

I. Monday, November 8, 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.

PRIOR TO THE ROLL CALL BEING TAKEN, COUNCILMAN-ELECT GARY GEMIAN WAS SWORN IN AS WARD I COUNCILMAN, COUNCILMAN GEMIAN REPLACED FORMER COUNCILMAN HERMAN “HY” NADEL WHO PASSED AWAY.

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 Attorney John Miller

ABSENT FROM ADMINISTRATION: Borough Attorney's Edward Buzak and Tiena Cofoni

III. COUNCIL AGENDA:

1. OPPOSITION TO ASSEMBLY BILL 2095 – REVISE REQUIREMENTS FOR MEDICAL SERVICE DELIVERY:

This item was put on the Agenda at the request of Councilman Kerwin.

After some discussion in the opposition of this Bill, Council concurred and a Resolution will be placed on the Regular Agenda.

IV. MISCELLANEOUS/COUNCIL COMMITTEE REPORTS:

1. Councilman Gemian had nothing to report:

2. Councilman Kerwin had one (1) item:

1. Reported that there was a broken utility pole on West Pine Brook Rd.

3. Councilwoman Long had one (1) item:

1. Reported that the Halloween Parade was successful.

4. Councilman Petracca had nothing to report.

5. Councilwoman Thompson one (1) item:

1. Reported that she attended the MUA Dinner honoring Tom Piorkowski and Kevin Mackey.

6. Councilman Wild had nothing to report.

7. Council President Pepe had two (2) items:

1. Reported that he attended the firefighter training session at Hose Co. 2.

2. Reported that the American Legion had invited members of the Council and Mayor to their Veterans Day Ceremony, he can not attend but read his statement into this record. His statement was given to Councilman Kerwin to be read at the ceremony.

V. MAYOR'S AGENDA:

MAYOR RUNFELDT ADDED THE FOLLOWING ITEMS TO HIS AGENDA:

1. **HOSE COMPANY 2 TRAINING:**

Mayor Runfeldt reported that Hose Company 2 hosted a Firefighter training course, we provided the space for the training and in exchange received approximately \$5,000.00 in equipment from the vendors to use on the apparatus.

2. **MUA DINNER:**

Mayor Runfeldt reported that former Councilman Nadel's daughter and son-in-law were also in attendance at the dinner the MUA had a memorial slide show commemorating Hy's work on the MUA.

3. **5K ON SATURDAY:**

Mayor Runfeldt reported that there were in excess of 300 participants, event was very successful proceeds from this year's event will go to the Girl Scouts and Boy Scouts in Lincoln Park.

4. **LINCOLN PARK ACCREDITATION:**

Lincoln Park received accreditation for Sustainable Jersey, the award will be given at the League conference.

THE REGULAR AGENDA CONTINUED PURSUANT TO THE AGENDA:

1. **TRANSFER OF MONIES:**

Per CFO transfer for E-Ticket and Water Utility Salaries

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

2. **WATER UTILITY BALANCE:**

It was reported by Administration that as of this meeting the Borough is still acceptable but there is cause for concern for increasing next years budget due to unanticipated increase in consumption evidenced during 2010. this may have been due to the extremely dry summer.

No action to be taken at this time by Council.

3. **ACCEPTANCE OF DEDICATION TO BOROUGH – BLOCK 35 LOT 11.2:**

Administration advised that 34 Northwest Street dedication from Solveig Karlsson and Kristinn Karlsson, this was approved by the Planning Board.

An Ordinance will be placed on the Regular Agenda for Introduction.

4. **CANCEL RESERVE FOR RE-VALUATION:**

The CFO has prepared a proposed Resolution to cancel \$70,000.00 and return to the general ledger.

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

5. **VERIZON PERSONAL PROPERTY TAX:**

Administration reported that this is the intent on part of Verizon to renege on personal property tax, affects Lincoln Park to approximately \$35,000.00 in yearly tax.

6. **CHAPTER 159 – OVER LIMIT UNDER ARREST:**

This was a DWI grant from the State of New Jersey for \$4,400.00 for the Police Department.

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

7. **APPLICATION FEE ORDINANCE CHANGE:**

As Administration advised Council, this discussion took place in October to Amend the Development Fees of Chapter 17 to allow the Borough to waive certain application fees for flood victims or victims of other natural disasters by Resolution in the future.

Council concurred and an Ordinance will be Introduced at the Regular Meeting.

8. **CHAPTER 3 ORDINANCE CHANGE:**

In Administration's view of last year's Chapter 3, it was overlooked of the importance of not tying certain positions to certain titles. In this matter the title of Director of Development is linked forever with the role of the Zoning Officer.

This Amendment would change that.

Council concurred and an Ordinance will be Introduced at the Regular Meeting.

9. **GROUND CARE BID AWARD:**

Administration's recommendation to award the bid in the amount of \$34,813.00 to D'Onofrio Landscapers. This amount is far below what the Borough has been paying.

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

10. **DIGITAL SIGN:**

Administration received comments and approval for the digital sign from the Planning Board.

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

11. **CANCEL CAPITAL ORDINANCE:**

The Borough's CFO had suggested and recommendation that the Council cancel Bond Ordinance #1302 and put the balance of \$89,767.12 back into surplus.

Council concurred and an Ordinance for Introduction will be placed on the Regular Agenda.

12. **SHARED SERVICE MORRIS COUNTY HEALTH DEPT.:**

The Borough's Health Officer has recommended Lead Paint Abatement in shared service.

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

13. **TAX JUDGMENT BLOCK 35 LOT 90.12:**

Refund 2009 in the amount of \$934.32 and adjust 4th quarter 2010 by \$971.88.

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

14. **TAX SETTLEMENT - JARVIS:**

Block 149, Lot 3, 2009 refund in the amount of \$703.80 and adjust 4th quarter in the amount of \$732.09.

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

15. **ESCROW RELEASE - SIRICA:**

Release of Escrow funds account number 1982 for 14 Williams Street.

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

16. **ESCROW RELEASE – KOLDYK:**

Release of Escrow funds account #2131 for 100 and 90 Valley Road, Block 106 Lots 38.01 & 40.01.

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

17. **ESCROW RELEASE – CUSICK:**

Release of Escrow funds account #2139 for 2 Station Road, Block 139 Lot 8.

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

18. **ESCROW RELEASE – FIEDORKIJEVIC:**

Release of Escrow funds account #1961 for 406 Boonton Tpk.

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

19. **ESCROW RELEASE – BICYCLE TECH:**

Release of Escrow funds account number 2142, Block 139 Lot 8

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

20. **ESCROW RELEASE – FRASSETTO LINCOLN PARK, LLC:**

Release of Escrow funds account number 2150, for Block 22, Lot 339.2

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

21. **ESCROW RELEASE – 2115:**

Release of Escrow funds account number 2115, for Block 35, Lots 115.14 and 115.1.

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

22. **TAX LIEN SALE REDEMPTION:**

This was for Block 46.8 Lot 68, Tax Sale Certificate #10-00008 in the amounts of \$800.21 and \$200.00 premium, the US Bank for Pro Capital I, LLC.

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

23. **TAX OVERPYAMENT – BL 8 L 63:**

The overpayment was in the amount of \$2,358.61 for Block 8 Lot 6.3

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

24. **COAH 3rd ROUND LEGAL BRIEFING:**

This discussion was handled by the Borough Attorney.

25. **CLOSED SESSION:**

Personnel negotiations and retirement agreement.

THE FOLLOWING ITEM WAS ADDED TO THE AGENDA:

26. **TAX REFUND:**

Block 79 Lot 10, 2009 refund of \$306.00 and 2010 Adjustment of \$318.30

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 R10-266.

Councilman Kerwin MOVED the Adoption of R10-266

Councilwoman Long SECOND the MOTION.

The following Resolution was spread for the record:

RESOLUTION R10-266

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;

MATTERS RELATING TO THE EMPLOYMENT RELATIONSHIP: any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance or promotion or

disciplining of any specific prospective public officer or employee or current public officer or employee or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed as a public meeting:

Personnel Negotiations and Retirement Agreement

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Lincoln Park, assembled in public session on the 8th day of November, 2010, that an Executive Session, closed to the public, shall be on the 8th day of November, 2010, at approximately 7:30 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 R10-266, all were in favor.

The Resolution was Adopted.

VIII. PUBLIC HEARING:

Councilwoman Thompson MOVED to OPEN the PUBLIC HEARING.

Councilman Kerwin SECOND the MOTION.

The following person spoke:

1. Mr. Peter Franklin, 42 Carter Rd., Haskell, NJ

Spoke on AWOL (Adoptees With Out Liberties) requested that the Council support a Resolution allowing Adoptees the opportunity to receive their original birth certificates.

Seeing no one else wishing to speak during the Public Portion of the meeting, Councilwoman Thompson MOVED that the Public Hearing be CLOSED.

Councilman Gemian SECOND the MOTION.

X. CLOSED SESSION:

Councilman Kerwin MOVED to go into CLOSED SESSION.

Councilwoman Thompson SECOND the MOTION.

Council went into CLOSED SESSION at approximately 8:08 pm, and returned to OPEN SESSION at approximately 8:16 pm, showing the same people present.

XI. ADJOURNMENT:

Councilwoman Thompson MOVED the Work Meeting be ADJOURNED.

Councilwoman Long SECOND the MOTION.

The Work Meeting of Monday, November 8, 2010 was ADJOURNED at approximately 8:17 pm.

ATTEST:

Annette Maida-Smith, RMC
Borough Clerk

Louis J. Pepe, Council President