

August 15, 2011

**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 August 15, 2011. The Clerk Called the Meeting to Order at 7:30 PM and made the Statement of Compliance with the Open Public Meetings Act. The 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 Clerk called the Roll showing the following:

**II. ROLL CALL**

**PRESENT:** Council Members: Robert Cardillo  
Gary Gemian  
Raymond T. Kerwin  
Ann Thompson  
James A. Wild

**ABSENT:** Louis J. Pepe and Matthew Petracca

Also **PRESENT** were Mayor David A. Runfeldt, Borough Administrator Sean Canning, and John Miller Attorney

**ABSENT FROM ADMINISTRATION:** CFO/Treasurer, Kerry Geisler and Edward Buzak, Borough Attorney.

**III. ACTING COUNCIL PRESIDENT:**

Clerk: In the absence of the Council President I will take nominations for Acting Council President.

Thompson: I nominate Jim Wild

Kerwin: Second

Clerk: Are there any other nominations?

Kerwin: I MOVE the nominations be closed.

Thompson: SECOND

Clerk: I will call the Roll.

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

Clerk: Acting Council President Wild please take your seat.

**IV. MINUTES FOR APPROVAL:**

Wild: Minutes for Approval July 18, 2011.

Thompson: So MOVED

Gemian: SECOND

Wild: Any questions, comments or corrections? Please call the Roll.

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

The Minutes of July 18, 2011 were Approved.

Wild: Minutes for Approval August 11, 2011.

Kerwin: So MOVED

Gemian: SECOND

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

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

The Minutes of August 15, 2011 were Approved.

**V. ORDINANCES FOR ADOPTION:**

Wild: Ordinances for Adoption 12-11 Accept Right of Way Dedication

The Clerk read the following Resolution:

**BE IT RESOLVED**, that an Ordinance entitled:

**AN ORDINANCE ACCEPTING A RIGHT-OF-WAY DEDICATION OVER A PORTION OF  
BLOCK 3, LOT 53.01 FROM LINCOLN PARK RETAIL DEVELOPMENT, LLC  
(WALGREEN'S)**

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

Kerwin: So MOVED

Cardillo: SECOND

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

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

The Resolution was Adopted.

Wild: Please Read it again

The Clerk read the following Resolution:

**BE IT RESOLVED**, that an Ordinance entitled:

**AN ORDINANCE ACCEPTING A RIGHT-OF-WAY DEDICATION OVER A PORTION OF  
BLOCK 3, LOT 53.01 FROM LINCOLN PARK RETAIL DEVELOPMENT, LLC  
(WALGREEN'S)**

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 6<sup>th</sup> day of

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September, 2011 at approximately 7:30 PM in the Municipal building at which time and place all persons 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.

Kerwin: So MOVED

Cardillo: SECOND

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

Yes: Council Members: Cardillo, Gemian, Kerwin, and, Wild

No: None

Absent: Pepe and Petracca

Abstain: None

The Resolution was Adopted.

**VI. CONSENT AGENDA:**

Wild: Consent agenda R11-222 through R11-224

Thompson: So MOVED

Gemian: SECOND

**RESOLUTION R11-222**

**BE IT RESOLVED** by the Governing Body of the Borough of Lincoln Park, that a refund in the amount of \$25.00 be paid to **JUDITH A. WINEMAN** as she was unable to continue in the Community Garden program.

\* \* \*

**RESOLUTION R11-223**

**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 the **LINCOLN PARK FREE PUBLIC LIBRARY** for their activities to be held on **AUGUST 24, 2011** (rain date **August 25, 2011**) and that the license fee therefore in the sum of **ONE HUNDRED {\$100.00} DOLLARS** is hereby waived.

\* \* \*

**RESOLUTION R11-224**

**BE IT RESOLVED** by the Governing Body of the Borough of Lincoln Park that they hereby authorize submission of **THE HAZARD MITIGATION GRANT PROGRAM – LETTER OF INTENT to SFC ROBERT LITTLE, NJ STATE HAZARD MITIGATION OFFICER, MITIGATION UNIT, NEW JERSEY OFFICE OF EMERGENCY MANAGEMENT**, located at **PO BOX 7068 RIVER ROAD, WEST TRENTON, NEW JERSEY 08628** for participation in the 404 Hazard Mitigation Grant Program which is available subsequent to the Federal Disaster Declaration FEMA #1954-DR-NJ.

\* \* \*

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

Yes: Council Members: Cardillo, Gemian, Kerwin, and, Wild

No: None

Absent: Pepe and Petracca

Abstain: None

The Resolution was Adopted.

**REGULAR AGENDA RESOLUTIONS:**

Wild: Regular Agenda Resolutions R11-225 and R11-226

Kerwin: So MOVED

Cardillo: SECOND

**RESOLUTION R11-225**

**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>
34884 thru 34899		
34900 thru 35041	Current	1,031,035.57
982 thru 988	Accutrack	23,610.39
1275	Dog License	13.20
2577	Fed/State Grants	180.00
3141 thru 3144	General Capital	31,282.92
2373 thru 2381	General Trust	18,571.46
1942 thru 1951	Recycling	4,579.47
1108 thru 1110	Stormwater Management	1,492.22
6984 thru 7001	Water Utility	109,502.80

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**RESOLUTION R11-226**

**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:

<u>ACCOUNT</u>	<u>CHK NO.</u>	<u>PAID TO</u>	<u>PURPOSE</u>	<u>AMOUNT</u>
<b>CURRENT</b>				
	34884	Net Payroll	voided for payroll	\$0.00
	34885	Payroll Escrow	voided for payroll	\$0.00
	34886	NJ Jackels Professional BB	tickets	\$2,120.00
	34887	BOLP Petty Cash Fund DPW	reimburse petty cash	\$197.45

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34888	Great Wolf Lodge	rec trip	\$194.58
34889	North Jersey Municipal Emp	August Benefits	\$166,934.00
34890	Staples	laptop	\$959.96
34891	Camelback	rec trip	\$799.75
34892	void	voided for payroll	\$0.00
34893	Dave & Busters	rec trip	\$1,219.32
34894	Treasurer, State of NJ Peguannock, LP & the Fairfield Sewerage Author	underground tanks	\$150.00
34895	USPS Reserve Acc't	3rd qtr tbsa	\$475,495.00
34896	Net Payroll	postage	\$3,000.00
34897	Payroll Escrow	voided for payroll	\$0.00
34898	BOLP Petty Cash Fund Finance	voided for payroll	\$0.00
34899	Regular Meeting Checks	reimburse petty cash #34900 - 35041	\$178.37 \$379,787.14

**GENERAL CAPITAL**

3141(conf)	Donnelly Energy Solutions	Ord #1266 & #1281	\$27,616.42
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**GENERAL TRUST**

2373(conf)	Paris Inn	volunteers dinner food pantry	\$469.26
2374(conf)	Paris Inn	volunteers dinner food pantry	\$46.00

**SUI**

1084(conf)	State of NJ	2nd qtr unemployment	\$7,011.15
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**WATER UTILITY**

6984	Net Payroll	voided for payroll	\$0.00
6985	Payroll Escrow	voided for payroll	\$0.00
6986	Treasurer, State of NJ	2011 op fee	\$790.00
6987	Treasurer, State of NJ	2011 system fee	\$60.00
6988	Net Payroll	voided for payroll	\$0.00
6989	Payroll Escrow	voided for payroll	\$0.00
	Regular Meeting Checks	# 6990 - 7001	<u>\$108,652.80</u>

\* \* \*

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

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

No: None

Absent: Pepe and Petracca

Abstain: None

The Resolution was Adopted.

Wild: R11-227 through R11-231

Kerwin: So MOVED

Thompson: SECOND

**RESOLUTION R11-227**

**WHEREAS**, at the Municipal Tax Sale held June 29, 2011, a lien was sold on block 76, lot 5, also known as 186 Susquehanna Avenue in Lincoln Park, for 2010 water and sewer; and

**WHEREAS**, this lien, known as Tax Sale Certificate #11-00004, was sold to Dennis Moeller for 0%; and

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**WHEREAS**, BAC Tax, mortgage holder for owner, has effected redemption of certificate #11-00004, in the amount of \$700.63

**NOW, THEREFORE, BE IT RESOLVED**, that the Treasurer be authorized to issue a check in the amount of \$700.63 for the redemption of Tax Sale Certificate #11-00004, payable to Dennis Moeller at 118 Long Pond Road, Hewitt, NJ 07421.

\* \* \*

#### **RESOLUTION R11-228**

**WHEREAS**, at the Municipal Tax Sale held June 29, 2011, a lien was sold on block 3, lot 55.3, also known as 11 West Drive in Lincoln Park, for 2010 water and sewer; and

**WHEREAS**, this lien, known as Tax Sale Certificate #11-00001, was sold to Dennis Moeller for \$100.00 premium; and

**WHEREAS**, LPS Tax Service, mortgage holder for owner, has effected redemption of certificate #11-00001, in the amount of \$1,219.75

**NOW, THEREFORE, BE IT RESOLVED**, that the Treasurer be authorized to issue a check in the amount of \$700.63 and \$100.00 premium, for the redemption of Tax Sale Certificate #11-00001, payable to Dennis Moeller at 118 Long Pond Road, Hewitt, NJ 07421.

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#### **RESOLUTION R11-229**

**WHEREAS**, at the Municipal Tax Sale held June 29, 2011, a lien was sold on block 136.1, lot 25.3 C2503, also known as 216 Gettysburg Way in Lincoln Park, for 2010 water and sewer; and

**WHEREAS**, this lien, known as Tax Sale Certificate #11-00013, was sold to Dianne Clemente for \$100.00 premium; and

**WHEREAS**, Mr. Ed O'Deven, owner, has effected redemption of certificate #11-00013, in the amount of \$279.88

**NOW, THEREFORE, BE IT RESOLVED**, that the Treasurer be authorized to issue a check in the amount of \$279.88 and \$100.00 premium, for the redemption of Tax Sale Certificate #11-00013, payable to Dianne Clemente at P.O. Box 514, Lincoln Park, NJ 07035.

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#### **RESOLUTION R11-230**

**WHEREAS**, at the Municipal Tax Sale held June 29, 2011, a lien was sold on block 110, lot 16, also known as 112 S. Valley Road in Lincoln Park, for 2010 taxes, water and sewer; and

**WHEREAS**, this lien, known as Tax Sale Certificate #11-00006, was sold to US Bank Cust for Pro Capital I for \$6,600.00 premium; and

**WHEREAS**, Chase Home Loan, mortgage company for owner, has effected redemption of certificate #11-00006, in the amount of \$1,996.97

**NOW, THEREFORE, BE IT RESOLVED**, that the Treasurer be authorized to issue a check in the amount of \$1,996.97 and \$6,600.00 premium, for the redemption of Tax Sale Certificate #11-00006, payable to US Bank Cust for Pro Capital I, 50 S. 16<sup>th</sup> Street, Suite 1950, Philadelphia, PA 19102

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**RESOLUTION R11-231**

**WHEREAS**, at the Municipal Tax Sale held July 22, 2009, a lien was sold on block 136.1, lot 38.8 C3808, also known as 328 Gettysburg Way in Lincoln Park, for 2010 tax; and

**WHEREAS**, this lien, known as Tax Sale Certificate #09-00018, was sold to R. Rothman for \$9,900.00 premium; and

**WHEREAS**, Ronald Paul, husband of owner, has effected redemption of certificate #09-00018, in the amount of \$19,492.18

**NOW, THEREFORE, BE IT RESOLVED**, that the Treasurer be authorized to issue a check in the amount of \$19,492.18 for the redemption of Tax Sale Certificate #09-00018 and a check for \$9,900.00 for premium refund, payable to R. Rothman at 411 Grand Avenue, Englewood, NJ 07631.

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

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

No: None

Absent: Pepe and Petracca

Abstain: None

The Resolutions were Adopted.

**VII. MISCELLANEOUS COUNCIL COMMITTEE REPORTS:**

Cardillo: No report

Gemian: No report

Kerwin: No report

Thompson: Discussed the wonderful news; National Accreditation for the Lincoln Park PD.

Wild: No report

**VIII. MAYOR'S REPORT:**

1. The roof on the Electric Hut is completed.
2. Commended the Lincoln Park Police Department on a fantastic Job during the recent National Accreditation.

**IX. PUBLIC HEARING:**

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.

Thompson: MOTION to go to PUBLIC

Kerwin: SECOND

Acting Council President Wild asked for a Voice Vote. The HEARING WAS OPENED.

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1. Todd Warden – 50 Roome Street -
2. Richard Eckrote – 42 Grandview Avenue
3. Rita Behan 55 Roome Street
4. Gloria Krueger – 50 Roome Street
5. Barbara Hertz – 77 Orchard Drive.
6. Nora Clark – 50 Grandview

Kerwin: MOTION to CLOSE the PUBLIC HEARING

Thompson: SECOND

Acting Council President Wild asked for a Voice Vote. The HEARING WAS CLOSED.

**X ADJOURNMENT:**

Thompson: MOTION TO ADJOURN

Gemian: SECOND

There being no further business to come before the Council the Meeting of August 15, 2011 was Adjourned at 8:19 PM.

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Acting Council President James Wild

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Annette Maida-Smith, RMC Borough Clerk