

WORK MEETING JANUARY 2, 2018

I. Tuesday January 2, 2018; 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: Gemian, Kerwin, Moeller, Ross, Thompson, Wild and Pepe.

Present from Administration: Mayor Runfeldt, Borough Administrator Perry Mayers, Fabiana Monteiro-Mello CFO, and Chris DiLorenzo and Ken Rush Borough Attorney

III. MISCELLANEOUS/COUNCIL COMMITTEE REPORTS:

Kerwin: There will not be a Christmas Tree burning at the lake due to not enough interest.

Moeller: The DPW is doing a good plowing and salting job this year.

IV. MAYOR' AGENDA:**Escrow Releases**

- A. Release of Escrow #2373, 41 Bog & Vly Lane, Block 4/Lot 12, to C&C Distribution, LLC, has been approved by the Borough Engineer.
- B. Release of Escrow #2421, 9 Chapel Hill Road, Block 22.1/Lot 299, to Busy Bee Transportation, has been approved by the Borough Engineer.

Council concurred and resolutions will be on the Regular Meeting Agenda.

Request Resolution Certifying Compliance with N.J.S.A. 40A:4-5

- A US EEOC – Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title
- B P.L. 2017, c. 183 requires Governing Body certification of Compliance when submitting annual budget.
- C. Signed into law August 7, 2017

Council concurred and a resolution will be on the Regular Meeting Agenda.

Request Resolution Authorizing Contract with ESI Equipment Inc.

- A. Purchase of Holmatro CORE Rescue Systems for new Heavy Rescue Vehicle
- B. Cost - \$96,327 / CFO has Certified Availability of Funds
- C. State Contract No. – 80967

Council concurred and a resolution will be on the Regular Meeting Agenda.

Request Resolution Approving Conditions for Chief of Police to Serve on LP Board of Education

- A. Chief Runfeldt elected to Lincoln Park BOE on November 7th by write-in vote
- B. Reviewed by Morris County Prosecutor
 - i. Conditionally Approved
- C. Prosecutor directives contained within Special Order 2017-SO-026 issued by Chief Runfeldt

Council concurred and a resolution will be on the Regular Meeting Agenda.

Request Resolution Approving Memorandum of Agreement with Local 74

- A. In Settlement of Grievance Filed September 22, 2017
 - ii. At Issue – Union Representation
 - 1. Patti Delaporte’s appointment to Assistant Director of Recreation
 - a. Delineation of Job Duties and Responsibilities
 - 2. Cathy Adubato’s appointment to Recreation program Director
 - a. Delineation of Job Duties and Responsibilities

Council Requests this item be discussed in Closed Session at the Regular Meeting. The two employees will receive Rice Letters.

Request Resolution Authorizing Contract with Pyrotecnico for Fireworks

- A. Lincoln Park Day Fireworks Display – September 22, 2018
- B. Total Cost - \$15,000
 - iii. JDT Medical Rehabilitation Center - \$7,500
 - iv. Borough of Lincoln Park - \$7,500
- C. Extraordinary, Unspecifiable Service (EUS) Exemption Applies

Council concurred and a resolution will be on the Regular Meeting Agenda.

Request Resolution Supporting Stigma-Free Communities Initiative

- A. Morris County Freeholders/Dept. of Human Services
- B. 21 Morris County Communities have already passed Resolutions of Support
- C. Local effort to be coordinated through the Lincoln Park Health Department

Council concurred and a resolution will be on the Regular Meeting Agenda.

Request Resolution Approving 2018 Salaries for Certain Employees

- A. Employees whose salary range is required to be set by Ordinance (1557 and 1570)
- B. Proposes salaries represent 2% increase over 2017
- C. Exceptions
 - v. Governing body – No Increase
 - vi. Chief Runfeldt – 2018 Contracted Salary is \$165,258
 - 1. Ordinance maximum is \$165,000 – Adjustment to be made after new Salary Ordinance is adopted later in the year

Council Requests this item be discussed during the 2018 Budget Hearings.

The Mayor also remarked on the decision not to have the Christmas Tree burning due to low attendance. The decision will be reviewed each year depending on resident Interest.

IV. RESOLUTIONS FOR ADOPTION:

Pepe: I need a motion and a second to Table R18-58 Salaries for certain officers and employees. This should be discussed at the 2018 Budget Hearings.

Gemian: I Move we Table R18-58

Moeller: Second

Pepe: Please call the Roll

RESOLUTION R18-58 TABLED AT THE 1-2-18 WORK MEETING

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

Yes: Gemian, Kerwin, Moeller, Ross, Thompson, Wild and Pepe.

No: None

Absent: None
Abstain: None

This Resolution was TABLED.

Pepe: Resolution 18-59 Tax Overpayment Refund B36L 109

The Clerk stated this Resolution was left off of the December 18, 2017 meeting in error.

Ross: So Moved

Gemian: Second

RESOLUTION 18-59

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

WHEREAS, tax assessor exempted the property for the year 2017 and owner already paid for 1st and 2nd quarters of 2017; and

WHEREAS, this over payment should be returned to the respective taxpayer;

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
35/109	Advancing Opportunities Inc.	\$4,496.79	Exempt Property

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

Yes: Gemian, Kerwin, Moeller, Ross, Thompson, Wild and Pepe.

No: None

Absent: None

Abstain: None

This Resolution was Adopted.

Pepe: Resolution R18-60 Dedication by Rider for Hurricane Harvey and Irma.

Thompson: So Moved

Gemian: Second

RESOLUTION 18-60

DEDICATION BY RIDER

Borough of Lincoln Park

A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR "HURRICANE HARVEY AND IRMA RELIEF FUND" AS REQUIRED BY N.J.S.A. 40A:5-29

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval of a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and,

WHEREAS, N.J.S.A. 40A:5-29 provides for the receipt of donations by the municipality to provide for the operating costs to administer this act; and,

WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Hurricane Harvey and Irma Relief Fund are hereby anticipated as a revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement; and,

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

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to include as a Dedication by Rider the revenues received by the Borough of Lincoln Park as donations for Hurricane Harvey and Irma Relief Fund.
2. The Governing Body of the Borough of Lincoln Park shall make expenditures of these funds directly to Coastal Bend Food Bank, TX and Harry Chapin Food Bank of Southwest Florida, FL. This will allow the Mayor and Officials of Corpus Christi Texas and Ft. Myers Florida to supply food or financial aid to their residents while they are in the process of their rebuilding efforts from the devastating effects of Hurricane Harvey and Irma.
3. The Chief Financial Officer of the Borough of Lincoln Park, County of Morris is hereby authorized to make payment of all collected donations to Coastal Bend Food Bank and Harry Chapin Food Bank of Southwest Florida and including manual checks, if needed, in order to disperse all funds in a timely manner. All disbursements will be reported to the Mayor and Council at the first council meeting following any disbursement.
4. This dedication by rider will be closed and all funds disbursed by January 30, 2018.

- 5. The Municipal Clerk of the Borough of Lincoln Park, County of Morris is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

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

Yes: Gemian, Kerwin, Moeller, Ross, Thompson, Wild and Pepe.
 No: None
 Absent: None
 Abstain: None

This Resolution was Adopted.

Pepe: Resolution R18-61

So Moved: Gemian

Second: Moeller

Resolution R18-61

AUTHORIZING THE IMPOSITION OF CERTAIN CONDITIONS ON CHIEF MICHAEL RUNFELDT IN HIS ROLE AS A MEMBER OF THE LINCOLN PARK BOARD OF EDUCATION

WHEREAS, Chief Michael Runfeldt (hereinafter "Chief Runfeldt") was elected as a write-in candidate in the Fall 2017 Lincoln Park School Board Election to fill a one- year unexpired term; and

WHEREAS, Chief Runfeldt is desirous of assuming that position on the school board on January 2, 2018; and

WHEREAS, serving as the Chief of Police of Lincoln Park and a member of the Lincoln Board of Education may create the rare situation/circumstance wherein a conflict of interest may arise; and

WHEREAS, in order to address the rare situation/circumstance wherein a potential conflict of interest may arise the issue was forwarded to Morris County Prosecutor Fredric M. Knapp for review; and

WHEREAS, Morris County Prosecutor Fredric M. Knapp as the Chief Law Enforcement Officer of Morris County reviewed Chief Runfeldt's dual office holding and issued an Order in the form of a letter dated November 28, 2017 to Chief Runfeldt detailing the procedure to be utilized in the event of potential conflict of interest situations; and

WHEREAS, the November 28, 2017 Order has been further memorialized in a Special Order of the Lincoln Park Police Department, Number 2017-SO-026, issued by Chief Runfeldt and effective as of January 2, 2018; and

WHEREAS, the Borough Attorney has reviewed the circumstances of this matter and the orders issued by Prosecutor Knapp and Chief Runfeldt and concludes that there is no legal prohibition that prohibits Chief Runfeldt from holding both positions.

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

Lincoln Park Police Chief Michael Runfeldt may serve as a member of the Lincoln Park Board of Education with the understanding that he shall comply with Morris County Prosecutor Fredric M. Knapp's November 28, 2017 Order Special Order of the Lincoln Park Police Department, Number 2017-SO-026, issued by Chief Runfeldt and effective as of January 2, 2018, as long as Chief Runfeldt serves as a member of the Lincoln Park Board of Education.

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

Yes: Gemian, Kerwin, Moeller, Ross, Thompson, Wild and Pepe.
 No: None
 Absent: None
 Abstain: None

This Resolution was Adopted.

V. PUBLIC HEARING:

Gemian: Motion to go to Public Hearing.

Moeller: Second

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

Clerk: Addressing the Council any person desiring to address the Council shall first seek recognition by the Presiding Officer. Upon recognition by the Chair the person shall give his name and address in an audible tone of voice for the records. Unless further time is granted by the Council, he shall limit his statement to five minutes.

Statements shall be addressed to the Council as a body and not any member thereof.
A Councilman shall not direct any question to a speaker addressing the Council except through the Presiding Officer.

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

Thompson: Second

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

VI. ADJOURNMENT:

Thompson: Motion to Adjourn

Gemian: Second

There being no further business to come before the Council the Work Meeting was Adjourned at 8:22 PM.

Louis J. Pepe – Council President

Cynthia L. Sloane RMC CMR Clerk

Dr. David Runfeldt - Mayor