no later than forty-five days after receipt of the Annual Audit, as per the regulations of the Local Finance Board; and

**WHEREAS**, all members of the Governing Body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

**WHEREAS**, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey, may subject the members of the Local Governing Body to the penalty provisions of **R.S. 52:27BB-52** - to wit:

***R.S. 52:27BB-52 - "A Local Officer or member of a local Governing Body who, after a date fixed for compliance, fails or refuses to obey an order of the Director, (Director of Local Government Services), under the provisions of the Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."***

**NOW, THEREFORE, BE IT RESOLVED**, that the Governing Body of the Borough of Lincoln Park, hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a Certified copy of this Resolution and the required affidavit to said Board to show evidence of said compliance.

Kerwin: Please call the Roll.

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

The Resolution was Adopted.

Kerwin: R16-167, Authorize Pay Bills.

Kerwin: Any questions or comments regarding Resolution R16-167?

Thompson: So Moved  
Wild: Second

**RESOLUTION R16-167**

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

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

<u>CHECK NO.</u>	<u>ACCOUNT</u>	<u>TOTAL</u>
44470-44615	Current	\$ 3,790,516.24
1375-1384	Accutrack	175,040.42
1200	Administrative Resale	800.00
1136 - 1137	Affordable Housing	2,637.50
1366-1367	Dog License	18.00
3339-3347	General Capital	45,719.57
2768-2773	General Trust	18,070.00
2829-2837	Grants	90,612.95
1004	Open Space	5,012.50
BT	Payroll Agency	189.45
1104	State Law Trust	1,295.85
8207 & BT	Water Utility	370,047.44

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: R16-168, Authorize Confirmed Bills.

Kerwin: Any questions or comments regarding Resolution R16-168?

Thomson: So Moved  
 Wild: Second

**RESOLUTION R16-168**

**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:

<u>ACCOUNT</u>	<u>CHK NO.</u>	<u>PAID TO</u>	<u>PURPOSE</u>	<u>AMOUNT</u>
<b>CURRENT</b>				
	<b>BT</b>	LP Board of Education	May	\$1,474,980.75
		Governmental Purchasing		
	<b>44470</b>	Assoc.	Annual Membership Dues	\$100.00
	<b>44471</b>	NJ Municipal	May 2016 Health Benefits	\$153,663.00
	<b>BT</b>	Payroll Net	Void for Payroll	\$128,740.73

<b>BT</b>	Payroll Escrow	Void for Payroll	\$96,853.16
<b>44341</b>	Prudential Retirement	DCRP May 2016	\$378.16
<b>44475</b>	Broadway Inbound	Broadway Tickets	\$3,574.50
<b>44476</b>	Passaic Cty Municipal Clerk's	Mini Conference	\$35.00
<b>BT</b>	Net Payroll	Void for Payroll	\$138,269.93
<b>BT</b>	Pyroll Escrow	Void for Payroll	\$102,656.93
<b>BT</b>	LP Board of Education	JUNE	\$1,474,980.75
<b>44615</b>	Horizon Blue Cross	June Dental Benefits	\$8,069.45
	Meeting Checks	Check #44479-44614	\$208,213.83

**WATER UTILITY**

<b>BT</b>	Borough of Lincoln Park	Sewer Payment	\$212,355.96
<b>8207</b>	Unified Data Corp	Web Based Monitoring	\$14,093.20
<b>BT</b>	Water Payroll	Void for Payroll	9,789.85
<b>BT</b>	Water Escrow Payroll	Void For Payroll	7,339.51
<b>BT</b>	Water Payroll	Void for Payroll	\$9,833.43
<b>BT</b>	Water Payroll Escrow	Void for Payroll	\$7,372.50
	Regular Meeting Checks	8212-8222	\$109,262.99

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: R16-169, Authorize Capital Budget Amendment.

Kerwin: Any questions or comments regarding Resolution R16-169?

Thompson: So Moved  
 Moeller: Second

Kerwin: Please call the Roll.

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

The Resolution was Adopted.

Kerwin: R16-170, Authorize ROID Grant Application for \$6,000.00 to carry out Various Projects and Events for Lincoln Parks Exceptional Children.

Kerwin: Any questions or comments regarding Resolution R16-170?

Thompson: So Moved  
 Moeller: Second

**RESOLUTION R16-170**

**WHEREAS**, the Lincoln Park Exceptional Children Program Promotes awareness and acceptance of the exceptional children in the Lincoln park Community as well as a forum so the exceptional children may become fully participating members of the Lincoln park Community.

**WHEREAS**, the Borough of Lincoln park on behalf of the Lincoln Park Exceptional Children, desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$5,000 to carry out various projects and events for Lincoln Parks’ exceptional children; and

**WHEREAS**, the grant requires a cash match of 20%, or approximately \$1,000, bringing the total amount to approximately \$6,000.00

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Lincoln Park, as follows:

1. The Borough of Lincoln Park does hereby authorize the application for such a grant; and
2. Recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Borough of Lincoln Park and the New Jersey Department of Community Affairs.

**BE IT FURTHER RESOLVED**, that the persons whose names titles and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement and any other documents necessary in connection therewith.

Kerwin: Please call the Roll.

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

No: None

Absent: None

Abstain: None

The Resolution was Adopted.

Kerwin: R16-171, Authorize Waive Fees for the American Legion’s Pull Tab Raffle for 2016-2017.

Kerwin: Any questions or comments regarding Resolution R16-171?

Thompson: So Moved

Moeller: Second

**RESOLUTION R16-171**

**BE IT RESOLVED** by the Governing Body of the Borough of Lincoln Park that the Municipal Raffle Fee for the American Legion Post 279 **INSTANT RAFFLE GAME** (*tickets*) in the amount of \$750.00 is hereby waived.

Kerwin: Please call the Roll.

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

No: None

Absent: None  
Abstain: None

The Resolution was Adopted.

Kerwin: Please call the Roll.

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

The Resolution was Adopted.

Kerwin: R16-172, Authorize Accepting Bid Received Pursuant to a RFP for purchase of a 2013 or Newer Used Single Axle Rear Loader Truck.

Kerwin: Any questions or comments regarding Resolution R16-172?

Thompson: So Moved  
Moeller: Second

**RESOLUTION NO. 16-172**

**RESOLUTION ACCEPTING BID RECEIVED PURSUANT TO A REQUEST FOR PROSPOAL FOR PURCHASE BY THE BOROUGH OF A 2013 OR NEWER USED SINGLE AXLE REAR LOADER TRUCK**

**WHEREAS**, the Borough passed Resolution R16-143 authorizing the Borough to prepare and advertise a Request for Proposal (RFP) for the purchase of a 2013 or newer used single axle rear loader truck or approved equivalent ; and

**WHEREAS**, the Borough received and opened one sealed bid in response to the RFP on June 6, 2016 from Gabrielli Kenworth of NJ, LLC.; and

**WHEREAS**, the base bid submitted by Gabrielli Kenworth of NJ, LLC. totaled \$79,000.00 for the base bid price for the vehicle with additional Options of \$1,100 (front and rear spare tires), \$6,000.00 (paint chassis and body), and Extended Warranty Packages of \$2,414.00 (Engine for 2 years/100k miles), \$2,695.00 (Engine/Transmission/2 years/100k miles), \$2,990.00 (Engine/Transmission/Rear for 2 years/100k miles), and \$1,985.00 (Critical Components Package for 2 years/100k miles); and

**WEHREAS**, Counsel for the Borough indicated that the bid documents submitted by Gabrielli Kenworth of NJ, LLC., are in order and therefore the Contract for the purchase of a 2013 or newer used single axle rear loader truck or approved equivalent may be awarded to Gabrielli Kenworth of NJ, LLC., as the lowest responsive and responsible bidder for this project; and

**WHEREAS**, the Borough desires to authorize the award of a Contract to Gabrielli Kenworth of NJ, LLC. as the lowest responsive and responsible bidder for this contract; and

**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 Contract for the purchase of a 2013 or newer used single axle rear loader truck or approved equivalent is hereby awarded pursuant to the terms and conditions as contained in the Borough's bid

specifications to Gabrielli Kenworth of NJ, LLC., located at 2300 Route 130, North Dayton, New Jersey 08810, as the lowest responsive and responsible bidder; and

2. The Mayor and Borough Clerk and/or any other applicable individual be and are hereby authorized and directed to execute the contract subsequent to the execution by Gabrielli Kenworth of NJ, LLC., and the appropriate officers, and all 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; and

3. The award is subject to the Contractor's compliance with the requirements of P.L. 1975, c. 127 (N.J.S.A. 10:5-31, et seq.) and N.J.A.C. 17-27-1, et seq. and the regulations thereunder regarding affirmative action; and

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

5. This Resolution shall take effect as herein provided.

Kerwin: Please call the Roll.

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

No: None

Absent: None

Abstain: Ross

The Resolution was Adopted.

Kerwin: R16-173, Authorize the Resignation of Mark E. West, as Chief of Police, Effective December 31, 2016.

Kerwin: Any questions or comments regarding Resolution R16-173?

Thompson: So Moved

Moeller: Second

**RESOLUTION R16-173**

**RESOLUTION ACCEPTING THE RESIGNATION OF MARK E. WEST, AS CHIEF OF POLICE, EFFECTIVE DECEMBER 31, 2016**

**WHEREAS**, Mark E. West, has faithfully and diligently fulfilled the duties of his office as Chief of Police; and

**WHEREAS**, Chief West has tendered his resignation, effective December 31, 2016, after 26 years of outstanding service to the Borough; and

**WHEREAS**, it is the desire of Council of the Borough of Lincoln Park to honor the Chief's service and to accept, with appreciation, his resignation.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the Borough of Lincoln Park, as follows:

1. The resignation of Mark E. West, as Chief of Police, and as a Member of the Police Department of the Borough of Lincoln Park, effective December 31, 2016, as per his letter of June 20, 2016, is hereby accepted.

2. Chief West is hereby commended for his lengthy and dedicated professional service on behalf of the Borough, its residents and the public at large.

3. The Mayor and Council, for themselves and for all of the residents of the Borough of Lincoln Park, do hereby express their sincere appreciation for his service and extend to Chief West best wishes for a long, enjoyable, and well-earned retirement.

4. A copy of this Resolution shall be delivered to Chief West.

Kerwin: Please call the Roll.

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

No: None

Absent: None

Abstain: Ross

The Resolution was Adopted.

**IX MISCELLANEOUS/COUNCIL COMMITTEE REPORTS:**

Cardillo: No Report

Gemian: No Report

Moeller: Spoke about getting the full warranty on the 2013 Packer Truck for the DPW. George Cobb Lane will be repaved sometime this month.

Ross: No Report

Thompson: The Borough will miss Police Chief Mark West. He has done an excellent job.

Wild: No Report

Kerwin: No Report

**X. MAYOR'S AGENDA:**

Mayor Runfeldt spoke about Police Chief Mark West and his resignation with the Borough effective December 31, 2016. The Borough is sad to see Chief West go.

It was a sad weekend in Lincoln Park with the passing of Kevin Lancaster. He was a resident of the Borough for thirty (30) plus years and was very active in the Community.

Chris DiLorenzo, Borough Attorney spoke about having the code book completed by the end of next week.

Chris DiLorenzo, Borough Attorney spoke about the Bower matter and said that it has been successful so far. The hearing is scheduled for July 1, 2016.

**XI. PUBLIC HEARING:**

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

Ross: So Moved

Moeller: Second

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

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

Rod Zaturiski and his Mother, 205 Riveredge Road, wants an answer as to why she cannot get approved for a CO. Every time she speaks to someone she is getting a run around. It has been six (6) years and she is still having problems with the Town Engineer and Sal Marino. They tell her to do one thing in order to get approved, she does it, and they tell her another thing.

Mayor Runfeldt and the Council will set up a meeting with all the officials present as well as the homeowner to get to the bottom of this issue.

Sue Grabowski, 116 Main Street, asked what the process would be to do a video and audio streaming of the Council Meetings.

The Council stated that there is a lot involved to do this process and the cost is substantially high. The Council will look into it when the contract is renewed with Cablevision.

She asked about the redevelopment plan and if it was available.

Perry Mayers, Borough Administrator, said that he will e-mail the redevelopment plan to Sue.

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

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

**XII. ADJOURNMENT:**

Thompson: Motion to Adjourn.

Ross: Second

There being no further business to come before the Council the Regular Meeting of June 20, 2016 was adjourned at 7:54 PM.

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Council President, Raymond Kerwin

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Municipal Clerk, Cindi Sloane, RMC, CMR