

I. Monday, October 4, 2010 Work Meeting of the Governing Body of the Borough of Lincoln Park, the 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 advised those present where the exits to the room were and to turn off all Cell Phones and Beepers. All stood for the Pledge of Allegiance. The meeting came to order immediately following the Organization Meeting.

II. ROLL CALL

On the Roll Call, Council Members present were: Gemian, Kerwin, Long, Petracca, Thompson, Wild and Pepe.

ABSENT FROM COUNCIL: NONE

Present from Administration: Mayor Runfeldt, Borough Administrator Sean Canning, CFO Kerry Geisler, and Borough Attorney Edward Buzak

ABSENT FROM ADMINISTRATION: Borough Attorney Tiena Cofoni

III. COUNCIL AGENDA:

1. REQUEST ROAD OPENING PERMIT FEE REFUND:

A Road Opening Permit Application Fee was made to my office in the amount of \$20.00, this Application should have gone to the County not here, attached is an e-mail from Cindi.

Council concurred and a Resolution will be placed on the Regular Agenda.

2. REQUEST FOR VACATURE OF RIGHT-OF-WAY, BL 136 LOT 20 – LP NURSING HOME:

Council was provided with copies of correspondence from Steven Schepis concerning this request for the Nursing Home.

At the request of Councilman Petracca, further discussion will be held in Closed Session this evening.

3. REQUEST TO AMEND CHAPTER 206, SECTION 206-32, HANDICAPPED PARKING:

The Clerks Office received a written request for the approval of an additional handicapped parking space at Stonyridge Drive. Although the Management Agency requested several more handicapped parking spaces, they were all approved by Ordinance 1,424 Adopted in 2009, therefore only leaving #94 to be added.

Council was provided with a copy of a proposed Ordinance Amending Chapter 206 which had been prepared and if Council concurs, it will be placed on the Regular Agenda for Introduction

Borough Attorney Edward Buzak requested a sketch of the complex be completed and added with the Ordinance.

Council concurred and the Clerk will contact the Management Agency for the sketch. If received in time, the Ordinance will be placed on the Agenda for Introduction at the Regular Meeting.

4. ASSEMBLY BILL A-3088 – NEW PROCEDURE FOR MUNICIPALITIES AND COUNTIES TO FOLLOW WHEN THEY SEEK TO DISSOLVE ENVIRONMENTAL AUTHORITIES:

Councilman Wild added this item to the Agenda and advised that this was merely for informational purposes.

IV. MISCELLANEOUS/COUNCIL COMMITTEE REPORTS:

1. Councilman Gemian had one (1) item:
 1. Wanted to thank the Chief of Police for their response to the parking problem at Sunset Pub & Grill
2. Councilman Kerwin had one (1) item:
 1. Reviewed the Ambulance Bids
3. Councilwoman Long had nothing to report.
4. Councilman Petracca had nothing to report
5. Councilwoman Thompson two (2) items:
 1. Wanted to know about the new sign. Administration advised that they were waiting for Planning Board Review.
 2. Wanted to know what was happening with the Golf Course. Administration advised that they will get back to them.
6. Councilman Wild had nothing to report.
7. Council President Pepe had nothing to report.

V. MAYOR'S AGENDA:

1. ADMINISTRATIVE AGENTS:

Council was provided with back-up concerning the requirement of COAH regulating the Borough to have an Administrative Agent in dealing with COAH deed transactions and other COAH related items.

Administration explained that this position would be in addition to the Municipal Housing Liaison that the Borough is currently mandated to have.

Administration has recommended for Administrative Agent Piazza Associates, the Borough reached out to other but received no response.

Administrative Resale Account is the allowable account to pay for these services. Their charge is \$400 a month which can be paid from COAH Administrative Resale account. Other charges are paid at closing by the buyer or seller.

Administration also advised that there is much work that entails the deed transfer of a restricted housing unit in ensuring that deed restriction remain. Currently the Borough Attorney has been conducting this activity, this proposal is a lower cost alternative.

Council concurred and a Resolution will be placed on the Regular Agenda.

2. LOCAL GOVERNMENT BEST PRACTICES:

Council was provided with copies of a check list from the DCA, which has been completed by the Administrator and CFO. This list was extensively worked on by our CFO and she has certified its accuracy.

Council concurred and a Resolution will be placed on the Regular Agenda.

3. **DOG PARK PROPOSAL:**

This was a follow-up from Krysta Scimecas proposal at the September Regular Meeting.

Council was provided with back-up concerning the current rules established by Pequannock Township for their “bark park”.

The Borough Engineer also provided conceptual sketches for both Lin Park as well as the Borough Lake location.

Krysta gave another short presentation and handed out the results of a survey she took at Lincoln Park Day of which Council was provided copies of.

It was suggested and decided that Administration send out letters to the residents of Lyn Park asking for their opinion on the park, Mayor Runfeldt will also put an article in November’s Journal discussing the issue.

4. **CANCEL CAPITAL FUNDING APPROPRIATION:**

This was as per the 2010 Municipal Budget. The Borough’s CFO will prepare the appropriate Resolution.

Council concurred and a Resolution will be placed on the Regular Agenda.

5. **CREFELD COURT PAVING PROJECT:**

After examining the future paving schedule as determined by the Superintendent of Public Works, Crefeld Court was scheduled for resurfacing within the next 18 months.

Administration was able to combine this effort in the near term in conjunction with out upcoming re-surfacing project through the state grant for Ryerson Rd.

The cost of resurfacing Crefeld Court would be covered within our long term re-surfacing Ordinance as part of our budgeted 10 year plan for major projects.

Council concurred.

6. **AMBULANCE BID:**

The Borough received two (2) bids for the new ambulance of the First Aid Squad.

The apparent low bidder Med Tech was extensively reviewed for legal compliance as was the second place bidder.

It was determined the low bidder did not meet the legal requirements of responsive or responsible bidder.

Council must reject that bid and award the bid to Bay Head investments for their bids of \$174,638.18.

Council concurred and a Resolution will be placed on the Regular Agenda.

7. **TAX SETTLEMENT BLOCK 22 LOT 304:**

Tax appeal settlement, Peter Zipp and Lincoln Park Plaza Associates, 4th quarter 2010 \$21,657.00 and a refund for 2009 of \$21,657.00

Council concurred and a Resolution will be placed on the Regular Agenda.

8. **TAX APPEAL ADJUSTMENT SETTLEMENT:**

Block 35 Lot 90.24, 2010 taxes 4th quarter adjustment by \$1,029.17

Council concurred and a Resolution will be placed on the Regular Agenda.

9. **TAX APPEAL SETTLEMENT LP PLAZA BLOCK 22, LOT 305.1:**

Tax settlement 4th qrt. 2010 reduced \$1,591.50, this item is separate from item 7 above.

Council concurred and a Resolution will be placed on the Regular Agenda.

10. **TAX OVERPAYMENT BLOCK 126, LOT 13:**

Buonpane \$3.38 transferred to 2011.

Council concurred and a Resolution will be placed on the Regular Agenda.

11. **TAX OVERPAYMENT CORELOGIC:**

Block 7.4, Lot 16.1 \$1,930.32; Block 35 Lot 130.3 \$2,633.12; Block 46.7 Lot 66 \$1,694.56.

Council concurred and a Resolution will be placed on the Regular Agenda.

12. **ESCROW RELEASE:**

Block 58 Lot 7.01, Eftimoski, Escrow #1650.

Council concurred and a Resolution will be placed on the Regular Agenda.

13. **ESCROW RELEASE STONE:**

Block 151, Lot 19, Zoning Permit #2010-202

Council concurred and a Resolution will be placed on the Regular Agenda.

14. **WATER BUDGET:**

Preliminary assessment from update and examination of the 2010 budget indicates a potential for a shortfall in the water budget based upon excess consumption.

Data is still preliminary and Administration will be monitoring the bills as the year progresses.

Council concurred.

ADMINISTRATION ADDED THE FOLLOWING ITEMS TO THE AGENDA:

15. **WAIVE SITE PLAN APPLICATION FEES FOR FLOOD VICTIMS:**

Administration requested that just the Site Plan Exemption fees for the spring flooding be waived by Council for the victims of the flooding.

Council concurred and a Resolution will be placed on the Regular Agenda.

VI. **ORDINANCES (IF ANY):**

NONE

VII. **RESOLUTIONS (IF ANY):**

Council President Pepe asked for a MOTION and a SECOND on R10-246.

Councilman Kerwin MOVED the Adoption of R10-246

The following Resolution was spread for the record:

RESOLUTION R10-246

BOROUGH OF LINCOLN PARK

RESOLUTION AUTHORIZING EXECUTIVE SESSION

WHEREAS, the Governing Body of the Borough of Lincoln Park is subject to certain requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6, et seq.; and

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution; and

WHEREAS, it is necessary for the Governing Body of the Borough of Lincoln Park to discuss in a session not open to the public certain matters relating to the item or items as authorized and designated below;

As authorized by N.J.S.A. 10:4-12b(7), Matters Relating to Litigations, Negotiations and the Attorney-Client Privilege: Any pending or anticipated litigation or contract negotiations in which the public body is, or may become a party. Any matters falling within the Attorney-Client privilege, to the extent that confidentiality is required in order for the Attorney to exercise his ethical duties as a lawyer:

Zimmerman v Borough of Lincoln Park

And

Vacature of Right-of-Way Block 136 L 20 – Lincoln Park Nursing Home

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Lincoln Park, assembled in public session on the 4th day of October, 2010, that an Executive Session, closed to the public, shall be on the 4th day of October, 2010, at approximately 8:23 pm in the Borough of Lincoln Park, Municipal Building, 34 Chapel Hill Road, Lincoln Park, New Jersey 07035 for the discussion of matters relating to the specific items designated above.

Council President Pepe asked for a voice vote on Resolution R10-246, all were in favor.

The Resolution was Adopted.

* * *

Council President Pepe asked for a MOTION and a SECOND on R10-247

Councilwoman Long MOVED the Adoption of R10-247

The following Resolution was spread for the record:

RESOLUTION R10-247

BOROUGH OF LINCOLN PARK

RESOLUTION AUTHORIZING EXECUTIVE SESSION

WHEREAS, the Governing Body of the Borough of Lincoln Park is subject to certain requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6, et seq.; and

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As authorized by N.J.S.A. 10:4-12b(7), Matters Relating to Litigations, Negotiations and the Attorney-Client Privilege: Any pending or anticipated litigation or contract negotiations in which the public body is, or may become a party. Any matters falling within the Attorney-Client privilege, to the extent that confidentiality is required in order for the Attorney to exercise his ethical duties as a lawyer:

REQUEST FOR PROFESSIONAL SERVICES PROPOSALS - 2011

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Council President Pepe asked for a voice vote on Resolution R10-247, all were in favor.

The Resolution was Adopted.

VIII. **PUBLIC HEARING:**

Councilwoman Thompson MOVED to OPEN the PUBLIC HEARING.

Councilman Kerwin SECOND the MOTION.

There seeing no one to speak during the Public Portion of the meeting, Councilwoman Long MOVED that the Public Hearing be CLOSED.

Councilwoman Thompson SECOND the MOTION.

X. **CLOSED SESSION:**

Councilwoman Thompson MOVED to go into CLOSED SESSION.

Councilman Kerwin SECOND the MOTION.

Council went into CLOSED SESSION at approximately 8:23 pm, and returned to OPEN SESSION at approximately 9:19 pm, showing the same people present.

XI. **ADJOURNMENT:**

Councilwoman Thompson MOVED the Work Meeting be ADJOURNED.

Councilman Kerwin SECOND the MOTION.

The Work Meeting of Monday, October 4, 2010 was ADJOURNED at approximately 9:23 pm.

ATTEST:

Cynthia L. Sloane, RMC
Deputy Borough Clerk

Louis J. Pepe, Council President