

I. Monday November 14, 2011 Work Meeting of the Governing Body of the Borough of Lincoln Park, the Deputy Clerk called the Work Meeting to order and announced the meeting was duly advertised in accordance with the Open Public Meetings Act. The Deputy 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.

## II. ROLL CALL

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

Present from Administration: Administrator Sean Canning, CFO Kerry Geisler, and Ed Buzak, Borough Attorney and John Miller, Borough Attorney

ABSENT FROM ADMINISTRATION: Mayor David Runfeldt

## III. PUBLIC HEARING: OPEN SPACE

Mr. Eugene Reynolds, Project Consultant from The Land Conservancy of New Jersey gave opening remarks explaining the goals of the Open Space Program: The development of an Open Space and Recreation Plan and the Governing Body's commitment to implementing the Plan, will maintain the community's character and improve the quality of life for its residents.

Thompson: MOTION to go to PUBLIC.

Kerwin: SECOND

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

1. Malcolm Chamalian – 28 Maturan Avenue
2. Wayne Odenbrette – 22 Rosenbrook Drive – Mr. Odenbrette expressed interest in the Open Space Committee.

Thompson: MOTION TO CLOSE THE PUBLIC HEARING.

Kerwin: SECOND

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

## IV. DISCUSSION ITEMS – COUNCIL:

Pepe: There is a request for the Building Department to continue to waive the fees for building reconstruction due to Hurricane Irene. Council concurred and a Resolution will be on the Regular Meeting.

### 1. BOARD OF ADJUSTMENT RESIGNATION

Tom Piorkowski has submitted his resignation, he is a regular member. It is suggested that an alternate member be moved to the Regular Member position.

Council concurred and an Alternate Member will move up to fill Mr. Piorkowski position.

### 2. APPOINTMENT OF MUNICIPAL CLERK

Council President Pepe spoke on this issue and Cynthia L. Sloane will be appointed as Borough Clerk effective February 1, 2012. Council President Pepe also discussed there will be an Ordinance on for the Regular Meeting to restructure the Deputy Clerk's salary.

Council should have a recommendation for the Deputy Clerk position at the December Work Meeting and at which time the Deputy Clerk position and salaries for the Deputy and Clerk will be discussed in Closed Session.

3. **HOSE COMPANY #2 REQUESTS TO HAVE THEIR RAFFLE FEES FROM THE BOROUGH WAIVED FOR ALL FEES IN THE FUTURE.**

Council declined to have fees waived for all future Raffles from Hose Company #2. Hose Co. #2 may submit a letter on a case by case basis to have their raffle fees waived.

4. **PLACE TO PLACE TRANSFERS**

Applications from Café at the Meadows and Shop Rite Liquors for Place to Place Transfers.

Council concurred and resolutions will be placed on the Regular Agenda.

5. **REQUEST FOR HOUSE TRAILER**

Letter received from Kris Dann for Willie Pfeifer 38 Oak Street requesting a House Trailer while their home is being repaired. Block 120.3 Lot 140

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

6. **SALARY COMPENSATION ORDINANCE**

Council President Pepe discussed the salary minimum and maximum of the Deputy Borough Clerk's Salary.

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

~~7. **MUNICIPAL ALLIANCE GRANT RESOLUTION**~~

Deleted from the agenda

8. **REQUEST WAIVE INTEREST ON 4<sup>TH</sup> QTR. TAXES**

Resident at 66 De Hart Street, requesting the Council Waive Interest on her 4<sup>th</sup> Qtr. Taxes due to flooding and loss of tenant.

Borough Attorney Ed Buzak discussed that statutorily Council does not have the power to waive interest payments.

V. **MISCELLANEOUS COUNCIL COMMITTEE REPORTS:**

Cardillo: Nothing

Gemian: Nothing

Kerwin:

1. Discussed the Sub Committee decisions:

A. Auditor: Ferraioli, Wielkotz, Cerullo & Cuva

B. Bond Counsel: DeCotiis, FitzPatrick & Cold, LLP

Councilman Kerwin thanked the members of the committee.

Kostoplis: Nothing

Thompson: Nothing

Wild: Nothing

Pepe: Nothing

**VI. MAYOR'S AGENDA:**

**I. Open space hearing**

A. Land Conservancy who is conducting our open space plan for the Borough is conducting the first public hearing on this issue. Public Hearing was held at the beginning of this meeting.

**II. Pancreatic Cancer proclamation**

Proclamation by Mayor for Pancreatic Cancer awareness

Mayor Runfeldt will read the Proclamation at the Regular Meeting.

**III. Demographic study Evangelical Mission McKenzie**

Administrator Canning will be reaching out to the Planning Board and to the Evangelical Mission for plans on further discussion of the age restriction.

**IV. Cablevision Ascertainment Committee**

Recommendation to proceed to form an ascertainment committee to examine issues regarding renewal of cablevision franchise; notice must be given prior to January 23, 2012.

Council President Pepe asked the Council to send a letter of interest to the Clerk's Office if they wish to be on the Committee and at which time will then go to next year's Council President for determination.

**V. Water and Sewer rate analysis**

Finance and administration recommend rate adjustment to prevent continued losses .Recommendation is to migrate to a fixed rate system as opposed to current tiered structure and the water utility will be running a deficit without adjustments. Same applies for the sewer rate.

Council concurred and more information will be on the December Work meeting Agenda and the Ordinance will be on for January.

**VI. Handbook**

Incorporates the health care law changes and codifies conduct which has been extremely useful for administration in managing the day to day operations

Policies have been legally vetted and conforms to best practices as put forth by both the Joint insurance fund as well as the league of municipalities publications on model policies and procedures.

**VII. Landscaping bid recommendation to award**

Landscaping bids were received and a Resolution will be on for the Regular Meeting.

**VIII. IT recommendation to reject**

Bids were received for the IT services contract all bids were rejected.

Resolution to reject bids will be on for the Regular Meeting.

IT vendor will be on for the January Work Meeting.

**IX. Affordable housing vendor**

Administration is recommending the current vendor to be renewed as the vendor of choice.

Resolution will be on for the January Regular Meeting.

**X. Note sale**

The borough received a favorable rate 1.11% for its recent Bond anticipation note sale, far under what was anticipated.

**XI. BPU complaint to JCPL**

A letter in regards to JCPL's lack of performance in the recent snow storm will be sent to the BPU.

**XII. Retirement of Frank Kaiser Director of Library**

Just information purposes, Frank Kaiser the Director of the Library has submitted his intent to retire as of December 31, 2011.

The Board of Trustees at the Library has been made aware and will initiate a search.

**XIII. Homestead rebate resolution**

Homestead rebate refund Block 124 Lot9, Alberto Montare for \$93.80.

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

**XIV. Refund senior citizen tax deduction**

Tax refund for Juan Fedorkiewicz, \$250.00 for 2011.

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

**XV. Tax appeal settlement**

Michael I. Schneck, Trustee for 31-41 Wicz LLC to 301 South Livingston Avenue, Suite 105, Livingston, NJ 07039 Block 22 Lot 177 – year 2010 - \$1,061.00 Refund and Block 22 Lot 185 – year 2010 - \$1,061.00 Refund

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

**XVI. Refund tax overpayment**

Refund Tax overpayment to Frank Mingoria & William Schlager \$1,718.94, Block 46.8/Lot 28

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

**XVII. Void old outstanding checks**

Void old outstanding checks totaling \$1,024.13

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

**XVIII. Refund tax overpayment**

Refund Tax overpayment to Salvatore D'Ambrosia, \$3,225.32 Block 35/Lot 127.1

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

**IX. TBSA intent to bill for overages**

Councilman Kerwin and Councilman Wild approached Sean, Kerry and Paul Darmofalski last week; TBSA intent to bill for overages. We will be asking for clarification and further discussion with TBSA.

**VII. RESOLUTIONS:**

Pepe: So MOVED

Thompson: SECOND

**RESOLUTION R11-282**

***BE IT RESOLVED***, by the Governing Body of the Borough of Lincoln Park, that effective February 1, 2012, Cynthia L. Sloane, RMC, CMR shall be appointed to the Office of Borough Clerk, for a term of 3 years, which shall run from February 1, 2012, pursuant to N.J.S.A. 40A:9-133.

Pepe: Please call the Roll.

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

No: None

Absent: None

Abstain: None

The Resolution was Adopted.

**VIII. PUBLIC HEARING**

Kerwin: MOTION TO GO TO PUBLIC.

Cardillo: SECOND

Pepe: If anyone would like to come up, please come up now.

1. George Marmar 120 Terrace Parkway – Cablevision & Verizon Fios
2. Malcolm Chamalian – 28 Maturan Avenue – Personnel Matters

Thompson: MOTION TO CLOSE THE PUBLIC

Gemian: SECOND

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

**XI. ADJOURNMENT:**

Thompson: MOTION TO ADJOURN.

Cardillo: SECOND

There being no further business to come before the Council the Work Meeting of the Governing Body of the Borough of Lincoln Park adjourned at 8:37 PM.

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Council President Louis J. Pepe

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Cynthia L. Sloane, RMC, Deputy Borough Clerk

