

I. Monday, April 5, 2021 Work Meeting of the Governing Body of the Borough of Lincoln Park, the Municipal 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 gave Zoom Instructions.

All stood for the Pledge of Allegiance.

II. ROLL CALL

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

Present from Administration: Mayor David Runfeldt, Borough Administrator Perry Mayers, and Chris DiLorenzo Borough Attorney

III. PROCLAMATIONS:

National Public Health Week Proclamation

Whereas the week of April 5-11, 2021, is National Public Health Week, and the theme is “Building Bridges to Better Health”; and

Whereas since 1995, the American Public Health Association, through its sponsorship of National Public Health Week, has educated the public, policymakers and public health professionals about issues important to improving the public’s health; and

Whereas U.S. life expectancy dropped from 2014 to 2017 in the longest sustained decline since the Great Recession and only in 2018 began to increase again; further, studies consistently show the United States has a lower life expectancy than comparable countries; and

Whereas there is a significant difference in health status, such as obesity, poor mental health and drug use, among people living in rural areas compared with people living in urban areas, and this variance increases because rural residents are often more likely to face social determinants that negatively impact health, such as poverty, transportation barriers and lack of economic opportunity; and

Whereas public health professionals help communities prevent, prepare for, withstand and recover from the impact of a full range of health threats, including disease outbreaks such as the COVID-19 pandemic, measles, natural disasters and disasters caused by human activity; and

Whereas public health action, together with scientific and technological advances, has played a major role in reducing and, in some cases, eliminating the spread of infectious disease, and in establishing today’s disease surveillance and control systems; and

Whereas the COVID-19 pandemic has illuminated and exacerbated racial inequities and a growing number of local, state governments and public health leaders have declared racism a public health crisis.

NOW, THEREFORE, I, David A. Runfeldt, by virtue of the authority vested in me by the laws of the **Borough of Lincoln Park** do hereby proclaim the week of April 5-11, 2021, as **National Public Health Week 2021** in the Borough of Lincoln Park and call upon the people of the **Borough of Lincoln Park** to observe this week by helping our families, friends, neighbors, co-workers and leaders to better understand the value of public health and supporting great opportunities to adopt preventive lifestyle habits in light of this year’s theme, **“Building Bridges to Better Health.”**

IN WITNESS WHEREOF, I have hereunto set my hand this **[5th]** day of April, two thousand twenty one, and of the Independence of the United States of America the two hundred and forty sixth.

David A. Runfeldt
Borough of Lincoln Park, Mayor

Arrow of Light Proclamation

WHEREAS, Crossing over to Boy Scouts with Cub Scouting’s highest honor of achieving the Arrow of Light; and

WHEREAS, on April 10, 2021, Matthew Eckert, Matthew Otero, Peter Kostoplis and Zachary Wolfe will all be presented with the Arrow of Light and will be moving on to Boy Scout Troop 76.

WHEREAS, it requires the Scout to have earned the Webelos Scout badge and eight activity badges. In addition, to the skill and activity requirements of the preceding ranks, the Arrow of Light requires Scouts to learn the Scout Promise and Scout Law, and visit one meeting and one activity of a Boy Scout troop, in preparation for advancing to the Boy Scouts; and

WHEREAS, The Arrow of Light Award is the highest form of recognition in Cub Scouting and its attainment represents a significant accomplishment. Having completed the requirements for, and having been examined by a Board Review, these Scouts were found worthy of the rank of Arrow of Light; now,

THEREFORE BE IT RESOLVED, I Mayor David A. Runfeldt, on behalf of the Borough Council, in recognition of these Cub Scouts' outstanding achievements and superior spirit of service to his community, do hereby congratulate these Arrow of Light recipients on the achievement of Arrow of Light and for their hard work and dedication to serving those in need in the Borough of Lincoln Park.

David A. Runfeldt

Borough of Lincoln Park, Mayor

IV. COUNCIL AGENDA:

1. Developer's Agreement with Joseph and Barbara Fede, 12 Troy Lane, concerning the Expansion of the footprint and adding a second story to the existing one story Block 5, Lot 15.01.

Council concurred and a Resolution is on tonight's agenda.

2. Cannabis Steering Committee Recommendations and Discussion:

Committee members from Council: Seise, Thompson and Gemian.

Discussion: Council President Seise asked Attorney DiLorenzo to draw up an Ordinance to Opt Out and have ready for our next Council Meeting. The Opt out puts us in the drivers' seat.

Attorney DiLorenzo discussed the following: any municipal regulation or prohibition must be adopted within 180 days of the effective date of the Act (*i.e.*, by August 22, 2021). The failure to act within 180 days shall mean that for a period of five years thereafter, the growing, cultivating, manufacturing, selling and reselling of cannabis and cannabis items shall be permitted uses in all industrial zones, and the retail selling of cannabis items to consumers shall be a conditional use in all commercial and retail zones.

At the conclusion of the initial and any subsequent five-year period following a failure to enact local regulations or prohibitions, the municipality shall again have 180 days to adopt an ordinance regulating or prohibiting cannabis businesses, but any such ordinance would be prospective only and would not apply to any cannabis business already operating within the municipality.

Council President Seise stated the Cannabis Steering Committee will meet frequently to discuss recommendations to the Council.

V. MISCELLANEOUS/COUNCIL COMMITTEE MEMBERS:

Antonetti: 1. Asked where residents can donate food to the food pantry. Mayor Runfeldt said there is a bin in the vestibule of Borough Hall along with other sites in town. 2. Recreation continuing with summer plans. 3. Thanked Lindsey Stam and her daughters Ella and Mia, Ray, Kim Katinsky and their children Travis, Anna and Joey, Lynn Serio and her husband for organizing a Lincoln Park cleanup day for the basin bin near the middle school.

Gemian: From the Planning Board: The Board will be reviewing a revised site plan for the upper main street project.

Moeller: DPW is going out to bid for a garbage truck and asked to look at the bids when they come in.

Ross: What is going on with the Wexford Property? From Councilman Gemian: Part of the delay has been the developer needed to revise the plan for upper Main Street. From Mayor Runfeldt: We have also been waiting for the LOMAR. From Perry Mayers: Waiting for signed lease for parking from NJ Transit.

Thompson: What is happening with Maggie Moore's? Was that a controlled burn? Mayor Runfeldt: Yes, we allowed the fire department practice on a building that will be demolished. Perry Mayers: We are waiting for the letters of disconnect and then the contracted demolition company can apply for permits.

VI. MAYOR'S AGENDA:

I. Escrow Release

- A. Release of Escrow #2521, 25 Comly Road, Store #2, to William Bottino, d/b/a Four 3 Performance Lab, has been approved by the Borough Engineer.

Council Concurred and a resolution will be on the Regular Meeting.

II. Request Resolution Authorizing Tax Collector to Adjust 2020 Tax Overpayment

- A. Block 136.2 / Lot 5.7 C5007

- B. Amount - \$250.00 (credit to 2021 taxes)
- C. Reason - Cares Act increases income limits as it pertains to unemployment

Council Concurred and a resolution will be on the Regular Meeting.

III. Request Resolution Authorizing Tax Collector to Refund Tax Overpayment

- A. Block 36 / Lot 24
- B. Amount - \$813.42 to NJ Division of Taxation
- C. Reason - Block and Lot was split in two and technically doesn't exist anymore.

Council Concurred and a resolution will be on the Regular Meeting.

IV. Request resolution Authorizing Police Department to Apply for SFY21 Body-Worn Camera Grant

- A. Approximate amount of request - \$50,000
- Council Concurred and a resolution will be on the Regular Meeting.

V. Request Resolution Authorizing Execution of Contract with Monmouth Telecom

- A. Contract would replace Spectrotel (current provider) with Monmouth Telecom
- B. To be awarded in accordance with NJSA 40A:11-5(f) – Bid Exceptions
 - i. Subject to the jurisdiction of the Board of Public Utilities or the Federal Energy Regulatory Commission
- C. Total amount of contract – Not to exceed \$25,000 per year
 - i. Contract term – Three years

Council Concurred and a resolution will be on the Regular Meeting.

VI. Request Resolution Authorizing Administrator to Advertise for Bids

- A. 2009 or newer Tandem Axle Rear Loader Garbage Truck
 - i. To be used primarily for recycling, brush, and bulk pickup
- B. Will replace 2003 Mack Garbage Truck
 - i. no longer functional, safe, or practical to repair
- C. Estimated Cost - \$90,000 to \$100,000
 - i. New truck could cost over \$300,000

Council Concurred and a resolution is on tonight's agenda.

VII. Request Resolution Approving Self-Examination of Budget

- A. Declared eligible for Self-Examination by NJ Division of Local Government Services
- B. CFO certifies that the budget is compliant and has met all necessary requirements
- C. Needed in order to adopt the budget

Council Concurred and a resolution will be on the Regular Meeting.

Mayor Runfeldt also thanked the Cleanup group from over the weekend and hopes with the warmer weather more groups will help out with cleanups.

Reminders on Field uses including the turf field will be sent to residents.

Chris DiLorenzo: Past week we had an informal hearing regarding Pine Brook Road side walk easement, there will be an onsite visit by Perry and the Borough Engineer.

VII. RESOLUTIONS:

Seise: Resolution 21-82 Solicit Bids

Seise: I need a Motion and a Second

Thompson: So Moved

Ross: Second

RESOLUTION R21-82**RESOLUTION OF THE BOROUGH OF LINCOLN PARK, COUNTY OF MORRIS, STATE OF NEW JERSEY
AUTHORIZING THE SOLICITATION OF BIDS FOR A 2009 MODEL YEAR OR NEWER REAR LOADING
TANDEM AXLE GARBAGE TRUCK**

WHEREAS, the Borough of Lincoln Park Department of Public Works has a need for a Rear Loading Tandem Axle Garbage Truck to be used primarily for recycling and bulk pickup; and

WHEREAS, it has been determined that the purchase of a used Rear Loading Tandem Axle Garbage Truck, model year 2009 or newer, is in the best interests of the Borough of Lincoln Park, the Lincoln Park Department of Public Works, and its recycling operations; and

WHEREAS, the Rear Loading Tandem Axle Garbage Truck, model year 2009 or newer, will replace a 2003 Mack Rear Loading Garbage Truck that is no longer functional, safe, or practical to repair; and

WHEREAS, it is necessary for the Borough to publish bids specifications and advertise for bids for a Rear Loading Tandem Axle Garbage Truck, model year 2009 or newer;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Lincoln Park, County of Morris, State of New Jersey that the Borough Administrator is hereby authorized to solicit bids for a Rear Loading Tandem Axle Garbage Truck, model year 2009 or newer, to be used primarily for recycling and bulk pickup.

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

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

No: None

Absent: None

Abstain: None

The Resolution was adopted.

Seise: R21-83 Authorize Developers Agreement Fede

Seise: I need a Motion and a Second

Thompson: So Moved

Ross: Second

RESOLUTION R21-83**AUTHORIZING THE EXECUTION OF A DEVELOPER'S AGREEMENT BETWEEN THE BOROUGH OF
LINCOLN PARK AND JOSEPH AND BARBARA FEDE CONCERNING THE EXPANSION OF THE
FOOTPRINT OF AND ADDING A SECOND STORY TO THE EXISTING ONE STORY BUILDING WITH
RELATED SITE/STORAGE IMPROVEMENTS ON REAL PROPERTY IDENTIFIED AS BLOCK 5, LOT 16.01
ON THE OFFICIAL TAX MAP OF THE BOROUGH OF LINCOLN PARK, NEW JERSEY, MORE
COMMONLY KNOWN AS 12 TROY LANE, LINCOLN PARK NEW JERSEY**

WHEREAS, Joseph and Barbara Fede. (hereinafter "Developer") are the owners of premises designated as of Block 5, Lot 16.01, commonly known as 12 Troy Lane, Lincoln Park, New Jersey and located in the T1 Zone ("the "Property") on the Official Tax Map of the Borough of Lincoln Park, Lincoln Park, New Jersey; and

WHEREAS, the Developer received Preliminary and Final Major Site Plan Approval, with Variance and Flood Plain Encroachment approval, in connection with the expansion of the footprint of and adding a second story to the existing one-story building with related site/storage improvements on the Property as fully described in the Resolution of the Borough of Lincoln Park Board of Adjustment entitled "Lincoln Park Board of Adjustment Resolution – Preliminary and Final Major Site Plan Application #370, Variance Application #2019-01, Flood Plain Encroachment Application #FPE19-01, Zoning Permit #2019-03" dated December 10, 2019 ("Resolution"), a copy of which is attached to the Developer's Agreement as Exhibit "A" and made a part thereof as if set forth herein at length; and

WHEREAS, the Developer provided the Borough Engineer Thomas A. Boorady, PE, CME with the following documents:

- a. All documents numbered 1 through 21 as listed in Planning Board Engineer Thomas A. Boorady, PE, CME's December 5, 2019 letter attached to the Developer's Agreement as Exhibit "B". Said documents shall be made a part hereof as if set forth herein at length;
- b. February 22, 2021 Cost Estimate of Joseph Mianecki, Jr.; and
- c. January 21, 2021 Deed of Declaration with Permit.

WHEREAS, the Developer received, filed and ultimately recorded with the Clerk, Morris County the aforementioned permits a copy of which are attached to the Developer's Agreement thereto as Exhibit "D" and made a part thereof as if set forth therein at length; and

WHEREAS, the Developer is required to furnish a "Perimeter Landscape Guarantee" as provided for in N.J.S.A. 40:55D-53(1) (b) to be approved by the Borough and conditioned upon the satisfactory completion by the Developer of all said improvements in accordance with State Laws, Borough Ordinances and Planning Board rules, regulations and requirements, and the rules, regulations and requirements of all other municipal agencies having jurisdiction there over; and

WHEREAS, the Developer is required to furnish a "Site Safety and Stabilization Guarantee" as provided for in N.J.S.A. 40:55D-53(1) (d) to be approved by the Borough and conditioned upon the satisfactory completion by the Developer of all said improvements in accordance with State Laws, Borough Ordinances and Planning Board rules, regulations and requirements, and the rules, regulations and requirements of all other municipal agencies having jurisdiction there over; and

WHEREAS, under State Law, Borough Ordinances and Board of Adjustment Rules, Regulations and requirements prior to the granting of final approval, the Developer must either complete all the improvements within the Development in accordance with the applicable laws, rules and regulations or furnish a performance guarantee in lieu thereof to be approved by the Borough and conditioned upon the satisfactory completion by the Developer of all said improvements in accordance with State Laws, Borough Ordinances and Board of Adjustment rules, regulations and requirements, and the rules, regulations and requirements of all other municipal agencies having jurisdiction thereover; and

WHEREAS, the Developer is required to furnish a performance guarantee to be approved by the Borough and conditioned upon the satisfactory completion by the Developer of all said improvements in accordance with State Laws, Borough Ordinances and Board of Adjustment rules, regulations and requirements, and the rules, regulations and requirements of all other municipal agencies having jurisdiction there over; and

WHEREAS, the parties hereto desire to memorialize in recordable form the terms and conditions of the Resolution, together with other rights and obligations of the parties.

WHEREAS, the nature and extent of the improvement/development aforesaid are set forth in the Resolution of the Lincoln Park Board of Adjustment dated December 10, 2019 attached as Exhibit "A" to the Developer's Agreement and made a part thereof as if set forth therein at length; and

WHEREAS, the Developer is required to enter into a Developer's Agreement with the Borough of Lincoln Park ("Borough") setting forth the rights, duties and obligations of the parties in connection with the Development; and

WHEREAS, there has been prepared a Developer's Agreement by and between the Developer and the Borough dated March 29, 2021; and

WHEREAS, the Borough desires to authorize the execution of the Developer's Agreement subsequent to its execution by the Developer;

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

1. All the terms and conditions of a certain Developer's Agreement dated March 29, 2021 by and between the Borough of Lincoln Park and the Developer are hereby approved, ratified and confirmed by the Borough of Lincoln Park.

2. The Mayor and Clerk are hereby authorized to execute said Developer's Agreement subsequent to the execution by the Developer and together with appropriate officers and employees of the Borough are hereby authorized to take all steps necessary to effectuate the purposes of this Resolution.

3. The Borough hereby authorizes and approves any non-substantive modifications to the Developer's Agreement as may be recommended and approved by the Borough Engineer and Borough Attorney prior to execution.

4. This Resolution shall take effect immediately.

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

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

No: None

Absent: None

Abstain: None

The Resolution was adopted.

VIII. PUBLIC HEARING

Seise: I need a Motion and a Second to open the Public Hearing

Thompson: So Moved

Ross: Second

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

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

Gemian: Second

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

IX. ADJOURNMENT:

There being no further business to come before the Council the Work Meeting of April 5, 2021 was adjourned at 7:56 PM.

ATTEST:

Cynthia L. Sloane, Municipal Clerk

Andrew Seise, Council President

Dr. David Runfeldt, Mayor