

I. CALL TO ORDER/PLEDGE OF ALLEGIANCE:

A Regular Meeting of the Governing Body of the Borough of Lincoln Park was held in the Council Chambers of the Municipal Building, 34 Chapel Hill Road, Lincoln Park, New Jersey on February 22, 2011. The Deputy Clerk Called the Meeting to Order at 7:30 PM and made the Statement of Compliance with the Open Public Meetings Act. The Deputy Clerk advised those present where the exits to the room were and to turn off all cell phones and beepers. After the Pledge of Allegiance the Deputy Clerk called the Roll showing the following:

II. ROLL CALL

PRESENT: Council Members: Robert Cardillo
Gary Gemian
Raymond T. Kerwin
Louis J. Pepe
Matthew Petracca
Ann Thompson
James A. Wild

Also PRESENT were Borough Administrator Sean Canning, CFO/Treasurer, Kerry Geisler, and Edward Buzak, Borough Attorney.

ABSENT: Mayor David A Runfeldt

III. PRESENTATION BY ROTARY CLUB TO LINCOLN PARK FOOD PANTRY.

Pepe: First item on the agenda this evening is a presentation by the Rotary Club to the Food Pantry. Council President Pepe asked Councilwoman Thompson to help with the presentation. Paul Darmafalski, President of Pequannock Rotary presented a \$500.00 check to the new Director of the Food Pantry, Marian Beckwith. Joyce Stager was also introduced as President elect of the Pequannock Rotary.

Marian Beckwith was introduced to the Council.

Council President Pepe thanked the Pequannock Valley Rotary for all they do for the community.

IV. MINUTES FOR APPROVAL:

Pepe: Minutes for Approval January 18, 2011.

Thompson: So MOVED

Kerwin: SECOND

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

Yes: Council Members: Cardillo, Gemian, Kerwin, Petracca, Thompson, Wild and Pepe.

No: None

Absent: None

Abstain: None

The Minutes of January 18, 2011 were Approved as Corrected. Page 1 should be abstain for Councilman Cardillo.

Pepe: Minutes for Approval February 7, 2011.

Gemian: So MOVED

Kerwin: SECOND

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

Yes: Council Members: Cardillo, Gemian, Kerwin, Petracca, Thompson, Wild and Pepe.
No: None
Absent: None
Abstain: None

The Minutes of February 7, 2011 were Approved.

Pepe: We have a Scout in the audience this evening. Please let us know your name.

I am John Pierre Cazorla, 25 Hillcrest Terrace and I am here to observe and I am working on Citizenship in the Community badge for my Eagle Scout designation.

V. ORDINANCES FOR INTRODUCTION:

Pepe: Ordinance for Introduction 3-11 Crossing Guard Contract.

The Deputy Clerk read the following Resolution:

BE IT RESOLVED, that an Ordinance entitled:

**ORDINANCE AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE
BOROUGH OF LINCOLN PARK AND LOCAL 74 UNITED SERVICE WORKERS UNION
(LINCOLN PARK CROSSING GUARDS) FOR THE TERM OF JANUARY 1, 2011
THROUGH DECEMBER 31, 2013**

be Introduced and Read by Title on First Reading by the Clerk.

Wild: So MOVED

Kerwin: SECOND

Pepe: Any discussion? Please call the Roll.

Yes: Council Members: Cardillo, Gemian, Kerwin, Petracca, Thompson, Wild and Pepe.
No: None
Absent: None
Abstain: None

The Resolution was Adopted.

Pepe: Please read it again.

The Deputy Clerk read the following Resolution:

BE IT RESOLVED, that an Ordinance entitled:

**ORDINANCE AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE
BOROUGH OF LINCOLN PARK AND LOCAL 74 UNITED SERVICE WORKERS UNION
(LINCOLN PARK CROSSING GUARDS) FOR THE TERM OF JANUARY 1, 2011
THROUGH DECEMBER 31, 2013**

be passed on First Reading; and

BE IT FURTHER RESOLVED that said Ordinance be considered for Final Passage at the meeting of the Governing Body of the Borough of Lincoln Park on the 21st day of March 2011 at approximately 7:30 PM in the Municipal Building at which time and place all person's interested shall be given an opportunity to be heard concerning said Ordinance; and

BE IT FURTHER RESOLVED that the Clerk be authorized and directed to advertise said Ordinance with a Notice of Introduction thereof in the Daily Record According to law.

Wild: So MOVED

Kerwin: SECOND

Pepe: Please call the Roll.

Yes: Council Members: Cardillo, Gemian, Kerwin, Petracca, Thompson, Wild and Pepe.
No: None
Absent: None
Abstain: None

The Resolution was Adopted.

ORDINANCES FOR ADOPTION:

Pepe: For Adoption we have 1-11 Amend Chapter 17, Planning, Article X A, Stormwater Management, Section 13.

The Deputy Clerk read the following Resolution:

BE IT RESOLVED, that an Ordinance entitled:

AN ORDINANCE AMENDING CHAPTER 17, PLANNING, ARTICLE XA, STORMWATER MANAGEMENT, SECTION 13, SPECIFIC FLOOD PLAIN REQUIREMENTS, SUBSECTION C, FILL REQUIREMENTS, OF THE ORDINANCES OF THE BOROUGH OF LINCOLN PARK

be read by Title on Second Reading and a Hearing Held Thereon.

Kerwin: So MOVED

Petracca: SECOND

Buzak: We have a memorandum from the Planning Board Secretary Joan Ward, dated Feb. 18, 2011 which indicates that the Planning Board reviewed the Ordinance as they are permitted to do under the Municipal Land Use Law and provide the Governing Body with recommendations on that Ordinance. This memorandum suggests that there be some language added to the last sentence of the revision to reflect the 1 cubic foot of compensating storage for each cubic foot of fill placed on the site be able to be placed at any elevation on the site.

I understand from the Administrator that the Borough Engineer Paul Darmofalski who was here earlier on another matter did not believe that this was any kind of substantial engineering change to the requirement; if it is not a substantial engineering change it is certainly not a substantial legal change. Consequently, if the Governing Body is of the mind that the Ordinance ought to be Amended to include this additional language I would ask that someone move to Amend Ordinance 1 – 11 to revise the last sentence to include at any elevation on site as set forth in the February 18, 2011 memorandum.

Kerwin: MOTION to Amend

Gemian: SECOND as Amended

Buzak: If there is no discussion I would ask that the Clerk take a roll call vote on the Amendment to the Ordinance.

The Deputy Clerk called for the Amended Vote.

Yes: Council Members: Cardillo, Gemian, Kerwin, Petracca, Thompson, Wild and Pepe.
No: None
Absent: None
Abstain: None

The Resolution was Adopted.

Thompson: MOTION TO GO TO PUBLIC

Gemian: SECOND

Council President Pepe asked for a Voice Vote. The PUBLIC HEARING WAS OPENED.

Buzak: For the Record the Ordinance that is on the table is as Amended by the Governing Body a few moments ago including the language at any elevation on site.

- 1. Barbara Hertz, 77 Orchard Drive.

Kerwin: MOTION to close the PUBLIC HEARING.

Gemian: SECOND

Council President Pepe asked for a Voice Vote. The PUBLIC HEARING WAS CLOSED.

Pepe: Please read it again.

The Deputy Clerk read the following Resolution:

BE IT RESOLVED, that an Ordinance entitled:

AN ORDINANCE AMENDING CHAPTER 17, PLANNING, ARTICLE XA, STORMWATER MANAGEMENT, SECTION 13, SPECIFIC FLOOD PLAIN REQUIREMENTS, SUBSECTION C, FILL REQUIREMENTS, OF THE ORDINANCES OF THE BOROUGH OF LINCOLN PARK

be passed on Final Reading and a Notice of Final Passage of said Ordinance be published according to law.

Kerwin: So MOVED

Petracca: SECOND

Pepe: Please call the Roll.

Yes: Council Members: Cardillo, Gemian, Kerwin, Petracca, Thompson, Wild and Pepe.

No: None

Absent: None

Abstain: None

The Ordinance was Adopted.

Pepe: 2-11 for Adoption Amend Chapter 159, Residential Property Maintenance, and Art. IV, Space and Occupancy Requirements.

The Deputy Clerk read the following Resolution:

BE IT RESOLVED, that an Ordinance entitled:

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 159, RESIDENTIAL PROPERTY MAINTENANCE, ARTICLE IV, SPACE AND OCCUPANCY REQUIREMENTS, OF THE ORDINANCES OF THE BOROUGH OF LINCOLN PARK, COUNTY OF MORRIS, STATE OF NEW JERSEY,

be read by Title on Second Reading and a Hearing Held Thereon.

Petracca: So MOVED

Kerwin: SECOND

Pepe: Please call the Roll.

Yes: Council Members: Kerwin, Petracca, Wild and Pepe.

No: Cardillo and Thompson

Absent: None

Abstain: Gemian

The Resolution was Adopted.

Kerwin: MOTION TO GO TO PUBLIC

Petracca: SECOND

Council President Pepe asked for a Voice Vote. The PUBLIC HEARING WAS OPENED.

- 1. Barbara Hertz, 77 Orchard Drive.

Kerwin: MOTION TO CLOSE THE PUBLIC HEARING.

Wild: SECOND

Council President Pepe asked for a Voice Vote. The PUBLIC HEARING WAS CLOSED.

The Deputy Clerk read the following Resolution:

BE IT RESOLVED, that an Ordinance entitled:

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 159,
RESIDENTIAL PROPERTY MAINTENANCE, ARTICLE IV, SPACE AND OCCUPANCY
REQUIREMENTS, OF THE ORDINANCES OF THE BOROUGH OF LINCOLN PARK,
COUNTY OF MORRIS, STATE OF NEW JERSEY,**

be passed on Final Reading and a Notice of Final Passage of said Ordinance be published according to law.

Wild: So MOVED

Petracca: SECOND

Pepe: Before you call the Roll I would like to state that this is an Ordinance that has been discussed at length. This is an Ordinance that has been discussed with Council as well as with Administration on how this Ordinance would be enforced like any other Ordinance in the Borough. This is an Ordinance that is going to make a major impact on the residents of the Borough from a taxation basis and this Ordinance does not have anything to do with the comments that were made at the Public Session. I appreciate that even though they were misguided. Please call the Roll.

Yes: Council Members: Kerwin, Petracca, Wild and Pepe.

No: Cardillo and Thompson

Absent: None

Abstain: Gemian

The Ordinance was Adopted.

VI. RESOLUTIONS:

CONSENT AGENDA:

Pepe: Consent Agenda Resolutions R11-76 through R11-86.

Gemian: So MOVED

Thompson: SECOND

RESOLUTION R11-76

BE IT RESOLVED by the Governing Body of the Borough of Lincoln Park, that the Administrator is hereby authorized to seek bids for the **CLEANING OF BOROUGH FACILITIES** for the Borough of Lincoln Park.

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RESOLUTION R11-77

BE IT RESOLVED by the Governing Body of the Borough of Lincoln Park, that pursuant to **PUBLIC LAW #438**, the attached list of appointments to the **2011 EMERGENCY MANAGEMENT COMMITTEE LEDGER** is hereby approved.

EMERGENCY MANAGEMENT COUNCIL LEDGER

Jurisdiction: BOROUGH OF LINCOLN PARK County: MORRIS

NAME	WORKING TITLE	1	2	3
David Runfeldt	Emergency Management Coordinator	X		
Michael Runfeldt	Dep. Operations (PD)		X	
Sal Marino	Dep. Operations (FD)			X
Tom Piorkowski	Dep. Logistics		X	
Kerry Geisler	Dep. Finance		X	
Ron Wenzel	Dep. Planning (PD)		X	
Nick Pappas	Dep. Planning (FD)			X
Tom Andrascik	Police Chief		X	
George Morere	Fire Director			X
Sue VanOrden	LPEMS Chief			X
Sean Canning	Borough Admin.		X	
Paul Darmofalski	Borough Engineer		X	
Chris Cusick	Shelter Director			X
*	Deputy Shelter Director			X
Pat Pignatelli	Health Officer/Sanitation		X	
Tom Piorkowski	DPW		X	
Ellen Ross	OEM Secretary/Utilities Liaison		X	
Kevin McNeill	RACES Radio Operator			X
Ed Buzack	Borough Attorney		X	
Kerry Geisler	Finance Officer		X	
Sal Marino	Fire Chief			X
(Current contracted)	Animal Control Officer		X	
Sean Canning	Communications/PIO		X	
*See above (Deputy)	CERT Co-Manager			X
David Runfeldt	Mayor	X		
James Wild	Council Member	X		
	Transportation Facilitator			X
Jim Grube	Board of Education			X
David Runfeldt	Volunteer Coordinator			X
Sarah Gresko	Resource Manager			X
Should be included	Emer. Hotline Coordinator			X

1. Elected Officials
2. Borough Employees
3. Volunteers

* * *

RESOLUTION R11-78

WHEREAS, there were negotiations between Verizon Communications Inc (Julie Richard LLC) and the Borough of Lincoln Park before trial and a settlement has been proposed and is being recommended by the Borough Attorney and the Borough Tax Assessor

WHEREAS, these tax court judgments are on file in the Office of the Tax Assessor and the Tax Collector and are subject to annual audit; and

WHEREAS, these properties have been adjusted to reflect this adjustment;

NOW, THEREFORE, BE IT RESOLVED By the Governing body of the Borough of Lincoln Park that the Tax Collector is hereby authorized to make the necessary adjustments to the financial records of the Borough of Lincoln Park:

<u>Block/Lot</u>	<u>Year</u>	<u>Amount</u>	<u>Effect</u>
3/42	2010	\$2,682.21	Refund

BE IT FURTHER RESOLVED that the Tax Collector is authorized to refund the amount of \$2,682.21 to Susan A. Feeney, Esq., McCarter & English, LLP, 100 Mulberry Street, P.O. Box 652, Newark, NJ 07101-0652.

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RESOLUTION R11-79

WHEREAS, BETTY CLAPPER, had heretofore deposited with the Borough of Lincoln Park, an escrow in connection with Sidewalk Repairs for premises located at 248 Main St., Block 22.01 Lot 295; and

WHEREAS, BETTY CLAPPER has submitted a written request, on file in the Office of the Chief Financial Officer, that unused escrow funds be returned; and

WHEREAS, Kerry Geisler, Chief Financial Officer for the Borough, has reported in her Certification of Funds for Release of Escrow Money, that a balance does remain in the 2011 General Trust Escrow Account – Bank Account #041-41378-4, Escrow Account #2107 and may be refunded to **BETTY CLAPPER**; and

WHEREAS, Paul Darmofalski, Borough Engineer, has inspected the premises, and has reported that the applicants have complied with/satisfied all of the required conditions, and has submitted a report to the Borough Administration, report on file in his office, recommending release of the remaining escrow funds;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Lincoln Park, that funds on deposit from **BETTY CLAPPER**, in the 2011 General Trust Escrow Account – Bank Account #041-41378-4, Escrow Account #2107 in connection with Sidewalk Repairs for premises located at 248 Main St., be and hereby are ordered released/refunded by the Borough subject to the CFO first confirming that all bills (submitted or pending) from the Board Attorney, and Borough Engineer have been properly and fully satisfied.

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RESOLUTION R11-80

WHEREAS, LEISURE LIVING, INC., had heretofore deposited with the Borough of Lincoln Park, an escrow in connection with Zoning Permit #2010-52Z for premises located at 15 Ryan Lane, Block 46 Lot 63.15; and

WHEREAS, LEISURE LIVING, INC. has submitted a written request, on file in the Office of the Chief Financial Officer, that unused escrow funds be returned; and

WHEREAS, Kerry Geisler, Chief Financial Officer for the Borough, has reported in her Certification of Funds for Release of Escrow Money, that a balance does remain in the 2011 General Trust Escrow Account – Bank Account #041-41378-4, Escrow Account #2175 and may be refunded to **LEISURE LIVING, INC.**; and

WHEREAS, Paul Darmofalski, Borough Engineer, has inspected the premises, and has reported that the applicants have complied with/satisfied all of the required conditions, and has submitted a report to the Borough Administration, report on file in his office, recommending release of the remaining escrow funds;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Lincoln Park, that funds on deposit from **LEISURE LIVING, INC.**, in the 2011 General Trust Escrow Account – Bank Account #041-41378-4, Escrow Account #2175 in connection with Zoning Permit #2010-52Z for premises located at 15 Ryan Lane, be and hereby are ordered released/refunded by the Borough subject to the CFO first confirming that all bills (submitted or pending) from the Board Attorney, and Borough Engineer have been properly and fully satisfied.

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RESOLUTION R11-81

WHEREAS, JENNIFER AMIR, had heretofore deposited with the Borough of Lincoln Park, an escrow in connection with Zoning Permit #2009-35Z for premises located at 49 Williams St., Block 7 Lot 51; and

WHEREAS, JENNIFER AMIR has submitted a written request, on file in the Office of the Chief Financial Officer, that unused escrow funds be returned; and

WHEREAS, Kerry Geisler, Chief Financial Officer for the Borough, has reported in her Certification of Funds for Release of Escrow Money, that a balance does remain in the 2011 General Trust Escrow Account – Bank Account #041-41378-4, Escrow Account #2096 and may be refunded to **JENNIFER AMIR**; and

WHEREAS, Paul Darmofalski, Borough Engineer, has inspected the premises, and has reported that the applicants have complied with/satisfied all of the required conditions, and has submitted a report to the Borough Administration, report on file in his office, recommending release of the remaining escrow funds;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Lincoln Park, that funds on deposit from **JENNIFER AMIR**, in the 2011 General Trust Escrow Account – Bank Account #041-41378-4, Escrow Account #2096 in connection with Zoning Permit #2009-35Z for premises located at 49 Williams St., be and hereby are ordered released/refunded by the Borough subject to the CFO first confirming that all bills (submitted or pending) from the Board Attorney, and Borough Engineer have been properly and fully satisfied.

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RESOLUTION R11-82

WHEREAS, 11 WEST END ROAD REALTY ASSOC., LLC, had heretofore deposited with the Borough of Lincoln Park, an escrow in connection with Site Plan Exemption #SPE10-13 and Zoning Permit #2010-13Z for premises located at 132 Beaverbrook Rd., Block 5 Lot 8.1; and

WHEREAS, 11 WEST END ROAD REALTY ASSOC., LLC has submitted a written request, on file in the Office of the Chief Financial Officer, that unused escrow funds be returned; and

WHEREAS, Kerry Geisler, Chief Financial Officer for the Borough, has reported in her Certification of Funds for Release of Escrow Money, that a balance does remain in the 2011 General Trust Escrow Account – Bank Account #041-41378-4, Escrow Account #2179 and may be refunded to **11 WEST END ROAD REALTY ASSOC., LLC**; and

WHEREAS, Paul Darmofalski, Borough Engineer, has inspected the premises, and has reported that the applicants have complied with/satisfied all of the required conditions, and has submitted a report to the Borough Administration, report on file in his office, recommending release of the remaining escrow funds;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Lincoln Park, that funds on deposit from **11 WEST END ROAD REALTY ASSOC., LLC**, in the 2011 General Trust Escrow Account – Bank Account #041-41378-4, Escrow Account #2179 in connection with Site Plan Exemption #SPE10-13 and Zoning Permit #2010-13Z for premises located at 132 Beaverbrook Rd., be and hereby are ordered released/refunded by the Borough subject to the CFO first confirming that all bills (submitted or pending) from the Board Attorney, and Borough Engineer have been properly and fully satisfied.

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RESOLUTION R11-83

WHEREAS, EASY ACCESS ATM, LLC, had heretofore deposited with the Borough of Lincoln Park, an escrow in connection with Site Plan Exemption #SPE08-14 and Zoning Permit #2008-25Z for premises located at 63 Beaverbrook Rd., Suite 104-B, Block 3 Lot 284.3; and

WHEREAS, EASY ACCESS ATM, LLC has submitted a written request, on file in the Office of the Chief Financial Officer, that unused escrow funds be returned; and

WHEREAS, Kerry Geisler, Chief Financial Officer for the Borough, has reported in her Certification of Funds for Release of Escrow Money, that a balance does remain in the 2011 General Trust Escrow Account – Bank Account #041-41378-4, Escrow Account #2047 and may be refunded to **EASY ACCESS ATM, LLC** ; and

WHEREAS, Paul Darmofalski, Borough Engineer, has inspected the premises, and has reported that the applicants have complied with/satisfied all of the required conditions, and has submitted a report to the Borough Administration, report on file in his office, recommending release of the remaining escrow funds;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Lincoln Park, that funds on deposit from **EASY ACCESS ATM, LLC**, in the 2011 General Trust Escrow Account – Bank Account #041-41378-4, Escrow Account #2047 in connection with Site Plan Exemption #SPE08-14 and Zoning Permit #2008-25Z for premises located at 63 Beaverbrook Rd., Suite 104-B, be and hereby are ordered released/refunded by the Borough subject to the CFO first confirming that all bills (submitted or pending) from the Board Attorney, and Borough Engineer have been properly and fully satisfied.

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RESOLUTION R11-84

WHEREAS, Thomas Andrascik is eligible for retirement from the Borough of Lincoln Park Police Department; and

WHEREAS, the Borough of Lincoln Park approved a Retirement Agreement (“Original Retirement Agreement”) with Andrascik by Resolution R10-301 of the Governing Body of the Borough of Lincoln Park Adopted on December 20, 2010;

WHEREAS, Andrascik desires to move up the retirement date to not later than June 30, 2011 and make certain other amendments to the Original Retirement Agreement as previously approved by the Borough;

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Lincoln Park, that the Mayor and Borough Clerk are hereby authorized and directed, on behalf of the Borough of Lincoln Park, to execute a **RETIREMENT AGREEMENT** with **THOMAS ANDRASCIK**, a copy of which is on file in the Office of the Borough Clerk.

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RESOLUTION R11-85

BE IT RESOLVED, by the Governing Body of the Borough of Lincoln Park, that the **LINCOLN PARK FIRE DEPARTMENT** and **LINCOLN PARK EMS** be authorized to use the **MUNICIPAL COMPLEX** from July 12th, 2011 to July 16th, 2011, subject to the following conditions:

1. That adequate police protection is secured and paid for by the **LINCOLN PARK FIRE DEPARTMENT** and **LINCOLN PARK EMS**.
2. That the carnival owner deliver to the Borough Clerk a Certificate of Insurance in the amount of \$1,000,000.00 for liability coverage, and Workmen’s Compensation Insurance in the amount of \$1,000,000.00 **BEFORE THE START OF THE CARNIVAL** with additional stipulation that the Borough of Lincoln Park is Held Harmless in the event of an accident related to the festivities and the Borough of

Lincoln Park shall be included as an Additionally Insured in such policy of insurance.

3. That the Carnival owner deliver to the Borough Clerk **PRIOR TO THE START OF THE EVENT**, Proof of Registration of amusement ride equipment, as well as, a copy of the contractor's permit application for the rides being utilized for the member sponsored event;
4. That the Carnival owner deliver to the Borough Clerk, **PRIOR TO THE START OF THE EVENT** a copy of the signed contract between all parties concerned;
5. That the Health Officer inspects and approves all food facilities;
6. That all damage to Borough facilities must be replaced at the expense of the **LINCOLN PARK FIRE DEPARTMENT** and **LINCOLN PARK EMS**;
7. That the grounds are cleared up each day by **the LINCOLN PARK FIRE DEPARTMENT** and **LINCOLN PARK EMS** and that a reasonable contribution, negotiated by the Administration be made to cover the cost of re-seeding and restoration.

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RESOLUTION R11-86

BE IT RESOLVED by the Governing Body of the Borough of Lincoln Park and pursuant to Chapter 68, Amusements and Devices, Section 68-1, License Required, and Section 68-7, License Fee, of the Code of the Borough of Lincoln Park, that the Governing Body hereby authorizes the issuance of a license by the Borough Clerk, to **LINCOLN PARK FIRE DEPARTMENT** and **LINCOLN PARK EMS** for their **CARNIVAL** activities to be held on **JULY 12th, 2011 THROUGH JULY 16th, 2011** and that the license fee therefore in the sum of **ONE HUNDRED (\$100.00) DOLLARS** is hereby **WAIVED**.

* * *

Pepe: Any discussion? Please call the Roll.

Yes: Council Members: Cardillo, Gemian, Kerwin, Petracca, Thompson, Wild and Pepe.
 No: None
 Absent: None
 Abstain: None

The Ordinance was Adopted.

REGULAR AGENDA:

Pepe: I am going to take R11-87 and R11-88 together.

Thompson: So MOVED

Gemian: SECOND

RESOLUTION R11-87

BE IT RESOLVED, by the Governing Body of the Borough of Lincoln Park that the bills on a list filed in the Office of the Borough Clerk having been recommended for payment by the Business Administrator, be and are hereby approved for payment;

BE IT FURTHER RESOLVED that the Treasurer be and he hereby is authorized to issue warrants in payment thereof when there are sufficient funds available to meet them:

<u>CHECK NO.</u>	<u>ACCOUNT</u>	<u>TOTAL</u>
32090 thru 32104		
33990 thru 34174	Current	1,040,559.24
925 thru 934	Accutract	18,910.71
1268 & 1269	Dog License	657.00
2558 thru 2561	Fed/State Grant	2,916.34

3099 thru 3107	General Capital	83,016.56
2339 thru 2342	General Trust	4,091.50
1905 thru 1913	Recycling	5,794.81
2818 thru 2820	Water Capital	30,243.84
6849 thru 6875		
6849 thru 6875	Water Utility	188,937.15

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RESOLUTION R11-88

WHEREAS, it was necessary to issue certain checks to carry on the order of business of the Borough of Lincoln Park;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Lincoln Park that the action of the Mayor and Treasurer in issuing the following checks be and is hereby confirmed:

ACCOUNT

CHK NO. PAID TO PURPOSE AMOUNT

CURRENT

32090	Net Payroll	void for payroll	\$0.00
32091	Payroll Escrow	void for payroll	\$0.00
32092	LP Public Library	January Payment	\$46,891.33
32093	Pequannock, LP & Fairfield	Sewage author TBSA 1st qtr	\$465,491.00
32094	Township of Montville	1st & 2nd qtr taxes	\$124.40
32095	County Road Auto	alignment	\$135.00
32096	Net Payroll	void for payroll	\$0.00
32097	Payroll Escrow	void for payroll	\$0.00
32098	Danielle Miller	zumba	\$150.00
32099	N. Jersey Mun. Emp. Benefits Fund	February Benefits	\$167,696.00
32100	BOLP petty cash DPW	reim petty cash	\$162.23
32101	LP Public Library	February payment	\$46,891.33
32102	USPS	postage	\$3,000.00
32103	Ellen Ross	reimbursement	\$40.41
32104	BOLP petty cash DPW	reim petty cash	\$198.61
	Regular Meeting Checks	33990 - 34174	\$309,778.93
		Total Current Fund	1,040,559.24 \$1,040,559.24

RECYCLING

1906(conf)	Borough of Lincoln Park	petty cash	\$36.00
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Pepe: Any discussions? Please call the Roll.

Yes: Council Members: Cardillo, Gemian, Kerwin, Thompson, Wild and Pepe.

No: None

Absent: None

Abstain: Petracca

The Resolutions were Adopted.

Pepe: R11-89 Authorize Retirement Agreement – A. Maida Smith

Thompson: So MOVED

Cardillo: SECOND

* * *

RESOLUTION R11-89

BE IT RESOLVED, by the Governing Body of the Borough of Lincoln Park, that the Mayor and Deputy Borough Clerk are hereby authorized and directed, on behalf of the Borough of Lincoln Park, to execute a retirement contract with **ANNETTE MAIDA-SMITH**, a copy of which is on file in the Office of the Borough Clerk.

Pepe: Please call the Roll.

Yes: Council Members: Cardillo, Gemian, Petracca, Thompson, and Pepe.

No: Kerwin

Absent: None

Abstain: Wild

The Resolution was Adopted.

Pepe: Resolution R11-90 Authorize Sale of Tax Sale Certificate #10-00014

Thompson: So MOVED

Kerwin: SECOND

RESOLUTION R11-90

WHEREAS, at the Municipal Tax Sale held October 13, 2010, a lien was sold on block 136.1, lot 44.6 C4406, also known as 36 Toms Point Lane in Lincoln Park, for 2009 water and sewer; and

WHEREAS, this lien, known as Tax Sale Certificate #10-00014, was sold to Dianne Clemente for a \$300.00 premium; and

WHEREAS, GMAC, mortgage company for owner Karen Coiro, owner, has effected redemption of certificate #10-00014, in the amount of \$1,312.18.

NOW, THEREFORE, BE IT RESOLVED, that the Treasurer be authorized to issue a check in the amount of \$1,312.18 and \$300.00 premium reimbursement, for the redemption of Tax Sale Certificate #10-00014, payable to Dianne Clemente located at P.O. Box 514, Lincoln Park, NJ 07035.

Pepe: Please call the Roll.

Yes: Council Members: Cardillo, Kerwin, Gemian, Petracca, Thompson, Wild and Pepe.

No: None

Absent: None

Abstain: None

The Resolution was Adopted.

Pepe: Resolution R11-91 Authorize Tax Refund Bl. 46.7 L113

Kerwin: So MOVED

Thompson: SECOND

* * *

RESOLUTION R11-91

WHEREAS, it has been determined by the Tax Collector that the taxpayers indicated below are entitled to a tax overpayment refund, and;

WHEREAS, these over payments should be returned to the respective taxpayers;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Lincoln Park, that the Tax Collector is hereby authorized to make overpayment refunds in the amount shown below to the taxpayers:

<u>Block/Lot</u>	<u>Name</u>	<u>Amount</u>	<u>Reason</u>
46.7/113	Margaret Troast	\$1,605.30	Homeowner paid and Mort co paid

Pepe: Please call the Roll.

Yes: Council Members: Cardillo, Kerwin, Gemian, Petracca, Thompson, Wild and Pepe.
No: None
Absent: None
Abstain: None

The Resolution was Adopted.

Pepe: 11-92 is to Authorize waiving the building permit fees for the placement of two signs for the US Coast Guard Auxiliary.

Kerwin: So MOVED

Thompson: SECOND

* * *

RESOLUTION R11-92

BE IT RESOLVED, by the Governing Body of the Borough of Lincoln Park, that the request to waive the **Building Permit Fees** for the placement of two (2) signs for the **US COAST GUARD AUXILIARY** at the Lincoln Park Airport is hereby approved.

Pepe: Please call the Roll.

Yes: Council Members: Cardillo, Kerwin, Gemian, Petracca, Thompson, Wild and Pepe.
No: None
Absent: None
Abstain: None

The Resolution was Adopted.

Pepe: R11-93 Authorize Appointment of Warren Erik Sundberg to Deputy Chief.

Thompson: So MOVED

Kerwin: SECOND

* * *

RESOLUTION R11-93

BE IT RESOLVED by the Governing Body of the Borough of Lincoln Park, that the appointment of **WARREN ERIK SUNDBERG**, to **DEPUTY CHIEF** of the Lincoln Park Police Department effective, **MARCH 1, 2011**, is hereby approved.

Pepe: Please call the Roll.

Yes: Council Members: Cardillo, Kerwin, Gemian, Petracca, Thompson, Wild and Pepe.
No: None
Absent: None
Abstain: None

The Resolution was Adopted.

VIII. MAYOR'S AGENDA:

None

At this time Council President Pepe and members of Council had a discussion with Eagle Scout John Pierre Cazorla.

VIII. MISCELLANEOUS/COUNCIL COMMITTEE:

Cardillo: No report

Gemian: No report

Kerwin: No report

Petracca: No report

Thompson: 1. Attended the Government Efficiency Management Meeting with Sean.

Wild: No report

Pepe: No report

IX. PUBLIC HEARING

Thompson: MOTION to go to Public

Kerwin: SECOND

Council President Pepe asked for a Voice Vote. The PUBLIC 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: MOTION TO CLOSE THE PUBLIC

Petracca: SECOND

Council President Pepe asked for a Voice Vote. The PUBLIC HEARING WAS CLOSED.

X. ADJOURNMENT:

Gemian: SO MOVED

Kerwin: SECOND

There being no further business to come before the Council the Regular Meeting of February 22, 2011 was Adjourned at 8:10 PM.

Louis J. Pepe, Council President

Cynthia L. Sloane, R.M.C.
Deputy Borough Clerk

