

I. Monday, May 1, 2023, Work Meeting of the Governing Body of the Borough of Lincoln Park, the Deputy Borough Clerk called the Work Meeting to order and announced the meeting was duly advertised in accordance with the Open Public Meetings Act.

All stood for the Pledge of Allegiance.

II. ROLL CALL

On the Roll Call, Council Members present were: Antonetti, Gemian, Gurkovich, Moeller, Ross, Thompson, and Seise

ABSENT: None

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

III. SWEARING IN'S: PROMOTIONS: LINCOLN PARK POLICE DEPARTMENT

The following Police Officers were sworn in by Mayor Runfeldt.

1. Michael Bono – Lieutenant
2. Jennifer Hess – Sergeant
3. Scott Gamsby - Sergeant

IV. MISCELLANEOUS/ COUNCIL COMMITTEE REPORTS:

Antonetti: May 10, 2023, the PV Rotary is hosting a luncheon to celebrate LP Seniors Club. May 11, 2023, Broadway Trip "A Beautiful Noise". A few tickets are still available. May 12, 2023, LP Schools Color Run is at 3 PM at the LPMS. The BOE, LP Health Department, LP Shop Rite and LP Rec Department is hosting a color run to promote mental health awareness. Funds raised will benefit a suicide prevention entity. The run will be held at the LPMS field. May 20, 2023, town wide garage sale. Canopy picnic tables for Centennial Park have arrived and were installed last week – next step is walking track. Regarding the courts, the Rec Department met with two (2) vendors last week and are waiting on quotes. Two (2) outdoor pickleball courts and two (2) tennis courts. On Saturday, April 22, 2023, I participated in the town wide clean-up for Earth Day. I believe Councilman Gurkovich also participated along with many other residents. I would like to thank the DPW and all the residents who participated especially the Raffa family. A special thank you to their son Mason who initiated the event. I look forward to everyone's participation next year.

Gemian: No report.

Gurkovich: Looking at early June opening of the library. Furniture is being delivered. Working on exterior.

Moeller: The DPW is working on all fields for the kids for the Spring.

Ross: No report.

Thompson: Congratulations to the Officers on their promotions this evening.

Seise: No report.

V. MAYOR'S AGENDA:

I. Escrow Release

- A. Release of Escrow #2492, 209 Comly Road & 57 Bridge Street – Block 9 / Lot 80.01 & 94 (now combined), to Beavco, LLC c/o Jude, has been approved by the Borough Engineer.
- B. Release of Escrow #2493, 209 Comly Road & 57 Bridge Street – Block 9 / Lot 80.01 & 94 (now combined), to Beavco, LLC c/o Jude, has been approved by the Borough Engineer.
- C. Release of Escrow #2396, 209 Comly Road & 57 Bridge Street – Block 9 / Lot 80.01 & 94 (now combined), to Beavco, LLC c/o Jude, has been approved by the Borough Engineer.
- D. Release of Escrow #2559, 274 Boonton Turnpike – Block 71 / Lot 65, to Glenn A. La Mattina, has been approved by the Borough Engineer.

Council concurred and Resolutions will be on the May 15, 2023 Meeting Agenda

II. Request Resolution Authorizing Implementation of Borough Wide Reassessment Program

- A. Begins with an initial Comprehensive Borough Wide Reassessment (100% of the properties)
- B. Current Ratio – 82.51%

- C. Last Reassessment – 2011
- D. Followed by a subsequent annual reassessment of 20% of all properties in the Borough.
- E. Eliminates need to conduct Re-Evaluations now and in the future.

Chris Lauver, Borough Tax Assessor, was present to speak of this. He said that we would inspect every single home in town and change the values for every home based on the market. The last time we did a revaluation and reassessment was in 2011. By doing this we will be proactive and stay ahead of the curve. When the market goes down, we will be in a better position, so we do not get many appeals. By doing this there is no need for the reassessment that occurs in 10-15 years or whenever the County determines that you have to, and they force us to do it. This is a proactive thing that a lot of towns are doing. It is an affective way to keep the appeals down. Everyone will be fairly assessed. It is about being fair and equitable.

Council concurred and a Resolution will be on the May 15, 2023 Meeting Agenda

III. Request Resolution Authorizing Tax Collector to Make Tax Adjustment

- A. 100% Disabled Veterans
 - i. Block 46.8 / Lot 77, aka 57 Homestead Lane
 - 1. Refund Amount (2nd Quarter) - \$1,763.40
 - ii. Block 7.4 Lot 1.16, aka 14 Patania Ct.
 - 1. Refund Amount (1st Quarter) - \$3,151.30
 - 2. Cancel Amount (2nd Quarter) - \$3,151.30

Council concurred and Resolutions will be on the May 15, 2023 Meeting Agenda

IV. Request Resolution Authorizing Treasurer to Issue Check for Redemption of Tax Sale Certificate

- A. Block 119 / Lot 4, aka 5 Willow Avenue
- B. 2021 Water & Sewer charges
- C. Amount - \$9,141.57
- D. Payable to – FIG20, LLC DEC PTY, PO Box 12225, Newark, NJ 07101-3411

Council concurred and a Resolution will be on the May 15, 2023 Meeting Agenda

V. Request Resolution Authorizing Application and Execution of Grant Application & Grant Agreement for NJ DEP Stormwater Assistance Grant Program

- A. Stormwater Assistance Grant
- B. Purpose - upgrading MS4 Stormwater Program to comply with the requirements of the 2023 Tier A MS4 Permit renewal.
- C. Amount - eligible for up to \$25,000 in funding

Council concurred and a Resolution is on tonight's Meeting Agenda

VI. Request Resolution Authorizing Application and Acceptance of Supplemental Municipal Alliance Grant Funds

- A. 2023 Calendar Year
- B. Amount - \$2,000
- C. \$1,000 Cas Match required.
- D. Use - Lincoln Park's Winter Wonderland / Good Choices Night Out

Council concurred and a Resolution is on tonight's Meeting Agenda

VII. Request Resolution Authorizing Tax Collector to Cancel Real Estate Taxes

- A. Block 139 / Lot 2, aka 211 Main Street (previously known as St. Andrew's Church)
- B. Taxes to be Canceled – 2022 (all quarters)
- C. Amount to be canceled - \$32,801.67.

Council concurred and a Resolution will be on the May 15, 2023 Meeting Agenda

VIII. Request Resolution Authorizing Acceptance of Withdrawal of Bid for Beaverbrook Road Water Main Improvements

- A. Low Bidder – Underground Utilities Corp. (\$382,200.00)
 - i. Second Low Bidder – Regal Utility Services, Inc. (\$470,932.70)
- B. Mistake made in calculation of Item #6 – Steel Casing

- C. It is in the best interest of the Borough to accept withdrawal.
 - i. Enforcement of contract would likely impair project quality.

Council concurred and a Resolution is on tonight's Meeting Agenda

IX. Request Resolution Authorizing Rejection of Bids for Beaverbrook Road Water Main Improvements and Authorizing Re-Advertisement for Solicitation of Bids

- A. Remaining Low Bidder – Regal Utility Services, Inc. (\$470,932.70)
- B. Reason – Low Bid substantially exceeds cost estimate prepared by Borough Engineer

Council concurred and a Resolution is on tonight's Meeting Agenda

X. Request Resolution Authorizing Execution of Shared Services Agreement with Township of Pequannock

- A. Fire Sub-Code Official
- B. Agreement to run concurrent with Construction/Building Sub-Code Official Agreement
 - i. May 1, 2023 through June 30, 2026
- C. Amount –
 - i. Year One (partial): 5/1/23 – 6/30/23 \$1,000 /month, \$2,000 for year one
 - ii. Year Two: 7/1/23 – 6/30/24 \$1,000 / month, \$12,000 / year
 - iii. Year Three: 7/1/24 – 6/30/25 \$1,020 / month, \$12,240 / year
 - iv. Year Four: 7/1/25 – 6/30/26 \$1,040 / month, \$12,480 / year
- D. \$4,690 less than previous Fire Sub-Code Official's budgeted salary.

Council concurred and a Resolution is on tonight's Meeting Agenda

Perry Mayers, Borough Administrator, said that we would like to revisit a discussion that took place in a prior meeting regarding a piece of property that the Borough owns on Minnehaha Path.

Chris DiLorenzo, Borough Attorney, said to refresh everyone's recollection, I think there were a few Council members absent at the meeting that this discussion took place. There are two (2) properties, 61 and 75 Minnehaha Path. In between these two (2) properties is a paper road. The owner of 75 Minnehaha Path approached the town and said please vacate the road. They need a little more property because they want to put up a fence and a pool. They wanted to make their property a little bigger because no one was using it. We looked at it and talked about it and saw a little piece of property next to the other side of that road and it is adjacent to a big piece of property that the Greenfield's own. That little piece of property the town owns. It is a non-buildable lot on its own. You cannot sell it to anyone to do anything useful. We talked about it and offered it to the property owners, the Greenfield's. They said they would take it. We told them that if they wanted, we would have to get an appraisal. We cannot just give it to them. We have to sell it at fair market value. We hired an appraiser. They hired an appraiser. Ours was ten-grand. There's was seven-thousand five hundred. We negotiated a potential deal. We talked about this last time and two (2) big issues were raised. One was the value of that piece of property, and one was whether the property could be sub divided. Could another house be built on that property? Traffic and given the road and issues up on Minnehaha Path, were a concern. We did our homework and spoke to the Borough Engineer and the Borough Tax Assessor. Chris Lauver, Borough Tax Assessor, is present to speak about the value issue. Chris Lauver said that the appraisal is of remnant value. A remnant value is anytime an assessment is placed on a property, a buildable lot, gets a site value. Anything over that is applied to an amount that is consistent across the board of that specific neighborhood. It looked like what they did when they did the revaluation, there is no site value on it, so they applied the excess amount per acre or whatever they used and that is how they determined the \$49,000.00 on that.

Chris DiLorenzo, Borough Attorney, said that adding this property to the lot does not make it anymore subdividable. This is what the Borough Engineer stated. A straw pole was made to see if we will move forward with this.

Question #1, Are we willing to sell the property to the Greenfield's?

- Yes: Antonetti and Seise
- No: Gemian, Gurkovich, Moeller, Ross, and Thompson
- Absent: None
- Abstain: None

Question #2, Are we approving the vacation of the paper road?

- Yes: Antonetti, Gemian, Gurkovich, Moeller, Ross, Thompson, and Seise
- No: None
- Absent: None
- Abstain: None

At this time, Council was in favor for vacating the paper road, but not selling the property owned by the town.

VI. RESOLUTIONS:

Seise: R23-119, Resolution Authorizing Application and Execution of Grant Application & Grant Agreement for NJ DEP Stormwater Assistance Grant Program

Moeller: So Moved

Thompson: Second

RESOLUTION R23-119

Resolution of Authorizing Submission of Application and Execution of Grant Agreement for NJ DEP Stormwater Assistance Grant Program

WHEREAS, the Borough of Lincoln Park desires to apply for a **Stormwater Assistance** grant available through NJ Department of Environmental Protection, Division of Watershed Protection; and

WHEREAS, the purpose of a successful Stormwater Assistance grant application will be to obtain funding from the NJ Department of Environmental Protection, Division of Watershed Protection intended to assist New Jersey municipalities in upgrading their MS4 Stormwater Programs to comply with the requirements of the 2023 Tier A MS4 Permit renewal; and

WHEREAS, the Borough desires to authorize the execution and submission of said application to the **Stormwater Assistance** grant program and the execution of the grant agreement should the application be successful;

NOW THEREFORE BE IT RESOLVED;

The Council of the Borough of Lincoln Park has determined that the Borough of Lincoln Park should apply for the aforementioned Stormwater Assistance grant.

The Council of the Borough of Lincoln Park hereby authorizes and endorses an application to the NJ Department of Environmental Protection, Division of Watershed Protection for a **Stormwater Assistance** grant.

The Borough Council hereby authorizes and directs the Business Administrator and/or the Mayor to execute said application.

The Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Lincoln Park, should the grant application be successful, and that their signature constitutes acceptance of the terms and conditions of the grant agreement.

All other appropriate officers, employees, and professionals of the Borough are hereby authorized and directed to take any and all necessary steps to effectuate the purposes of this resolution.

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

Yes: Antonetti, Gemian, Gurkovich, Moeller, Ross, Thompson, and Seise

No: None

Absent: None

Abstain: None

Resolution R23-119 was Adopted.

Seise: R23-120, Resolution Accepting Withdrawal of Bid for Beaverbrook Road Water Main Improvements

Moeller: So Moved

Ross: Second

RESOLUTION R23-120

RESOLUTION ACCEPTING WITHDRAWAL OF BID FOR BEAVERBROOK ROAD WATER MAIN IMPROVEMENTS FOR THE BOROUGH OF LINCOLN PARK

WHEREAS, the Borough of Lincoln Park received bids for the construction of water main improvements

along Beaverbrook Road on April 18, 2023 at 10:00 AM; and

WHEREAS, the Borough of Lincoln Park has received proposals in response to its request for bids; and

WHEREAS, the Borough of Lincoln Park has received a proposal from Underground Utilities Corp. in the amount of \$382,200.00; and

WHEREAS, Underground Utilities Corp. is the low bidder; and

WHEREAS, the second low bidder, Regal Utility Services, Inc. submitted a bid in the amount of \$470,932.70; and

WHEREAS, Underground Utilities Corp. has sent the letter dated April 19, 2023 to the Borough Engineer attached hereto as Exhibit A stating that it made an error in the preparation of its bid and has asked to withdraw its bid; and

WHEREAS, the low bidder has explained in its letter the manner in which this mistake was made; and

WHEREAS, the Borough of Lincoln Park has determined that to enforce the contract with Underground Utilities Corp. would be unconscionable, that the mistake by Underground Utilities Corp. is material, and enforcement of the contract may impair performance of the construction of water main improvements along Beaverbrook Road in accordance with the requirements of the bid specifications; and

WHEREAS, for these reasons the Borough of Lincoln Park has determined that it is in the best interests of the Borough of Lincoln Park to permit the low bidder to withdraw its bid.

NOW, THEREFORE, BE RESOLVED by the Council of the Borough of Lincoln Park that the Borough of Lincoln Park accepts the rescission of the bid by Underground Utilities Corp.

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

Yes: Antonetti, Gemian, Gurkovich, Moeller, Ross, Thompson, and Seise

No: None

Absent: None

Abstain: None

Resolution R23-120 was Adopted.

Seise: R23-121, Resolution Authorizing Application and Acceptance of Supplemental Municipal Alliance Grant Funds

Thompson: So Moved

Moeller: Second

RESOLUTION R23-121

RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR 2023 SUPPLEMENTAL MUNICIPAL ALLIANCE GRANT FUNDS TO THE COUNTY OF MORRIS

WHEREAS, supplemental funds are available for the 2023 Municipal Alliance activities through the County of Morris; and

WHEREAS, the supplemental funding of \$2,000 requires a 50% cash match of \$1,000 from the Borough of Lincoln Park.

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

1. The Council of the Borough of Lincoln Park supports the 2023 Supplemental Application for, and acceptance of, \$2,000 to be utilized for Lincoln Park's Winter Wonderland as a "Good Choices Night Out."
2. The Council of the Borough of Lincoln Park herein commits to the provision of a \$1,000 cash match from the 2023 budget for the supplemental funding to be allocated for Lincoln Park's Winter Wonderland as a "Good Choices Night Out."

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

Yes: Antonetti, Gemian, Gurkovich, Moeller, Ross, Thompson, and Seise

No: None

Absent: None

Abstain: None

Resolution R23-121 was Adopted.

Seise: R23-122, Resolution Authorizing Execution of Shared Services Agreement with Township of Pequannock

Moeller: So Moved

Gemian: Second

RESOLUTION R23-122

RESOLUTION AUTHORIZING EXECUTION OF SHARED SERVICES AGREEMENT WITH THE TOWNSHIP OF PEQUANNOCK FOR THE PROVISION OF FIRE SUB-CODE OFFICIAL SERVICES

WHEREAS, pursuant to N.J.S.A. 40A:65-1 *et seq.*, also known as “The Uniform Shared Services and Consolidation Act,” municipalities may enter into agreements for shared services with each other to provide or receive any service that the local unit participating in the agreement is empowered to provide or receive within its own jurisdiction; and

WHEREAS, the agreement must comply with the requirements of N.J.S.A. 40A:65-7 and specify the services to be performed under the agreement, procedures for payment, and assignment and allocation of responsibility for meeting standards between and among the parties; and

WHEREAS, The Township of Pequannock (“Pequannock”) presently employs a Fire Sub-Code Official to perform certain inspection services related to fire code inspections; and

WHEREAS, The Borough of Lincoln Park (“Lincoln Park”) is in need of a Fire Sub-Code Official to perform certain inspection services related to fire code inspections; and

WHEREAS, Lincoln Park and Pequannock desire to enter into a long term shared services agreement whereby the Pequannock Fire Sub-Code Official will perform certain inspection services related to fire code inspections for Lincoln Park; 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 execution of a Shared Services Agreement for the furnishing of Fire Sub-Code Official services by Pequannock for a term beginning May 1, 2023 and ending on June 30, 2026 is hereby approved pursuant to the provisions of N.J.S.A. 40A:65-1 *et seq.* to be compensated as follows:
 - a. Year 1 (partial): May 1, 2023 to June 30, 2023 at \$1000/month, \$2,000/year
 - b. Year 2: July 1, 2023 to June 30, 2024 at \$1,000/month, \$12,000/year
 - c. Year 3: July 1, 2024 to June 30, 2025 at \$1,020/month, \$12,240/year
 - d. Year 4: July 1, 2025 to June 30, 2026 at \$1,040/month, \$12,480/year; and
2. The Mayor and Borough Administrator are authorized to extend the term by written agreement executed by the parties, if deemed to be appropriate.
3. A copy of said Agreement is on file in the office of the Borough Clerk and may be viewed during normal business hours; and

4. The Mayor and Borough Administrator and/or any other applicable individual be and are hereby authorized and directed to execute said Shared Services Agreement on behalf of the Borough; and
5. A copy of the fully executed Agreement shall be forwarded by the Borough to the Morris County Joint Insurance Fund.
6. A copy of the fully executed Agreement shall also be forwarded by the Borough for informational purposes to the Division of Local Government Services in the Department of Community Affairs.

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

Yes: Antonetti, Gemian, Gurkovich, Moeller, Ross, Thompson, and Seise
No: None
Absent: None
Abstain: None

Resolution R23-122 was Adopted.

Seise: R23-123, Resolution Authorizing Rejection of Bids for Beaverbrook Water Main Improvements and Authorizing Re-Advertisement for Solicitation of Bids

Moeller: So Moved
Ross: Second

RESOLUTION R23-123

RESOLUTION REJECTING BIDS RECEIVED FOR THE AWARD OF A CONTRACT FOR BEAVERBROOK ROAD WATER MAIN IMPROVEMENTS AND AUTHORIZING THE RE-ISSUANCE OF A REQUEST FOR PROPOSAL FOR THIS CONTRACT

WHEREAS, the Borough advertised for bids on March 22, 2023 for Beaverbrook Road Water Main Improvements and;

WHEREAS, the Borough received nine bids on April 18, 2023 in response to the request for bids; and

WHEREAS, the bids received were as follows:

1. Underground Utilities Corp., Linden, NJ - \$382,200.00
2. Regal Utility Services Inc., Hewitt, NJ - \$470,932.70
3. John Garcia Construction Co., Inc., - Clifton, NJ - \$498,704.10
4. Kulpeksa Land Improvement Corp., Rockaway, NJ - \$499,000.00
5. Mike Fitzpatrick Contractors Inc., Oak Ridge, NJ - \$499,810.00
6. MSP Construction Corp., Flemington, NJ - \$508,200.00
7. Colonelli Bros Inc., Hackensack, NJ - \$617,740.00
8. Montana Construction Inc., Lodi, NJ - \$626,010.00
9. The Shauger Group Inc., East Orange, NJ \$1,156,450.00

and;

WHEREAS, Underground Utilities Corp. submitted a request to withdraw its low bid on April 19, 2023 due to a mistake/error in its bid; and

WHEREAS, the Borough has accepted, by resolution, the request by Underground Utilities Corp to withdraw its bid; and

WHEREAS, all remaining bids received by the Borough, including the next lowest bid, submitted by Regal Utility Services Inc., substantially exceed the proposed budget cost estimate prepared by the Borough Engineer for this contract and are not reasonable/acceptable as to price; and

WHEREAS, pursuant N.J.S.A. 40A:11-13.2, the Borough may reject these bids; and

WHEREAS, the Borough desires to authorize the Borough Administrator to prepare and advertise a revised solicitation of bids for Beaverbrook Road Water Main Improvements.

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

1. The Borough of Lincoln Park rejects all eight remaining bids received on April 18, 2023 for Beaverbrook Road Water Main Improvements, as each substantially exceed the proposed budget cost estimate prepared by the Borough Engineer for this contract and are not reasonable/acceptable as to price.
2. The Administrator of the Borough of Lincoln Park is hereby authorized to prepare and re-advertise a solicitation of bids for Beaverbrook Road Water Main Improvements.

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

Yes: Antonetti, Gemian, Gurkovich, Moeller, Ross, Thompson, and Seise

No: None

Absent: None

Abstain: None

Resolution R23-123 was Adopted.

VII. PUBLIC HEARING:

Thompson: Motion to go to Public

Gemian: Second

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

Lauren Cook, 10 William Street, invited everyone to the Blue Foundation Bank grand re-opening. Renovations were done. They are having a ribbon cutting and ceremony on June 6, 2023, from 5:30 – 6:30 pm.

Lauren Cook invited everyone to the Lincoln Park 1st Annual Pride Day that is being held at the Lake on June 10, 2023, from 11:00 – 4:00 pm.

Lauren Cook advised of a broken curb in front of the building by the parking lot. An elderly gentleman had almost tripped.

Bruce Dubowsky and Kathy Joho, 80 Highland Street, asked if there was a site plan for the Centennial Park. They said that they tried to find one with no luck. They asked who they can speak with or be referred to. They asked how the layout of the park is going to be.

Councilman Gurkovich said that he put a plan together. He said that he took a drone shot. He said that he gave it to Janet. He would be more than willing to put designs together to help.

Councilwoman Thompson asked if there was a site plan.

Administrator Perry Mayers said that there is no site plan.

Bruce Dubowsky said that he is surprised that there is no site plan. There should be a site plan for everything. It does not seem like the playground is in the best location. It is too far from the road. I am curious to what is the further plan. Where is everything else going?

Kathy Joho said that having a plan would help you do better.

Council agreed that there should be something on paper.

Councilman Gemian suggested that Councilman Gurkovich work with Administration and Recreation to officially put a site plan together. Council concurred.

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

Gemian: Second

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

VIII. ADJOURNMENT:

Thompson: Motion to Adjourn.

Gemian: Second

There being no further business to discuss the Work Meeting of May 1, 2023, was Adjourned at 8:47 PM.

ATTEST:

Amanda Giacon, Deputy Borough Clerk

Andrew Seise, Council President

Mayor David Runfeldt