

LINCOLN PARK GOVERNING BODY
WORK MEETING
APRIL 6, 2026 - 7:00 PM
COUNCIL CHAMBERS - 34 CHAPEL HILL ROAD

I. CALL TO ORDER:

II. PLEDGE OF ALLEGIANCE/ROLL CALL

III. PROMOTIONS: LINCOLN PARK POLICE DEPARTMENT:

1. Officer Thomas LaChance – Rank of Sergeant
2. Sergeant Jennifer Hesse - Rank of Lieutenant

IV. MAYOR’S AGENDA:

1. Request Resolution Authorizing Acceptance of Grant Funding
2. Request Resolution Authorizing Sale of Surplus Property No Longer Needed for Public Use
3. Request Resolution Authorizing Donation of Surplus Property No Longer Needed for Public Use
4. Request Resolution Authorizing Treasurer to Issue Check for Tax Lein Redemption
5. Request Resolution Authorizing Renewal with Horizon Dental
6. Request Resolution Authorizing Solicitation of Bids for Cell Tower Co-Locator
7. Request Introduction of Ordinance Repealing the Apartment Set Aside I Overlay Zone (AS-I)
8. Request Resolution Authorizing Tax Collector to Process Tax Adjustments for Disabled Vets
9. Request Resolution Authorizing Grant Application
10. Request Introduction of Ordinance Granting Right-of-Way Agreement
11. Request Introduction of Ordinance Granting Right-of-Way Agreement
12. Request Resolution Authorizing Purchase of Fire Truck

V. ORDINANCES FOR INTRODUCTION:

- 14-26 An Ordinance to Authorize Execution of a Rights-of-Way Agreement between the Borough of Lincoln Park and Comcast of New Jersey II, LLC, to Permit the Installation, Use, and Maintenance of Facilities within Public Rights-of-Way for Purposes of Providing Cable Television and Telecommunications Services
- 15-26 An Ordinance to Authorize Execution of a Rights-of-Way Agreement between the Borough of Lincoln Park and Comcast Business Communications, LLC, to Permit the Installation, Use and Maintenance of Facilities within Public Rights-of-Way for Purposes of Providing Telecommunications Services

VI. COUNCIL COMMITTEE REPORTS:

VII. PUBLIC HEARING:

VIII. MISCELLANEOUS COMMENTS:

IX. ADJOURNMENT:

ORDINANCE 14-26

**BOROUGH OF LINCOLN PARK
NOTICE OF INTRODUCTION**

NOTICE is hereby given that the foregoing Ordinance was introduced to pass on first reading at a meeting of the Council of the Borough of Lincoln Park held on April 6, 2026 and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a meeting of the Borough Council to be held on April 20, 2026 at 7:00 p.m. or as soon thereafter as the Borough Council may hear this Ordinance at the Municipal Building, 34 Chapel Hill Road, Lincoln Park, New Jersey at which time all persons interested may appear for or against the passage of said Ordinance.

ORDINANCE 14-26

AN ORDINANCE TO AUTHORIZE EXECUTION OF A RIGHTS-OF-WAY AGREEMENT BETWEEN THE BOROUGH OF LINCOLN PARK AND COMCAST OF NEW JERSEY II, LLC, TO PERMIT THE INSTALLATION, USE, AND MAINTENANCE OF FACILITIES WITHIN PUBLIC RIGHTS OF WAY FOR PURPOSES OF PROVIDING CABLE TELEVISION AND TELECOMMUNICATIONS SERVICES

WHEREAS, Comcast of New Jersey II, LLC ("Comcast") is a cable television company with offices located at 800 Rahway Avenue, Union, New Jersey 07083 that is subject to the jurisdiction of the New Jersey Board of Public Utilities (the "Board"); and

WHEREAS, in accordance with and pursuant to the New Jersey Cable Telecommunications Act (N.J.S.A. 48:5A-1 et seq.), Comcast intends to apply to the Board for a system-wide franchise authorizing Comcast to construct, operate, and maintain a cable television system in the Borough of Lincoln Park (the "Borough"); and

WHEREAS, in accordance with N.J.S.A. 48:5A-3(r), this Ordinance evidences that Comcast has proposed to place consumer video, cable, and telecommunications plant in the Borough; and

WHEREAS, Comcast has requested the Borough's approval to occupy public rights-of-way within the Borough for the purpose of constructing, installing, operating, repairing, maintaining, and replacing its cable television system; and

WHEREAS, the Borough is authorized to enter into this agreement with Comcast pursuant to N.J.S.A. 48:17-10 and N.J.S.A. 48:5A-25.1(b); and

WHEREAS, it is deemed to be in the best interests of the Borough and its citizenry for the Borough to grant consent to Comcast to occupy the public rights-of-way within the Borough for this purpose; and

WHEREAS, the Borough's consent is and shall be conditional upon Comcast's obtaining the required authorization from the Board to construct, operate, and maintain a cable television system within the Borough; Comcast's compliance with all existing and future applicable ordinances; and Comcast's entering into a written agreement with the Borough to indemnify and hold the Borough harmless as to all claims and liability resulting from any injury or damage caused by Comcast which may arise from the construction, installation, operation, repair, maintenance, disconnection, replacement, and removal of its cable television system within certain public rights-of-way and its provision of liability insurance coverage for personal injury and property damage; and

WHEREAS, this Ordinance authorizes Comcast to operate within the boundaries of the Borough, and Comcast will apply for permits as necessary to construct, install, operate, repair, maintain, or replace its cable television system in the Borough.

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

1. The Borough of Lincoln Park hereby grants its non-exclusive consent to Comcast of New Jersey II, LLC to occupy the public rights-of-way within the Borough for purposes of construction, installation, operation, repair, maintenance, and replacement of a cable television system for a period of fifteen (15) years from the effective date of this ordinance. Thereafter, the term of this grant shall be renewed automatically.

for three (3) successive terms of ten (10) years unless either party notifies the other of its intention not to renew not less than thirty (30) calendar days prior to the commencement of the relevant renewal term.

2. The Borough's granted permission is conditioned upon Comcast securing the required authorization from the New Jersey Board of Public Utilities to construct, operate, and maintain a cable television system in the Borough.
3. The Borough's granted permission is further conditioned upon Comcast entering into a Right-of-Way Use Agreement with the Borough and providing liability and property damage insurance coverage.
4. The Borough's granted permission herein is also conditioned upon Comcast, at its sole cost and expense, obtaining any and all permissions required by applicable Federal and State law from the owner(s) of the existing Utility Poles and/or structures.
5. The Mayor and Municipal Clerk are hereby authorized to execute and attest to, respectively, any and all documents including the Right-of-Way Use Agreement in substantially similar form as attached hereto, subject to the review and approval of the Borough Attorney.
6. If any section paragraph, subdivision, clause, sentence, phrase, or provision of this Ordinance is declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.
7. A copy of this Ordinance shall be available for public inspection at the offices of the Municipal Clerk.
8. This Ordinance shall take effect after second reading and publication, as required by law.

ATTEST:

Joseph Gurkovich, Council President

Courtney Fitzpatrick, RMC,CMC,MMC,CMR
Borough Clerk
Borough of Lincoln Park

Mayor Dr. David Runfeldt

<u>INTRODUCED:</u>	April 6, 2026
<u>PUBLISHED ON BOROUGH WEBSITE:</u>	April 7, 2026
<u>PUBLIC HEARING AND ADOPTION:</u>	April 20, 2026
<u>PUBLISHED ON BOROUGH WEBSITE:</u>	April 21, 2026
<u>EFFECTIVE:</u>	May 10, 2026

ORDINANCE 15-26

**BOROUGH OF LINCOLN PARK
NOTICE OF INTRODUCTION**

NOTICE is hereby given that the foregoing Ordinance was introduced to pass on first reading at a meeting of the Council of the Borough of Lincoln Park held on April 6, 2026 and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a meeting of the Borough Council to be held on April 20, 2026 at 7:00 p.m. or as soon thereafter as the Borough Council may hear this Ordinance at the Municipal Building, 34 Chapel Hill Road, Lincoln Park, New Jersey at which time all persons interested may appear for or against the passage of said Ordinance.

ORDINANCE 15-26

AN ORDINANCE TO AUTHORIZE EXECUTION OF A RIGHTS-OF-WAY AGREEMENT BETWEEN THE BOROUGH OF LINCOLN PARK AND COMCAST BUSINESS COMMUNICATIONS, LLC, TO PERMIT THE INSTALLATION, USE, AND MAINTENANCE OF FACILITIES WITHIN PUBLIC RIGHTS-OF-WAY FOR PURPOSES OF PROVIDING TELECOMMUNICATIONS SERVICES

WHEREAS, Comcast Business Communications, LLC ("CBC"), a local exchange and interexchange telecommunications services provider with offices located at 1701 JFK Boulevard, Philadelphia, Pennsylvania 19103, is authorized to provide local exchange and interexchange telecommunications services throughout the State of New Jersey pursuant to an Order dated February 15, 2001, issued by the New Jersey Board of Public Utilities (the "Board") in Docket No. TE00100789; and

WHEREAS, CBC has requested the consent of the Borough of Lincoln Park ("Borough") to occupy public rights-of-way within the Borough for the purpose of constructing, installing, operating, repairing, and maintaining a telecommunications system; and

WHEREAS, it is deemed to be in the best interest of the Borough and its residents for the Borough to grant municipal consent to CBC to occupy the public rights-of-way within the Borough for this purpose; and

WHEREAS, the granting of such consent is and shall be conditional upon CBC's compliance with all existing and future applicable ordinances of the Borough and its entering into a written agreement with the Borough to, *inter alia*, indemnify and hold the Borough harmless as to all claims and liability resulting from any injury or damage caused by CBC which may arise from the construction, installation, operation, repair, maintenance, disconnection, replacement, and removal of its telecommunications system within certain public rights-of-way and its provision of liability insurance coverage for personal injury and property damage; and

WHEREAS, this Ordinance will authorize CBC to operate within the boundaries of the Borough, and Comcast will apply for permits as necessary to construct, install, operate, repair, or maintain telecommunications systems;

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

1. The Borough of Lincoln Park hereby grants its non-exclusive consent to Comcast Business Communications, LLC to occupy the public rights-of-way within the Borough for the purpose of construction, installation, operation, repair, maintenance, and replacement of a telecommunications system for a period of fifteen (15) years from the effective date of this ordinance. Thereafter, the term of this grant shall be renewed automatically for three (3) successive terms of ten (10) years unless either party notifies the other of its intention not to renew not less than thirty (30) calendar days prior to the commencement of the relevant renewal term.

2. The Borough's granted permission is conditioned upon CBC securing the required authorization from the New Jersey Board of Public Utilities to construct, operate, and maintain a telecommunications services system in the Borough.
3. The Borough's granted permission is conditioned upon CBC entering into a Rights-of-Way Use Agreement with the Borough and providing liability and property damage insurance coverage.
4. The Borough's granted permission herein is also conditioned upon CBC, at its sole cost and expense, obtaining any and all permissions required by applicable Federal and State law from the owner(s) of the existing Utility Poles and/or structures.
5. The Mayor and Municipal Clerk are hereby authorized to execute and attest to, respectively, any and all documents, including the Rights-of-Way Use Agreement in substantially similar form, attached hereto, subject to review and approval by the Borough Attorney.
6. If any section paragraph, subdivision, clause, sentence, phrase, or provision of this Ordinance is declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.
7. A copy of this Ordinance and the executed Rights-of-Way Use Agreement shall be filed in the Office of the Municipal Clerk.
8. This Ordinance shall take effect after second reading and publication, as required by law.

ATTEST:

Joseph Gurkovich, Council President

Courtney Fitzpatrick, RMC, CMC, MMC, CMR
Borough Clerk
Borough of Lincoln Park

Mayor Dr. David Runfeldt

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