

October 17, 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 October 17, 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
Cari Sweet-Kostoplis
Ann Thompson
James A. Wild

ABSENT: Louis J. Pepe

Also PRESENT were Mayor David A. Runfeldt, CFO/Treasurer, Kerry Geisler, and Tiena Cofoni Borough Attorney.

ABSENT FROM ADMINISTRATION: Borough Administrator Sean Canning 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 Raymond Kerwin.

Wild: Second

Clerk: Are there any other nominations?

Thompson: I MOVE the nominations be closed.

Wild: SECOND

Clerk: I will call the Roll.

Yes: Council Members: Cardillo, Gemian, Kerwin, Kostoplis, Thompson, And Wild

No: None

Absent: Pepe

Abstain: None

Clerk: Acting Council President Kerwin please take your seat.

III. SWEAR IN COUNCILWOMAN KOSTOPLIS

The Deputy Clerk swore in Councilwoman Kostoplis with her family present.

IV. BLUE ACRES APPLICATION PUBLIC HEARING:

Kerwin: Mayor would you like to give a synopsis of what this application is.

Mayor Runfeldt: This is the application that was the second round of applications approved by FEMA for acquisitions of homes of severe repetitive loss in the flood plain. We are looking to seek public opinion on it and whether or not we should move ahead with it. We have a total of 31 homes.

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Thompson: MOTION TO GO TO PUBLIC.

WILD: SECOND

Acting Council President Kerwin asked for a Voice Vote. THE PUBLIC HEARING WAS OPENED.

Kerwin: At this time if anyone from the PUBLIC would like to come up and speak on this application and this application only may do so now.

Wild: Seeing no one I MOTION TO CLOSE THE PUBLIC HEARING.

Thompson: SECOND

Acting Council President Kerwin asked for a Voice Vote. THE PUBLIC HEARING WAS CLOSED.

VII. MINUTES FOR APPROVAL

Kerwin: Minutes for Approval September 12, 2011

Thompson: So MOVED

Cardillo: SECOND

Kerwin: Any additions or corrections? Call the Roll.

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

The Minutes of September 12, 2011 were Approved.

Kerwin: Minutes for Approval September 19, 2011. Call the Roll.

Thompson: So MOVED

Wild: So MOVED

Kerwin: Any additions or deletions? Call the Roll

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

The Minutes of September 19, 2011 were Approved.

Kerwin: Minutes for Approval October 3, 2011.

Gemian: So MOVED

Cardillo: SECOND

Kerwin: Any additions or deletions?

VIII. ORDINANCES FOR INTRODUCTION:

Kerwin: For Introduction 14-11

The Deputy Clerk read the following Resolution:

IT RESOLVED, that an Ordinance entitled;

AN ORDINANCE AMENDING CHAPTER 3, ADMINISTRATION OF GOVERNMENT, ARTICLE VI, DEPARTMENT OF FINANCE, SECTION 3-45, COMMITMENTS AND DISBURSEMENTS, AND CHAPTER 65, ALCOHOLIC BEVERAGES, ARTICLE 1, GENERAL PROVISIONS, SECTION 65-2, REGULATION OF LICENSED PREMISES, OF THE ORDINANCES OF THE BOROUGH OF LINCOLN PARK

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

Thompson: So MOVED

Wild: SECOND

Kerwin: Call the Roll.

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

No: None

Absent: Pepe

Abstain: None

The Resolution was Adopted.

Kerwin: Any discussion? Read it again please.

BE IT FURTHER RESOLVED, that an Ordinance entitled:

AN ORDINANCE AMENDING CHAPTER 3, ADMINISTRATION OF GOVERNMENT, ARTICLE VI, DEPARTMENT OF FINANCE, SECTION 3-45, COMMITMENTS AND DISBURSEMENTS, AND CHAPTER 65, ALCOHOLIC BEVERAGES, ARTICLE 1, GENERAL PROVISIONS, SECTION 65-2, REGULATION OF LICENSED PREMISES, OF THE ORDINANCES OF THE BOROUGH OF LINCOLN PARK

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 **November 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 Deputy Clerk be authorized and directed to advertise said Ordinance with a Notice of Introduction thereof in the Daily Record according to law.

Thompson: So MOVED

Wild: SECOND

Kerwin: Call the Roll.

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

No: None

Absent: Pepe

Abstain: None

The Resolution was Adopted.

FOR ADOPTION:

Kerwin: For Adoption 11-11

The Deputy Clerk read the following Resolution:

BE IT RESOLVED, that an Ordinance entitled:

AN ORDINANCE SUPPLEMENTING CHAPTER 106, DOGS AND OTHER ANIMALS, OF THE ORDINANCES OF THE BOROUGH OF LINCOLN PARK WITH THE ADDITION OF ARTICLE V, DOG PARK RULES

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

Wild: So MOVED

Thompson: SECOND

Kerwin: Call the Roll.

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

The Resolution was Adopted.

Thompson: MOTION TO GO TO PUBLIC

Wild: SECOND

Acting Council President Kerwin asked for a Voice Vote. THE PUBLIC HEARING WAS OPENED

Kerwin: At this time anyone wishing to speak on Ordinance 11-11 and Ordinance 11-11 only please step forward.

1. Joseph Costa, 31 Pearson Street

Wild: MOTION TO CLOSE THE PUBLIC HEARING.

Thompson: SECOND

Acting Council President Kerwin asked for a Voice Vote. THE PUBLIC HEARING WAS CLOSED.

Kerwin: Please read it again.

The Deputy Clerk read the following Resolution:

BE IT RESOLVED, that an Ordinance entitled:

AN ORDINANCE SUPPLEMENTING CHAPTER 106, DOGS AND OTHER ANIMALS, OF THE ORDINANCES OF THE BOROUGH OF LINCOLN PARK WITH THE ADDITION OF ARTICLE V, DOG PARK RULES

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

Wild: SO MOVED

Thompson: SECOND

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

The ORDINANCE was Adopted.

Kerwin: Ordinance 13-11

The Deputy Clerk read the following Resolution:

BE IT RESOLVED, that an Ordinance entitled;

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 13, FIRE DEPARTMENT OF THE ORDINANCES OF THE BOROUGH OF LINCOLN PARK,

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

Thompson: SO MOVED

Cardillo: SECOND

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

The Resolution was Adopted.

Thompson: MOTION TO GO TO PUBLIC

Wild: SECOND

Acting Council President Kerwin asked for a Voice Vote. THE PUBLIC HEARING WAS OPENED

Kerwin: At this time anyone wishing to speak on Ordinance 13-11 and Ordinance 13-11 only may do so now.

Wild: MOTION TO CLOSE THE PUBLIC HEARING.

Thompson: SECOND

Acting Council President Kerwin asked for a Voice Vote. THE PUBLIC HEARING WAS CLOSED.

Kerwin: Please read it again.

The Deputy Clerk read the following Resolution:

BE IT RESOLVED, that an Ordinance entitled;

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 13, FIRE DEPARTMENT 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.

Thompson: So MOVED

Cardillo: SECOND

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

No: None

Absent: Pepe

Abstain: None

The Ordinance was Adopted.

IV. RESOLUTIONS:

CONSENT AGENDA:

Kerwin: Next up are Resolutions R11-267 thru R11-278.

Thompson: So MOVED

Wild: SECOND

RESOLUTION R11-267

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>
35218 thru 35227		
35228 thru 35370	Current	1,788,834.33
998 thru 1005	Accutrack	9,734.50
1156	Administrative Resale	400.00
1277 & 1278	Dog License	612.00
2582 thru 2583	Fed/State Grants	2,691.00
3146 thru 3149	General Capital	110,647.75
2389 thru 2396	General Trust	57,392.77
1960 thru 1961	Recycling	140.79
2828	Water Capital	46,346.00
7030 thru 7043	Water Utility	183,737.98

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RESOLUTION R11-268

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

<u>CHK NO.</u>	<u>PAID TO</u>	<u>PURPOSE</u>	<u>AMOUNT</u>
<u>CURRENT</u>			
<u>CONFIRMED CHECKS:</u>			
35218	Net Payroll	voided for payroll-book transfer	\$150,596.30
		Voided for payroll-book transfer	
35219	Payroll Escrow		\$94,468.88
35220	The Grand Hotel	Tax Board Edu. Conf	\$179.00
		Voided for payroll-book transfer	
35221	Net Payroll		169,713.53
		Voided for payroll –book transfer	
35222	Payroll Escrow		\$77,140.51
35223	BOLP Petty Cash DPW	Reimburse petty cash	\$196.79
35224	North Jersey Municipal Emp	October Benefits	\$168,977.00
35225	USPS Reserve	Postage	\$3,000.00
		Voided for payroll-book transfer	
35226	Net Payroll		\$141,996.58
		Voided for payroll-book transfer	
35227	Payroll Escrow		\$89,269.40
	Regular Meeting Checks	#35228-35370	\$893,296.34

WATER UTILITY OPERATING

Confirmed checks:

7030	Net Payroll	Voided for payroll-book transfer	\$12,846.00
7031	Payroll Escrow	Voided for payroll-book transfer	\$7,312.54
7032	Net Payroll	Voided for payroll-book transfer	\$15,152.42
7033	Payroll Escrow	Voided for payroll-book transfer	\$7,354.71
7034	NJ-PWT	3 rd Quarter Water Tax	\$647.30
		Voided for payroll-book transfer	
7042	Net Payroll		\$13,642.73
		Voided for payroll-book transfer	
7043	Payroll Escrow		\$8,468.94
	Regular Meeting Checks	#7035-7041	<u>\$118,313.34</u>

RESOLUTION R11-269

BE IT RESOLVED by the Governing Body of the Borough of Lincoln Park, that **LOUIS J. PEPE** be appointed as the Council's Representative to the **MORRIS COUNTY JOINT INSURANCE FUND** for the unexpired term of **MATTHEW PETRACCA** said term expiring December 31, 2011.

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RESOLUTION R11-270

WHEREAS, Lincoln Park Code provides that it is unlawful to park or occupy a trailer in the Borough of Lincoln Park; and

WHEREAS, VALRIE SIMPSON, 71 Riveredge Road , Block 125, Lot 34, and her family suffered extensive damage to their home due to Hurricane Irene, thus necessitating their obtaining other premises in which to live until their home is again habitable; and

WHEREAS, the Governing Body deems that this is a case in which it can exercise its discretion to grant relief.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Lincoln Park, that permission is hereby granted to **VALRIE SIMPSON** and her family to occupy a mobile home type trailer on their property known as **71 Riveredge Road** for a period not exceeding six (6) months from the date of October 17, 2011 is hereby confirmed, provided the sanitary facilities at all times meet with the approval of the Department of Health.

RESOLUTION R11-271

WHEREAS, the Borough of Lincoln Park has foreclosed upon Block 53, Lot 1, located at Undercliff & Sylvan Park, on June 30, 2011 and;

WHEREAS, the property taxes for 3rd and 4th quarter of 2011 must be cancelled;

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.

Block/Lot	Address	Amount
53/1	Undercliff & Sylvan	169.22

RESOLUTION 11-272

WHEREAS, at the Municipal Tax Sale held June 29, 2011, a lien was sold on Block 136.1, Lot 24.1 C3401, also known as 308 Gettysburg Way in Lincoln Park, for 2010 water and sewer; and

WHEREAS, this lien, known as Tax Sale Certificate #11-00014, Was sold to Dianne Clemente for \$100.00 premium; and

WHEREAS, Corelogic, mortgage company for owner, has effected redemption of certificate #11-000014, in the amount of \$262.97;

NOW, THEREFORE, BE IT RESOLVED, that the Treasurer be authorized to issue a check in the amount of \$262.97 for the redemption of Tax Sale Certificate #11-00015 and \$100.00 for the premium refund, payable to Dianne Clemente at P.O. Box 514, Lincoln Park, NJ 07035/

RESOLUTION R11-273

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>
46.7/66	Victoria Cavanagh	\$1,436.71	Homeowner & Mort Co. Both Pd.

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RESOLUTION R11-274

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>
46.7/179	Nancy Karaitis	\$569.24	Homeowner & Mort Co both paid

RESOLUTION R11-275

WHEREAS the State of New Jersey has bought out the property located at 29 Riveredge Road (Block 124, Lot 9) on November 10, 2010and;

WHEREAS, the State of New Jersey is exempt from property taxes for this property from 2011 and forward; and

WHEREAS, this property missed the cut off for the county to become exempt and therefore, was billed for 2011 in the yearly amount of \$5,037. 92;

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>Address</u>	<u>Amount</u>	<u>Effect</u>
124/9	29 Riveredge Rd.	\$5,037.92	Cancel 2011

RESOLUTION R11-276

WHEREAS, MICHELE COOK, has heretofore deposited with the Borough of Lincoln Park, an escrow in connection with zoning Permit #2009-28Z for premises located at 105 Comly Road, Block 7.4, Lot 13; and

WHEREAS, MICHELE COOK 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 #2201, and may be refunded to **MICHELE COOK**; and

WHEREAS, MICHELE COOK has withdrawn the application;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Lincoln Park, that funds on deposit from **MICHELE COOK**, in the 2011 General Trust Escrow Account – Bank Account #041-41378-4, Escrow Account \$2201 in connection with Zoning Permit #2011-28Z for premises located at 105 Comly Road, 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.

RESOLUTION R11-277

WHEREAS, CHARLES AND MARGARET BLEWETT, has heretofore deposited with the Borough of Lincoln Park, an escrow in connection with zoning Permit #2010-21Z for premises located at 279 Jacksonville Road, Block 3, Lot 9/2; and

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

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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 #2146, and may be refunded to , **CHARLES AND MARGARET BLEWETT**; 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 **CHARLES AND MARGARET BLEWETT**, in the 2011 General Trust Escrow Account – Bank Account #041-41378-4, Escrow Account #2146 in connection with Zoning Permit #2010-21Z for premises located at 105 Comly Road, 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.

RESOLUTION R11-278

**STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
GREEN ACRES ENABLING RESOLUTION**

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program (“State”) provides grants to municipal and county governments for assistance in the acquisition of lands for outdoor recreation and conservation purposes; and

WHEREAS, the **BOROUGH OF LINCOLN PARK** desires to further the public interest by obtaining funding in the amount of **\$609,249.50** from the State to fund the following project(s): **LINCOLN PARK FLOOD ACQUISITION – PROGRAM FEMA 2011-005** at a cost of **\$6,092,495.00**.

NOW, THEREFORE, the governing body/board resolves that **MAYOR DAVID A RUNFELDT** is hereby authorized to:

- a. Make application for such a grant,
- b. Provide additional application information and furnish such documents as may be required, and
- c. Act as the authorized correspondent of the above name applicant; and

WHEREAS, the State shall determine if the application is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award; and

WHEREAS, the applicant is willing to use the State’s funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the State for the above named project;

NOW, THEREFORE, BE IT FURTHER RESOLVED BY the **BOROUGH OF LINCOLN PARK**;

1. The **MAYOR** is hereby authorized to execute an agreement and any amendment thereto with the State known as **LINCOLN PARK FLOOD ACQUISITION PROGRAM FEMA 2011-005**.
2. That the applicant has its matching share of the project, if a match is required, in the amount of \$0.00.
3. That, in the event that the State’s funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project;
4. That the applicant agrees to comply with all applicable federal state and local laws, rules, and regulations in its performance of the project; and
5. That this resolution shall take effect immediately.

Kerwin: Please call the roll.

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

No: None

Absent: Pepe

Abstain: None

The Resolutions were Adopted.

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REGULAR AGENDA:

Kerwin: R11-279 Authorize State Tax Appeal Block 3, Lot 9.21

Wild: So MOVED

Thompson: SECOND

RESOLUTION R11-279

WHEREAS, there were negotiations between Andrew Rusin and the Borough of Lincoln Park before trial and a settlement is proposed and is recommended by the Borough Attorney and the Borough Tax Assessor

WHEREAS, this tax court judgment is on file in the Office of the Tax Assessor and the Tax Collector and is subject to annual audit; and

WHEREAS, per N.J.S.A 54:4-134 whenever an owner is entitled to a refund and such owner is delinquent at the time of judgment, the governing body may apply the refund to the delinquency;

WHEREAS, this property has 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:

Block/Lot	Year	Amount	Effect
3/9.21	2010	\$3,713.50	Apply to delinquent 2011 taxes.
	2011	\$3731.00	Apply to delinquent 2011 taxes

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

The Resolution was Adopted.

Kerwin: Next one up is to authorize the NOAH Floods Coalition.

After much discussion the Council is in support of The N.O.A.H. Floods Coalition but does not find a Resolution necessary at this time.

Thompson: **MOTION TO TABLE R11-280.**

Wild: SECOND

Acting Council President Kerwin asked for a Voice Vote. Council was all in favor of Tabling R11-280.

RESOLUTION NO: R11-280 TABLED

N.O.A.H. FLOODS COALITION

Neighbors Organized Against Hazardous Floods

A RESOLUTION FOR THE PURPOSE OF ESTABLISHING A NEIGHBORHOOD GRASS ROOTS COALITION TO ASSIST RESIDENTS AND BUSINESSES IN IDENTIFYING, SELECTING, COMMUNICATING AND SUPPORTING FLOOD MITIGATION STRATEGIES AND TACTICS RECOMMENDED BY EXPERTS TO HELP MINIMIZE HAZARDOUS FLOODS

WHEREAS, the residents of Lincoln Park continue to be impacted by significant flooding from seasonal heavy rainfall and three major floods in the past three years (2007, 2010, and 2011) all recorded well above flood stage of 19 feet, 22.78 feet and 21.72 feet respectively; and

WHEREAS, the Passaic River Flood Advisory Commission has issued a 15 point plan to mitigate impact of floods in Morris, Passaic and Bergen Counties; and

WHEREAS, an Advisory Commission, as directed by Governor Christie through Executive Order 23, has considered the causes and impacts of flooding, and to come up with potential long and short term remedies to help minimize a problem that has long impacted many towns, communities and residents of Lincoln Park; and

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WHEREAS, the residents of the Borough of Lincoln Park and other communities in Morris, Passaic and Bergen Counties continue to experience personal injury, property damage/loss, loss of wages, income/revenue and inconvenience due to significant road closures of major highways and arteries without any real assistance to remediate or mitigate the continual flood threat that has significantly lowered home values and placed additional hardships on public operations within those communities such as emergency services, hospitals, schools, mail service and other vital support services;

WHEREAS, proposed solutions to support flood mitigation initiatives along the Passaic and Pompton River Basins exist and have existed for some time authored by expert authorities such as the Army Corps of Engineers and other responsible authorities include but are not limited to water resource management alternatives such as: retention basins, construction of additional dams, pumping stations, water trench/river de-snagging and de-silting, water digression tunnels, water storage tanks and reservoir management strategies preceding, during and after flooding;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Lincoln Park in the County of Morris, State of New Jersey, that we support the formation of the **N.O.A.H. FLOODS COALITION** to galvanized the residents in Lincoln Park to support and promulgate specific action plans with timetables for completion to mitigate flooding along the Passaic and Pompton River Basins.

Statement of Purpose and Plan
The working title of this coalition is:

N.O.A.H. Floods Coalition – Neighbors Organized Against Hazardous Flood
The purpose of this coalition is to focus on **flood mitigation initiatives and implementation** to help minimize the impact of future flooding in our community. This coalition will not be involved in Flood recovery initiatives as those as adequately address by other organizations.

The **N.O.A.H. Floods Coalition** is intended to be a platform for residents and businesses to:

- Understand what strategies and tactics have been proposed for flood mitigation and by whom;
- Select the best course of resolution to support through voter advocacy and pressure groups proposed by experts;
- Communicate with flood prone residents and businesses regularly to measure progress toward flood mitigation objectives;

- Help ensure the residents and businesses and their representatives have a stronger voice in finding the solution not just addressing the problem;
- Hold flood mitigation stakeholders accountable for proper and timely action to help minimize hazardous floods through mitigation tactics.

Proposed Action Plan:

1. Announce the formation of a grass roots coalition of residents and businesses in the Borough Lincoln Park;
2. Bond together using social media platforms to foster enrollment, communication, support and action;
3. Petition local, county, state and the federal government for remedial action;
4. Work in concert with organizations such as the Passaic River Flood Advisory commission and others to help ensure cogent actionable priorities are implemented for flood mitigation.

X. MISCELLANEOUS COUNCIL COMMITTEE REPORTS.

Kerwin: Miscellaneous Council Committee Reports.

Cardillo:

1. Discussed the damage at the Borough Lake. Most of the items destroyed will be covered under insurance.
The Lanes Playground and also Lincoln Park Playground are both completed.
2. As a result of the flooding, dredging is going to be a must for 2012 for the Borough Lake.
3. The Halloween Party will be on 10/28.

Gemian: Nothing to Report

Kostoplis: Nothing to Report

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Thompson: Nothing to Report

Wild: Nothing to Report

Kerwin: Nothing to Report

XI. MAYOR'S AGENDA:

1. Authorization to go out for Notes.

Kerwin: Motion for R11-281

Thompson: So MOVED

Wild: SECOND

RESOLUTION R11-281

RESOLUTION AUTHORIZING THE ISSUANCE OF BOND ANTICIPATION NOTES OF THE BOROUGH OF LINCOLN PARK, IN THE COUNTY OF MORRIS, NEW JERSEY, NOT EXCEEDING \$674,880.00.

For the Regular Meeting of 10-17 in the Year of 2011

A RESOLUTION OF THE COUNCIL OF THE BOROUGH OF LINCOLN PARK, MORRIS COUNTY, NEW JERSEY

BE IT RESOLVED, by the Governing Body of the Borough of Lincoln Park, in the County of Morris, New Jersey, as follows:

Section 1. Bond Anticipation Notes of the Borough of Lincoln Park in the principal amount not exceeding \$674,880.00, shall be issued for the purpose of temporarily financing the improvements or purposes described in the following bond ordinance, including (to the extent necessary) the renewal of any Bond Anticipation Notes heretofore issued, an Ordinance entitled:

“BOND ORDINANCE AUTHORIZING VARIOUS WATER SYSTEM IMPROVEMENTS AND ACQUISITIONS IN AND FOR THE BOROUGH OF LINCOLN PARK, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, APPROPRIATING \$710,400.00 THEREFORE, AND AUTHORIZING THE ISSUANCE OF \$674,880.00 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF,” finally adopted on November 17, 2008, (No. 26-08).

Section 2. The following matters in connection with the Bond Anticipation Notes are hereby determined:

(a) All Notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Borough of Lincoln Park, provided that no Note shall mature later than (1) one year from the date of the first Note issued hereunder, unless renewed from time to time for additional periods, none of which shall exceed one year, or (ii) three years from the date of the first Note issued hereunder unless an amount of such Notes, at least equal to the first legally payable installment of the bonds in anticipation of which those notes are issued, is paid and retired on or before each subsequent anniversary date from funds other than the proceeds of obligations as set forth in the Local Bond Law, N.J.S.A. 40A:2-8.1.

(b) All Notes issued hereunder shall bear interest at such rate or rates as may be determined by the Chief Financial Officer of the Borough of Lincoln Park.

(c) The Notes shall be in a form prescribed by Resolution heretofore adopted by the Governing Body of the Borough of Lincoln Park determining the form of such Notes, and any such Notes may be signed or sealed.

Section 3. The Chief Financial Officer of the Borough of Lincoln Park is hereby authorized and directed to determine all matters in connection with such Notes not determined by this or a subsequent Resolution, and her signature upon such Notes shall be conclusive as to such determinations.

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Section 4. The Chief Financial Officer of the Borough of Lincoln Park is hereby authorized to sell the Bond Anticipation Notes from time to time at public or private sale in such amounts as she may determine at not less than par and to deliver the same from time to time to the purchaser(s) thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof.

Section 5. Any instrument issued pursuant to this Resolution shall be a general obligation of the Borough of Lincoln Park, and the Borough of Lincoln Park's full faith and credit are hereby pledged to the punctual payment of the principal and of the interest on such obligations, and sufficient taxes to provide for the payment thereof shall be levied and collected.

Section 6. The Chief Financial Officer of the Borough of Lincoln Park is hereby authorized and directed to report in writing to the Governing Body at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this Resolution is made, such report to include the amount, description, interest rate, maturity date, price obtained and name of the purchaser(s).

Section 7. This Resolution shall take effect immediately.

Kerwin: Please call the Roll.

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

The Resolution was Adopted.

2. They Mayor gave an update on hazard mitigation grants and a Hurricane Irene Flood update. Mayor Runfeldt stated that all of the DPW equipment was moved before the flood to an area that never flooded before. All of the equipment that was damaged was fully insured and will be repaired.
3. The Recreation Department in conjunction with the Pequannock Valley Rotary is having a Post Hurricane Irene Picnic on October 22 at the Borough Lake.

Kerwin: Just a note that next month's meetings will be on November 14 and November 21.

XII. PUBLIC HEARING.

Thompson: MOTION TO GO TO PUBLIC.

Wild: SECOND

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

Deputy 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.

1. Gloria Kruger 50 Roome Street – Construction Issues
2. Todd Warden 50 Roome Street – Construction Issues
3. Rita Behan 55 Roome Street – Construction Issues
4. Joseph Costa 31 Pearson Street – Leaf pick-up

Thompson: MOTION TO CLOSE THE PUBLIC HEARING.

Cardillo: SECOND

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

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XII. ADJOURNMENT

Thompson: MOTION to Adjourn

Kerwin: SECOND

There being no further business to come before the Council the Regular Meeting was adjourned at 8:56 PM.

Raymond T. Kerwin, Acting Council President

Cynthia L. Sloane, RMC, CMR
Deputy Borough Clerk