

**MINUTES OF REMOTE REORGANIZATION PLANNING BOARD
MEETING HELD ON THURSDAY, January 21, 2021**

The clerk called to order the remote (**Zoom**) reorganization meeting of the Board and announced the meeting was duly advised in compliance with the Open Public Meetings Act by notice sent to the Daily Record, Suburban Trends and posted on the bulletin board and website at Borough hall.

PRESENT: BLEWETT, FLORENTINO, GEMIAN, KAUFMAN, TAORMINA AND TERRERO

ALSO PRESENT: PETRESKI, ENGINEER AND NEISS, COUNSEL

ABSENT: KOLDY, MARINO, AND RUNFELDT

Ms. Ward announced the first order of business on the agenda is Acknowledgment of Mayor/Council Appointments. Class II member is Sal Marino our municipal official. Class III member is Gary Gemian, our council liaison. Class IV members Chuck Blewett, Nick Taormina and Alvin Florentino. Welcome back everybody.

The next item on the agenda is Nomination and Election of Board Officers. The first officer is chairman. Any nominations?

Mr. Kaufman nominated Chuck.

Mr. Terrero seconds.

Mr. Blewett stated I was going to nominate somebody else.

Ms. Ward asked any other nominees. Motion to close?

Mr. Kaufman moved to close.

Mr. Terrero seconds.

Roll call:

Yes: Kaufman, Terrero, Florentino, Gemian, and Taormina

No: Blewett

Abstain: None

Absent: Koldyk, Marino and Runfeldt

Ms. Ward stated you're elected chairman and now I'll turn the meeting over to you.

Chairman Blewett stated the next item on the agenda is the vice chairman. I'll open the floor for nominations.

Mr. Kaufman nominated David Koldyk.

Mr. Terrero seconds.

Chairman Blewett stated it happens every year he is not here.

Mr. Kaufman stated you would think he'd learn by now.

Chairman Blewett stated he has the best no show job.

Roll call:

Yes: Kaufman, Terrero, Blewett, Florentino, Gemian, and Taormina

No: None

Abstain: None

Absent: Koldyk, Marino and Runfeldt

Chairman Blewett stated the next item on the agenda is the nomination for secretary.

Mr. Terrero nominated Joan.

Chairman Blewett asked is there a second.

Mr. Kaufman seconds. She has done a decent job.

Chairman Blewett asked for a voice vote to approve.

Board: Aye.

Board opposed: None

Chairman Blewett stated so noted, congratulations Joan.

Ms. Ward thanked the Board.

Chairman Blewett stated you have to spend another year.

Ms. Ward stated it's been a long time.

Chairman Blewett stated the next item on the agenda is the Appointment of Professional Consultants. The first one is engineer and we do have a resolution in front of you identifying Darmofalski Engineering Associates, Inc. as Planning Board Engineer.

Ms. Ward stated everything stayed the same as last year except the date for the contract was changed.

Chairman Blewett asked is there a motion to approve.

RESOLUTION
LINCOLN PARK PLANNING BOARD
AWARD OF CONTRACT FOR
PROFESSIONAL ENGINEER FOR 2021 CALENDAR YEAR

WHEREAS, there exists a need for the professional services of a Professional Engineer for the Planning Board of the Borough of Lincoln Park, County of Morris, State of New Jersey (the "Board"), for the 2021 calendar year, in accordance with the Municipal Land Use Law of the State of New Jersey, N.J.S.A. 40:55D-1, *et seq.*, and Article II, Section 17-14 of the Development Review Ordinance of the Borough of Lincoln Park; and

WHEREAS, the Governing Body of the Borough of Lincoln Park has appropriated the funds from the municipal budget necessary for the expenses of the Board to permit the Board to award a professional services contract for Professional Engineer not to exceed Four Thousand (\$4,000.00) Dollars in accordance with N.J.A.C. 5:30(a)(1); and

WHEREAS, the contract for Board Professional Engineer may be awarded without

competitive bidding as a non-fair and open “Professional Service” contract in accordance with N.J.S.A. 40A:11-5(1)(a)(i) of the Local Public Contracts Law and compliance with provisions of N.J.S.A. 19:44A-20.4 and/or N.J.S.A. 19:44-20.5, because the contract is for a service performed by a person(s) authorized by law to practice a recognized profession that is regulated by law.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Borough of Lincoln Park that the firm of **DARMOFALSKI ENGINEERING ASSOCIATES, INC.**, 86 Newark-Pompton Turnpike, Riverdale, New Jersey 07457-1429 is hereby awarded the contract as Planning Board Professional Engineer for the calendar year 2021 commencing January 1, 2021 and continuing through December 31, 2021 or until the appointment of a successor, to provide engineering services to the Board in accordance with its proposal dated November 6, 2020 and the attached Schedule of Services, both of which are attached and made a part of this Resolution; and

BE IT FURTHER RESOLVED, that the Board and the Planning Board Professional Engineer shall enter into a written contract that incorporates the terms of this Resolution; and

BE IT FURTHER RESOLVED that a copy of this Resolution or a summary of its material terms be published in the official newspaper of the Borough and be on file, available for public inspection, in the office of the Secretary to the Planning Board, Municipal Building, 34 Chapel Hill Road, Lincoln Park, New Jersey 07035.

SCHEDULE OF SERVICES
PLANNING BOARD ENGINEER
JANUARY 1, 2021 THROUGH DECEMBER 31, 2021

The Planning Board Engineer (“Board Engineer”) shall render the following services to the Lincoln Park Planning Board (the “Board”) at the rate of \$125 per hour during the period January 1, 2021 through December 31, 2021 or until a subsequent appointment is made, and with reference to the Darmofalski Engineering Associates, Inc. proposal dated November 6, 2020, a copy of which is attached and made part hereof:

1. **Development Applications.** The Board Engineer shall perform all required engineering services in connection with review of development applications submitted to the Board. Such services shall include, without limitation, reviewing all applications for completeness, compliance with all applicable ordinance requirements and other engineering-related functions. All services rendered in connection with development applications shall be charged to and payable from applicants’ escrow accounts. All charges, vouchers, and invoices shall conform to N.J.S.A. 40:55D-53.2.

2. **Master Plan.** All engineering services (e.g., review, input, and advice) with respect to the Master Plan whenever the Board undertakes (a) a review of or an amendment to the master plan and/or (b) the preparation of a new master plan.

3. **Proposed Ordinances.** All engineering services (e.g., review, input, and advice) in connection with any and all proposed zoning, land development, stormwater management or

other appropriate land use related ordinances which may be referred to the Board for review pursuant to the Municipal Land Use Law.

4. **Meetings.** Attendance at all regular and special meetings of the Board, except in cases of emergency or whenever there shall be no engineering related issue on the Board's agenda (confirmed by the Board Secretary), the Board Engineer shall attend all Board meetings. Whenever the Board Engineer cannot attend, the Board Engineer shall make appropriate arrangements for meeting coverage by a professional engineer.

5. **Inspections.** Perform all necessary inspections of improvements constructed by developers pursuant to Board-approved development applications.

6. **Other Services.** Perform such other engineering services as the Board may request from time to time.

7. **Delegation.** The Board Engineer may, when appropriate, delegate to competent personnel under his direct supervision responsibility for (a) inspections, and (b) design/drafting services (if any) and (c) any other services that will serve the economic interests of the Borough of Lincoln Park and the developers who appear before the Board. All such services shall be performed at the rate of \$75 per hour.

8. **Insurance.** Within ten (10) days of the date of this Resolution and if the Board Engineer has not already done so, the Board Engineer shall provide to the Board Secretary proof that it has obtained professional liability insurance in minimum amounts of \$1 million per claim and \$1 million in the aggregate, or in such other amounts as may be required by the Borough's risk manager or its counsel. That insurance shall be kept in full force at all times during the period of this appointment and until a successor Board Engineer is appointed

9. **Invoices.** The Board Engineer shall submit invoices for all services no less than monthly and on forms supplied by or acceptable to the chief financial officer of the Borough.

10. **Termination.** The Board may terminate the Board Engineer's appointment or the Board Engineer may resign from the position only after 30 days following written notice delivered to the other party ("Effective Date"). In the event of termination, any work of the Board Engineer completed prior to the Effective Date shall be compensable and be paid in accordance with the terms of this Resolution.

11. **Compliance With Law.** The Board Engineer shall comply fully with all applicable municipal, county, state and federal laws, ordinances, regulations and directives in connection with the performance of the duties of Board Engineer including, without limitation, the Local Unit Pay to Play Law, P.L. 2004, c. 19, as amended by P.L. 2005, c. 51, and N.J.S.A. 10:5-31, *et seq.*

Mr. Terrero moved it.

Mr. Kaufman seconds.

Chairman Blewett asked for a voice vote. All in favor say aye.

Board: Aye.

Chairman Blewett asked any opposed.

Board: None

Mr. Neiss asked any abstentions.

Board: None

Ms. Ward stated it is unanimous.

Chairman Blewett stated next item on the agenda is Counsel. Again it is the firm of Beattie Padovano. LLC and we have a resolution. Any comments or concerns?

Ms. Ward stated everything stayed the same except the date of the contract was changed. Chairman Blewett asked for a motion to approve.

RESOLUTION
LINCOLN PARK PLANNING BOARD
AWARD OF CONTRACT FOR
LEGAL COUNSEL FOR 2021 CALENDAR YEAR

WHEREAS, there exists a need for the professional services of a Planning Board Attorney for the Planning Board of the Borough of Lincoln Park, County of Morris, State of New Jersey (the “Board”), for the 2021 calendar year, in accordance with the Municipal Land Use Law of the State of New Jersey, N.J.S.A. 40:55D-1, *et seq.*, and Article II, Section 17-14 of the Development Review Ordinance of the Borough of Lincoln Park; and

WHEREAS, the Governing Body of the Borough of Lincoln Park has appropriated the funds from the municipal budget necessary for the expenses of the Board to permit the Board to award a professional services contract for Planning Board Attorney not to exceed Ten Thousand (\$10,000) Dollars in accordance with N.J.A.C. 5:30(a)(1); and

WHEREAS, the contract for Planning Board Attorney may be awarded without competitive bidding as a non-fair and open “Professional Service” contract in accordance with N.J.S.A. 40A:11-5(1)(a)(i) of the Local Public Contracts Law and compliance with provisions of N.J.S.A. 19:44A-20.4 and/or N.J.S.A. 19:44-20.5, because the contract is for a service performed by a person(s) authorized by law to practice a recognized profession that is regulated by law

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Borough of Lincoln Park that the firm of **BEATTIE PADOVANO, LLC**, 50 Chestnut Ridge Road, Suite 208, P.O. Box 244, Montvale, New Jersey 07645-0244, is hereby awarded the contract as Planning Board Attorney for the calendar year 2021 commencing January 1, 2021 and continuing through December 31, 2021 or until the appointment of a successor to provide legal services in accordance with its proposal dated November 5th, 2020; and

BE IT FURTHER RESOLVED that the compensation of the Planning Board Attorney for the calendar year 2021 shall be as follows:

- A. Five Thousand Seven Hundred (\$5,700.00) Dollars for attendance at twelve (12) meetings of the Board.
- B. Four Hundred Seventy-Five (\$475.00) Dollars for each additional meeting as may be requested by the Board from time-to-time.
- C. The annual meeting fee shall include the preparation of minor resolutions, time

extensions and waivers, telephone conferences, correspondence and such other legal services customarily rendered in connection with the representation of a municipal planning board, except litigation, general legal services or professional fees chargeable to an applicant's escrow account as may be permitted by municipal ordinance and N.J.S.A. 40:55D-53.2.

D. Any and all legal services rendered in connection with litigation/appeals from any resolution and decision of the Board, ordinance revisions and/or work in connection with the master plan shall be billed at the litigation hourly rate of One Hundred Fifty (\$150.00) Dollars per hour.

E. General legal services relating to such matters as (a) aiding the Board and/or Borough of Lincoln Park officials in regard to jurisdictional determinations, and (b) providing legal advice on matters relating to administration of ongoing construction relating to development approvals, but excluding such items as litigation, ordinance revisions and master plan work, shall be billed at the rate of One Hundred Fifty (\$150.00) Dollars per hour.

F. Legal services and process fees relating to application processing and chargeable against application escrow accounts pursuant to Borough Ordinance, to be billed at the rate of One Hundred Fifty (\$150.00) Dollars per hour; and

BE IT FURTHER RESOLVED, that the Board and the Planning Board Attorney shall enter into a written contract that incorporates the foregoing terms of compensation; and

BE IT FURTHER RESOLVED that a copy of this Resolution or a summary of its material terms be published in the official newspaper of the Borough and be on file, available for public inspection, in the office of the Secretary to the Planning Board, Municipal Building, 34 Chapel Hill Road, Lincoln Park, New Jersey 07035-1998.

Mr. Terrero moved it.

Mr. Florentino seconds.

Chairman Blewett asked Joan to call the roll.

Roll call:

Yes: Terrero, Florentino, Blewett, Gemian, Kaufman and Taormina

No: None

Abstain: None

Absent: Koldyk, Marino and Runfeldt

Ms. Ward stated you are appointed Arthur.

Mr. Neiss thanked everybody.

Chairman Blewett stated thank you. The next item on the agenda is the appointment of the Planner and we have a Resolution for Paul M. Ricci, of Ricciplanning, LLC.

Ms. Ward stated everything stayed the same except for the date and his hourly rate is now \$145.

Chairman Blewett asked any discussion. Motion to approve?

RESOLUTION
LINCOLN PARK PLANNING BOARD
AWARD OF CONTRACT FOR
PROFESSIONAL PLANNER FOR 2021 CALENDAR YEAR

WHEREAS, there exists a need for the professional services of a Professional Planner for the Planning Board of the Borough of Lincoln Park, County of Morris, State of New Jersey (the “Board”), for the 2021 calendar year, in accordance with the Municipal Land Use Law of the State of New Jersey, N.J.S.A. 40:55D-1, *et seq.*, and Article II, Section 17-14 of the Development Review Ordinance of the Borough of Lincoln Park; and

WHEREAS, the Governing Body of the Borough of Lincoln Park has appropriated the funds from the municipal budget necessary for the expenses of the Board to permit the Board to award a professional services contract for Professional Planner not to exceed Ten Thousand (\$10,000) Dollars in accordance with N.J.A.C. 5:30(a)(1); and

WHEREAS, the contract for Board Professional Planner may be awarded without competitive bidding as a non-fair and open “Professional Service” contract in accordance with N.J.S.A. 40A:11-5(1)(a)(i) of the Local Public Contracts Law and compliance with provisions of N.J.S.A. 19:44A-20.4 and/or N.J.S.A. 19:44-20.5, because the contract is for a service performed by a person(s) authorized by law to practice a recognized profession that is regulated by law.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Borough of Lincoln Park that the firm of **PAUL N. RICCI, AICP, PP, RICCIPLANNING, LLC**, 177 Monmouth Avenue, Atlantic Highlands, New Jersey 07716, is hereby awarded the contract as Planning Board Professional Planner for the calendar year 2021 commencing January 1, 2021 and continuing through December 31, 2021 or until the appointment of a successor, on an on-needed basis, to provide planning services to the Board in accordance with its proposal dated October 28, 2020 and the attached Schedule of Services, both of which are attached and made a part of this Resolution; and

BE IT FURTHER RESOLVED, that the Board and the Planning Board Professional Planner shall enter into a written contract that incorporates the terms of this Resolution; and

BE IT FURTHER RESOLVED that a copy of this Resolution or a summary of its material terms be published in the official newspaper of the Borough and be on file, available for public inspection, in the office of the Secretary to the Planning Board, Municipal Building, 34 Chapel Hill Road, Lincoln Park, New Jersey 07035.

SCHEDULE OF SERVICES
PLANNING BOARD PLANNER
JANUARY 1, 2021 THROUGH DECEMBER 31, 2021

The Planning Board Professional Planner shall render services to the Lincoln Park Planning Board (the “Board”) at the rate of \$145 per hour and planning staff \$125 per hour during the period January 1, 2021 through December 31, 2021 or until a subsequent appointment is made.

Mr. Kaufman moved it.

Mr. Gemian seconds.

Roll call:

Yes: Kaufman, Florentino, Blewett, Gemian, Taormina and Terrero

No: None

Abstain: None

Absent: Koldyk, Marino and Runfeldt

Ms. Ward stated it’s approved.

Chairman Blewett stated the next item on the agenda is the adoption of the Meeting Schedule for 2021. There was a resolution provided that we maintain the same schedule as we have this year with the meetings to start at 7 P.M., and currently we are planning until everyone gets vaccinated to maintain these as virtual meetings.

Ms. Ward stated we put that caveat in the resolution so we don’t have to keep advertising.

Chairman Blewett stated I see that. Is there a motion to approve?

RESOLUTION
LINCOLN PARK PLANNING BOARD
MEETING SCHEDULE
CALENDAR YEAR 2021

BE IT RESOLVED by the Planning Board of the Borough of Lincoln Park that the third Thursday of each month be designated as a regular meeting of the Board. Said meetings are to be held in Council Chambers, Municipal Building, 34 Chapel Hill Road, Lincoln Park, New Jersey 07035 and commence at 7:00 P.M.

IN RESPONSE TO THE STATE OF EMERGENCY DECLARED IN NEW JERSEY REGARDING COVID-19 (CORONAVIRUS), THE MEETINGS WILL BE HELD VIA ZOOM

FORMAT, AN ONLINE MEETING PLATFORM. BOROUGH HALL WILL BE CLOSED TO THE PUBLIC DURING THIS EMERGENCY.

THE MEETINGS WILL BE OPEN TO THE PUBLIC REMOTELY. TO FOLLOW ALONG AND PARTICIPATE, VISIT THE BOROUGH OF LINCOLN PARK WEBSITE (www.lincolnpark.org), PLANNING BOARD WEBPAGE WHERE THE AGENDAS WITH THE ZOOM CONTACT INFORMATION WILL BE POSTED IN ADVANCE OF THE MEETINGS.

Mr. Terrero moved to approve.

Mr. Kaufman seconds.

Roll call:

Yes: Terrero, Kaufman, Blewett, Florentino, Gemian and Taormina

No: None

Abstain: None

Absent: Koldyk, Marino and Runfeldt

Ms. Ward stated it's approved.

Chairman Blewett stated the next item on the agenda is to designate the Official Newspaper. We have a resolution in front of you designating the Daily Record as the official newspaper and the Suburban Trends as the alternate official newspaper. Motion to approve?

RESOLUTION
LINCOLN PARK PLANNING BOARD
OFFICIAL NEWSPAPER
CALENDAR YEAR 2021

BE IT RESOLVED, by the Planning Board of the Borough of Lincoln Park that the **DAILY RECORD** be designated as the Official Newspaper and **SUBURBAN TRENDS** designated as the Alternate Official Newspaper for the calendar year 2021.

Mr. Terrero moved it.

Mr. Gemian seconds.

Roll call:

Yes: Terrero, Gemian, Blewett, Florentino, Kaufman and Taormina

No: None

Abstain: None

Absent: Koldyk, Marino and Runfeldt

Ms. Ward stated it's adopted.

Chairman Blewett stated the next item on the agenda is a resolution identifying both the Daily Record and Suburban Trends to receive the agendas for 2021. Is there a motion to approve?

RESOLUTION
LINCOLN PARK PLANNING BOARD
NEWSPAPERS TO RECEIVE AGENDAS
CALENDAR YEAR 2021

WHEREAS, N.J.S.A. 10:4-6 et seq., requires the Planning Board of the Borough of Lincoln Park to designate two (2) newspapers to receive the notice of its meetings (the agendas).

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Borough of Lincoln Park that the **DAILY RECORD** and **SUBURBAN TRENDS** be designated the two (2) newspapers to receive notices required by the Open Public Meetings Act for the calendar year 2021.

Mr. Terrero moved it.

Mr. Florentino seconds.

Roll call:

Yes: Terrero, Florentino, Blewett, Gemian, Kaufman and Taormina

No: None

Abstain: None

Absent: Koldyk, Marino and Runfeldt

Ms. Ward stated it's adopted.

Chairman Blewett stated the next item on the agenda is appointment of subdivision, site plan, downtown improvement, ordinance and master plan committees for 2021. There was a proposal in your packet.

Mr. Kaufman stated this needs to be updated as Dion is no longer with us and he was the chair of one of the committees.

Ms. Ward stated I gave you the committee members from last year so you can review and revise it.

Chairman Blewett asked is there anyone who would like to volunteer for the subdivision committee as the chair.

Mr. Florentino stated Josh.

Mr. Kaufman stated I'm already the chair of, what happened to the codification committee?

Ms. Ward stated we didn't need that anymore as the codification of the Code Book and DRO has been completed.

Mr. Florentino stated it should be Josh then.

Mr. Kaufman stated I don't see your name on here anywhere Alvin.

Ms. Ward asked who wants to volunteer for the Subdivision Committee. We need at least 3 and a chair.

Mr. Taormina stated I'll chair

Mr. Kaufman stated Nick will chair and Alvin and I will join him.

Chairman Blewett stated it looks like the Site Plan Committee can stay the same. Anyone disagree? Dave in absentia is the chair.

Okay the Downtown Improvement Committee we do need to replace Dion.

Mr. Gemian stated I can do that if you would like.

Chairman Blewett stated that was Gary. Do you have that Joan?

Ms. Ward stated yes. Jonathan will be the chair.

Mr. Terrero stated that's fine.

Chairman Blewett stated the Master Plan Committee we would like another person to replace Dion.

Mr. Kaufman stated Alvin can do that.

Mr. Florentino stated I'll do it.

Chairman Blewett stated Alvin sounds good.

Okay then the Ordinance Committee we would like one more person if possible.

Mr. Kaufman asked Nick if he would like to join the committee.

Mr. Taormina stated yeah put me on the committee.

Chairman Blewett thanked Nick. Any discussion? Do we need to vote on this?

Ms. Ward stated no it is between all of you.

Chairman Blewett asked if there was any other business which we want to discuss in this reorganization meeting.

Ms. Ward stated I have nothing.

Chairman Blewett asked anybody else.

Mr. Florentino stated I have a suggestion. I am very thankful for getting all of these documents in the mail but is there a way if we opt to get it electronically versus getting physical paper? If it is more work than no.

Chairman Blewett stated is all this posted on the town --

Ms. Ward stated no. The maps we can't do but I can send the reports, minutes and agendas.

Mr. Kaufman stated a lot of times we get full blueprints and that is not going to come across. Packages like this could be done electronically but it isn't always like this.

Mr. Florentino stated I'm just trying to be conscious of wasting paper like this.

Ms. Ward stated the initial submission we only ask the applicant to submit 3 sets of the plans until they are reviewed for completeness as they usually have to be amended. If the plans are okay, then the applicant has to provide the rest of the plans for distribution.

The minutes and reports can be sent via email. Would you like me to send it to you that way?

Mr. Kaufman stated I'll take whatever can be sent electronically.

Ms. Ward asked are you all in agreement with that so whatever I can send electronically I will.

Board members yes.

Ms. Ward stated okay.

Mr. Neiss stated in some of the communities I serve as Planning Board Attorney they have amended their submission ordinance to provide that the applicant shall provide all the documents of an application in both paper as well as in electronic form.

Mr. Kaufman stated the blueprints and maps would also be provided electronically which Joan could just forward the link or the attachment to us.

Mr. Neiss stated correct. I mean it is not like having a 36 x 45 document in front of you but you can certainly read it as you would any other PDF.

Mr. Kaufman stated I like that idea.

Chairman Blewett stated I do too. We will put that on the ordinance committee agenda.

Ms. Ward stated years ago member asked for the plans to be 11 x 17 but when we received them everyone complained they couldn't read them.

Chairman Blewett stated with an electronic copy you can blow it up as big as you want it. We can talk to Sal and we'll just bring it to the Ordinance Committee. I do know that Tom has one other item to consider with respect to impervious coverage, so we can maybe look at those early in the year.

Ms. Ward stated I'll let everyone know when Sal returns and you can set up a meeting.

Chairman Blewett stated that sounds good.

Mr. Florentino stated hopefully we can save the town some money.

Chairman Blewett asked is there a motion to adjourn the reorganization meeting.

Mr. Florentino moved it.

Mr. Kaufman seconds.

Meeting adjourned 7:28 P.M.

Respectfully submitted:

Joan Ward, Secretary

Charles Blewett, Jr., Chairman