

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, May 20, 2013. The Deputy Clerk Called the Meeting to Order at 7:30 PM and made the Statement of Compliance with the Open Public Meetings Act. The Deputy Clerk advised those present where the exits to the room were and to turn off all cell phones. After the Pledge of Allegiance the Clerk called the Roll showing the following:

II. ROLL CALL:

PRESENT: Council Members: Robert Cardillo
Gary Gemian
Louis J. Pepe
Ellen Ross
Ann Thompson
James A. Wild
Raymond T. Kerwin

ABSENT: Louis J. Pepe

Also PRESENT were Mayor David A. Runfeldt, Borough Administrator Perry Mayers, Tiena Cofoni, Borough Attorney, and Chuck Ferraioli Borough of Lincoln Park's Certified Public Accountant.

III. MINUTES FOR APPROVAL:

Kerwin: Minutes for Approval, March 18, 2013

Cardillo: So Moved

Gemian: Second

Kerwin: Call the Roll.

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

The minutes of March 18, 2013 were Approved.

Kerwin: Minutes for Approval, April 15, 2013.

Thompson: So Moved

Ross: Second

Kerwin: Call the Roll

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

The minutes of April 15, 2013 were Approved.

Kerwin: Minutes for Approval May 6, 2013

Cardillo: So Moved

Ross: Second

Kerwin: Call the Roll

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

The Minutes of May 6, 2013 were Approved.

IV. PUBLIC HEARING- 2013 MUNICIPAL BUDGET:

Kerwin: Public Hearing on the 2013 Municipal Budget.

Thompson: So Moved

Cardillo: Second

Council President Kerwin: Asked for a Voice Vote. The Public Hearing was Opened.

Thompson: I move we close the Public Portion seeing no one is here to speak on the Budget.

Wild: Second

Council President Kerwin: Asked for a Voice Vote. The Public Hearing was Closed.

V. ORDINANCES FOR INTRODUCTION:

Kerwin: Ordinance 5-13 2013 Salary Compensation

The Deputy Clerk read the following Ordinance:

BE IT RESOLVED, that an Ordinance entitled:

**AN ORDINANCE PROVIDING COMPENSATION FOR CERTAIN OFFICERS AND EMPLOYEES OF THE
BOROUGH OF LINCOLN PARK**

Be Introduced and read by title on first reading by the Clerk.

Thompson: So Moved

Ross: Second

Kerwin: Call the Roll

Yes: Council Members: Cardillo, Gemian, Ross, Thompson, Wild, Kerwin.

No: None

Absent: Pepe

Abstain: None

The Resolution was Adopted.

Kerwin: Read it again.

The Deputy Clerk read the following Ordinance

BE IT FURTHER RESOLVED, that an Ordinance entitled:

**AN ORDINANCE PROVIDING COMPENSATION FOR CERTAIN OFFICERS AND EMPLOYEES 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 **17th day of June 2013** at approximately **7:30pm** 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 the 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

Ross: Second

Kerwin: Call the Roll

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

The Resolution was Adopted.

VI. ORDINANCES FOR ADOPTION:

Kerwin: Ordinance for Adoption; 4-13 Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank.

The Deputy Clerk read the following Resolution

BE IT RESOLVED, that an Ordinance entitled;

AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14) CALENDAR YEAR 2013.

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

Thompson: So Moved

Wild: Second

Kerwin: Call the Roll.

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

The Resolution was Adopted.

Kerwin: Read it again

BE IT FURTHER RESOLVED, that an Ordinance entitled:

AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14) CALENDAR YEAR 2013.

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

Thompson: So Moved

Wild: Second

Kerwin: Call the Roll.

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

The Ordinance was Adopted.

VII. RESOLUTIONS: CONSENT AGENDA:

Kerwin: Resolutions on the Consent Agenda R13-132 through R13-144.

Thompson: So Moved

Ross: Second

RESOLUTION 13-132

WHEREAS, the Borough of Lincoln Park ("Borough") has determined there exists a need for the

Codification of the Borough's ordinances, including the specialized procedures of research, organization, analysis, revision, editing and publication of the ordinances; and

WHEREAS, such services can only be provided by a recognized firm specializing therein; and

WHEREAS, the contract for the codification and revision of the ordinances is one of the listed exceptions to the Local Public Contracts Law, N.J.S.A. 40A:11-5(1) (x), and therefore the contract may be awarded without public bidding; and

WHEREAS, the contract for the codification and revision of the ordinances is for a total amount not to exceed \$19,900.00, therefore the requirements of N.J.S.A. 19:44A-20.5 (Anti Pay-to-Play Legislation) apply; and

WHEREAS, the Borough desires to authorize the award of the Contract to General Code, LLC. for the total amount not to exceed \$19,900.00 and;

WHEREAS, in accordance with the Anti-Pay-to-Play Legislation, General Code, LLC. submitted to the Borough the Political Contribution Disclosure Form, Stockholder Disclosure Certification and Business Entity Disclosure Certification as required; and

WHEREAS, General Code, LLC. has also submitted to the Borough a New Jersey Business Registration Certificate, as required.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Lincoln Park, County of Morris, State of New Jersey as follows:

1. The Contract for the codification and revision of the ordinances of the Borough of Lincoln Park is hereby awarded to General Code, LLC. pursuant to the terms and conditions as contained in a certain Contract dated May 20, 2013 for an amount not to exceed Nineteen Thousand, Nine Hundred Dollars(\$19,900.00).

2. The Mayor and Borough Clerk are hereby authorized and directed to execute the contract subsequent to execution by General Code and said officers, together with all other officers, professionals and employees of the Borough are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of this Resolution.

3. This award is subject to the Contractors compliance with the requirements of N.J.S.A. 10:5-31 et seq. and the regulations thereunder regarding affirmative action.

4. The foregoing award is further subject to the certification of availability of funds by the appropriate officers of the Borough.

5. This Resolution shall take effect immediately.

RESOLUTION R13-133

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 Michael Tanis, 334 Gettysburg Way, Lincoln Park, NJ 07035 for a Community Garden Refund.

RESOLUTION R13-134

WHEREAS, the Borough of Lincoln Park ("Borough") Adopted Ordinance 1,489 (15-12) June 11 2012 providing the compensation ranges for one Borough employee; and

WHEREAS, Ordinance No. 1,484 (12-12) provided that the exact compensation for those Officials and employees would be set by the Borough via Resolution;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Lincoln Park, County of Morris, and State of New Jersey as follows:

1. The 2013 annual compensation for the following Council Employee within the Borough of Lincoln Park shall be as follows:

<u>Title</u>	<u>Base Salary</u>	+	<u>Longevity</u>	=	<u>Total</u>
Deputy Borough Clerk	\$37,500		\$ 0.00		\$38,000

2. The salary provided above shall be effective April 30, 2013.

3. The Mayor, Business Administrator and Borough Clerk, together with all other Officers, professionals and employees of the Borough are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of this Resolution.
4. This Resolution shall take effect immediately.

RESOLUTION 13-135

BE IT RESOLVED, by the Governing Body of the Borough of Lincoln Park that the Mayor and Borough Clerk are hereby authorized to execute a contract with The Land Conservancy of New Jersey, a non-profit organization with offices located at 19 Boonton Avenue, Boonton, NJ for the purpose of assisting the Council with a variety of open space services;

BE IT FURTHER RESOLVED, that the cost for these services shall not exceed \$12,000 for the period beginning July 1, 2013 through June 30, 2014 and that funds for the services of The Land Conservancy of New Jersey are available within the Open Space Trust Fund.

RESOLUTION R13-136

WHEREAS, at the Municipal Tax Sale held June 27, 2012, a lien was sold on block 7.3, lot 1.9, also known as 54 Ryerson Road in Lincoln Park, for 2011 tax, water and sewer; and

WHEREAS, this lien, known as Tax Sale Certificate #12-00002, was sold to US Bank Cust for Crestar Capital for \$15,100.00 premium;

WHEREAS, Wells Fargo, mortgage company for owner, has affected redemption of certificate #12-00002, in the amount of \$12,768.02;

NOW, THEREFORE, BE IT RESOLVED, that the Treasurer be authorized to issue a check in the amount of \$12,768.02 for the redemption of Tax Sale Certificate #12-00002 and also a check for premium reimbursement for \$15,100.00, payable to US Bank Cust for Crestar Capital, 2 Liberty Place, 50 South 16th Street, Suite 1950, Philadelphia, PA 19102.

RESOLUTION R13-137

WHEREAS, Michael Sweetman ("Taxpayer") filed a tax appeal against the Borough of Lincoln Park (hereinafter "Borough") to the Tax Court of New Jersey for Tax Year 2012 challenging the assessment of real property known as Block 46.7, Lot 124 (124 Stonyridge Drive) as shown on the Official Tax Map of the Borough of Lincoln Park; and

WHEREAS, there were negotiations between the parties and a settlement has been proposed and is being recommended by the Borough Attorney, Borough Assessor, and the Borough's Appraisal Expert as set forth in a April 17, 2013 letter from the Borough Attorney; and

WHEREAS, the Governing Body desires to approve the same.

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

1. The settlement of the tax appeal for Block 46.7, Lot 124 (124 Stonyridge Drive) reducing the assessment of \$207,300 to \$193,500 for Tax Year 2012 is hereby authorized and approved.
2. Plaintiff's agreement to waive prejudgment interest on any tax overpayment is approved provided that the refund is paid within sixty days of the date of the Tax Court Judgment.
3. The Borough Attorney is hereby authorized to sign a Stipulation of Settlement incorporating the complete agreement between the parties.
4. The Borough Assessor, Borough Attorney, Borough Tax Collector, employees, agents or representatives of the Borough are hereby authorized to do whatever is necessary to effectuate the purpose of this Resolution.
5. This Resolution shall take effect immediately.

RESOLUTION 13-138

WHEREAS, at the Municipal Tax Sale held June 27, 2012, a lien was sold on block 136.1, lot 34.1 C3401, also known as 308 Gettysburg Way in Lincoln Park, for 2011 water and sewer; and

WHEREAS, this lien, known as Tax Sale Certificate #12-00027, was sold to Virgo Municipal Finance Fund LP for \$500.00 premium;

WHEREAS, Corelogic, mortgage company for owner, has effected redemption of certificate #12-00027, in the amount of \$876.90;

NOW, THEREFORE, BE IT RESOLVED, that the Treasurer be authorized to issue a check in the amount of \$876.90 for the redemption of Tax Sale Certificate #12-00027, and also a check for premium reimbursement for \$500.00, payable to Virgo Municipal Finance Fund LP at 1441 Broadway, Suite 5010, New York, NY 10018

RESOLUTION R13-139

WHEREAS, **Marcia Ordonez d/b/a Plaza Family Bakery, LLC** had heretofore deposited with the Borough of Lincoln Park, a Site Plan Exemption #SPE-0-8 in connection with a property located at 261 Comly Road, Store #5, Lincoln Park 07035; and

WHEREAS, **Marcia Ordonez d/b/a Plaza Family Bakery, LLC** 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 2013 General Trust Escrow Account – Bank Account #041-41378-4, Escrow Account #1943, and may be refunded to, **Marcia Ordonez d/b/a Plaza Family Bakery, LLC** 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, **Marcia Ordonez d/b/a Plaza Family Bakery, LLC** in the 2013 General Trust Escrow Account – Bank Account #041-41378-4, Escrow Account # 1943, a Site Plan Exemption #SPE-0-8 in connection with property located at 261 Comly Road, Store #5, Lincoln Park, NJ 07035 ; and be and hereby are ordered released/refunded by the Borough subject to the CFO first confirming that all bills (submitted and pending) from the Board Attorney, and Borough Engineer have been properly and fully satisfied.

RESOLUTION 13-140

WHEREAS, the local municipal budget for the fiscal year 2013 will be adopted on May 20, 2013 and;

WHEREAS, a copy of the adopted budget will be forwarded to the Morris County Board of Taxation for the final certification of the 2013 tax rate, and tax bills cannot be distributed to its residents until said certification is received, and;

WHEREAS, in order to meet statutory obligations to the County, School District along with sustaining Municipal operations, the Chief Financial Officer in consultation with the Tax Collector have computed an estimated tax levy in accordance to N.J.S.A. 54:4-66.3 and have both signed a certification attesting to the calculation;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Lincoln Park is hereby authorized to prepare and issue estimated tax bills for the third installment of the 2013 taxes;

BE IT FURTHER RESOLVED that the Lincoln Park Tax Collector is hereby authorized to prepare and issue estimated tax bills for the third installment of 2013 based upon an annualized levy analysis totaling \$35,596,904.42. The Tax Collector shall proceed and take such actions as are permitted and required by P.L. 1994, c.72 (N.J.S.A. 54:4-66.2 and 54:4-66.3).

BE IT FURTHER RESOLVED, that in accordance with the law, third quarter installment of the 2013 taxes shall not be subject to interest until the later of either August 10, 2013 or twenty-five calendar days after the date estimated bills were mailed. Contained on the estimated bill shall specify the date on which interest may begin to accrue.

**PERMISSIVE ESTIMATED TAX LEVY RANGE
RANGE 5% LOWER TO 5% HIGHER THAN PREVIOUS YEAR'S LEVY**

2012 TOTAL TAX LEVY	\$33,901,813.73
95% LEVY	\$32,206,723.05
105% LEVY	\$35,596,904.42
2012 TAX RATE	\$2.458
95%	\$2.34
105%	\$2.58

**PERMISSIVE ESTIMATED TAX LEVY RANGE
RANGE 5% LOWER TO 5% HIGHER THAN PREVIOUS YEAR'S LEVY**

2012 TOTAL TAX LEVY	\$33,901,813.73
95% LEVY	\$32,206,723.05
105% LEVY	\$35,596,904.42
2012 TAX RATE	\$2.458
95% RATE	\$2.34
105% RATE	\$2.58

Certified calculation prepared by:

Kerry L. Geisler, CFO

Kristen Runfeldt, Tax Collector

RESOLUTION R13-141

Resolution of the Borough of Lincoln Park, County of Morris, State of New Jersey Authorizing the Sale of Surplus Property No Longer Needed for Public Use on an Online Auction Website.

WHEREAS, the Borough of Lincoln Park has determined that surplus items including but not limited to, (1) OptiPlex GX270 Computer – Pentium 4 w/ windows XP - Serial# 1ZPM851, (1) Dell OptiPlex GX270 Computer – Pentium 4 w/ windows XP - SERIAL# D8PMS51, (1) Dell OptiPlex GX260 Computer – Pentium 4 w/ windows XP - SERIAL# 2W6M931, (1) Dell OptiPlex 170L Computer – Pentium 4 w/ windows XP - SERIAL# C9FDM91, (1) Dell OptiPlex 170L Computer – Pentium 4 w/ windows XP - SERIAL# 89FDM91, (1) Dell Monitor 19” Model E196FPb - Serial# CN-0KC147-46633-65N-61RU, (1) Dell Monitor 17” Model 170FPt - Serial# CN-0CC280-71618-62B-CLG9, (1) Dell Monitor 17” Model 170FPt - Serial# CN-0CC280-71618-658-CFP7, (1) Dell Monitor 17” Model E176FPi - Serial# 0CC639-72872-661-20AS, (1) ELO Touch System 19” Entuitive Touch Monitor Model Et1925L-8SWA-1 - Serial# 925LIS6070276K, (1)ViewSonic 17” Monitor Model VS11366 - Serial# QAN071720766, (1) Dell Power Vault 100T DAT 72 Tape Drive - Digital Data Storage Model CD72LWH - Serial# HV0LZ0D, (1) Durabook 15” Laptop - Windows Vista Model R15D - Serial#N15RI-SL-D2, (1) General Dynamics GD6000 15” Laptop – Windows XP Model GD6000 - Serial# 914J901005G9210072AM000, (1) General Dynamics Go Book VR-2 15” Laptop – Windows XP Model 1X605 - Serial# 914T1Z1003G83400A68M000, and (1) Cisco 1700 Series Router Model 1721 - Serial# JMX0637F26 are property no longer needed for public use; and

WHEREAS, the State of New Jersey permits the sale of surplus property no longer needed for public use through the use on an online auction services, pursuant to the Local Unit Electronic Technology Pilot Program and Study Act, P.L. 2001, c.30; and

WHEREAS, the Borough of Lincoln Park has the property listed in schedule A, attached to this Resolution, and desires to sell this property online.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Lincoln Park’s Governing Body that the Borough of Lincoln Park is hereby authorized to post an offer to sell the items listed on schedule A, on an auction website as follows:

Online Auction Site: www.govdeals.com
 Length of Auction: 12 Days.
 Start Date: Wednesday, May 22, 2013 (see schedule A)

End Date: Monday, June 1, 2013 (see schedule A)

Auction Fees: 7.5% of the winning bid amount, paid through proceeds of the sale.

Shipping: All shipping arrangements and shipping costs are the responsibility of the buyer. Item pickup on location: 34 Chapel Hill Road, Lincoln Park, NJ.

Possession: Within 10 business days (excluding holidays) of winning bid and at pickup location.

Other Terms: All items are being sold "as is, where is".
 Payment by the bidder must be submitted within 5 business days (excluding holidays) of winning the bid. Pickup of items auctioned must be made within 10 business days (excluding holidays) of winning bid unless other arrangements have been made prior.

Schedule A

Auction 1: Dell OptiPlex GX270 Computer – Pentium 4 w/ windows XP Serial# 1ZPM851

Bid Start: Wednesday, May 22, 2013: 9:00AM
Bid Stop: Monday, June 1, 2013: 3:00PM

Auction 2: Dell OptiPlex GX270 Computer – Pentium 4 w/ Windows XP SERIAL# D8PMS51

Bid Start: Wednesday, May 22, 2013: 9:00AM
Bid Stop: Monday, June 1, 2013: 3:00PM

Auction 3: Dell OptiPlex GX260 Computer – Pentium 4 w/ windows XP SERIAL# 2W6M931

Bid Start: Wednesday, May 22, 2013: 9:00AM
Bid Stop: Monday, June 1, 2013: 3:00PM

Auction 4: Dell OptiPlex 170L Computer – Pentium 4 w/ windows XP SERIAL# C9FDM91

Bid Start: Wednesday, May 22, 2013: 9:00AM
Bid Stop: Monday, June 1, 2013: 3:00PM

Auction 5: Dell OptiPlex 170L Computer – Pentium 4 w/ windows XP SERIAL# 89FDM91

Bid Start: Wednesday, May 22, 2013: 9:00AM
Bid Stop: Monday, June 1, 2013: 3:00PM

Auction 6: Dell Monitor 19" Model E196FPb Serial# CN-0KC147-46633-65N-61RU

Bid Start: Wednesday, May 22, 2013: 9:00AM
Bid Stop: Monday, June 1, 2013: 3:00PM

Auction 7: Dell Monitor 17" Model 170FPt Serial# CN-0CC280-71618-62B-CLG9

Bid Start: Wednesday, May 22, 2013: 9:00AM
Bid Stop: Monday, June 1, 2013: 3:00PM

Auction 8: Dell Monitor 17" Model 170FPt Serial# CN-0CC280-71618-658-CFP7

Bid Start: Wednesday, May 22, 2013: 9:00AM
Bid Stop: Monday, June 1, 2013: 3:00PM

Auction 9: Dell Monitor 17" Model E176FPi Serial# 0CC639-72872-661-20AS

Bid Start: Wednesday, May 22, 2013: 9:00AM
Bid Stop: Monday, June 1, 2013: 3:00PM

Auction 10: ELO Touch System 19" Entuitive Touch Monitor Model Et1925L-8SWA-1- Serial# 925LIS6070276

Bid Start: Wednesday, May 22, 2013: 9:00AM
Bid Stop: Monday, June 1, 2013: 3:00PM

Auction 11: ViewSonic 17" Monitor Model VS11366 Serial# QAN071720766

Bid Start: Wednesday, May 22, 2013: 9:00AM
Bid Stop: Monday, June 1, 2013: 3:00PM

Auction 12: Dell Power Vault 100T DAT 72 Tape Drive/Digital Data Storage Model CD72LWH Ser. # HV0LZ0D

Bid Start: Wednesday, May 22, 2013: 9:00AM
Bid Stop: Monday, June 1, 2013: 3:00PM

Auction 13: Durabook 15" Laptop - Windows Vista Model R15D Serial#N15RI-SL-D2

Bid Start: Wednesday, May 22, 2013: 9:00AM
Bid Stop: Monday, June 1, 2013: 3:00PM

Auction 14: General Dynamics GD6000 15" Laptop – Windows XP Model GD6000 Serial# 914J901005G9210072AM000

Bid Start: Wednesday, May 22, 2013: 9:00AM

Bid Stop: Monday, June 1, 2013: 3:00PM

Auction 15: General Dynamics Go Book VR-2 15" Laptop – Windows XP Model 1X605 Serial# 914T1Z1003G83400A68M000

Bid Start: Wednesday, May 22, 2013: 9:00AM

Bid Stop: Monday, June 1, 2013: 3:00PM

Auction 16: Cisco 1700 Series Router Model 1721 Serial# JMX0637F26S

Bid Start: Wednesday, May 22, 2013: 9:00AM

Bid Stop: Monday, June 1, 2013: 3:00PM

RESOLUTION 13-142

Installation of Communications Equipment atop Davit Water Tank by Two Bridges Sewer Authority (TBSA)

WHEREAS, the Borough of Lincoln Park and the Two Bridges Sewer Authority (TBSA) have enjoyed reciprocating arrangements in the past for radio communications; and

WHEREAS, Two Bridges Sewer Authority desires to place a new SC-229 6 Db. gain Vhf antenna and feed line atop the Davit Water Tank; and

WHEREAS, TBSA also desires to install in an equipment enclosure adjacent to the Davit Water Tank a GTR-8000 Repeater and Duplexer; and

WHEREAS, the contractor for TBSA, Royal Communications, will remove an existing obsolete low band antenna system as part of the project; and

WHEREAS, the Borough of Lincoln Park will provide a four-wire circuit and IP system to control the Repeater:

WHEREAS, TBSA and Royal Communications will be required to provide proper certificates of insurance prior to commencement of said project; and

WHEREAS, any communication interference caused by the equipment to be installed by TBSA will result in the immediate shut down of the repeater and any remedy will be the responsibility of TBSA/Royal Communications.

NOW THEREFORE BE IT RESOLVED, the governing body of the Borough of Lincoln Park hereby authorizes the installation by TBSA of a new SC-229 6 Db. gain Vhf antenna and feed line atop the Davit Water Tank as well as a GTR-8000 Repeater and Duplexer in an adjacent equipment enclosure and the removal of an obsolete low band antenna system.

BE IT FURTHER RESOLVED, by the Borough council of the Borough of Lincoln Park that we do hereby authorize Borough Administrator Perry Mayers to enter into an Agreement (attached) between the owner of the Davit Tank (Borough of Lincoln Park) and the Contractor (TBSA/Royal Communications) detailing Insurance, Indemnification, and Safety requirements.

RESOLUTION R13-143

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>
38365-38525		
38365 thru 38378	Current	\$ 1,168,943.01
1141 thru 1151	Accutrack	15,820.75
1175	Administrative Resale	400.00
1310 & 1311	Dog License	31.20
3194 thru 3199	General Capital	67,269.09
2506 thru 2509	General Trust	24,814.00
2657 thru 2659	Grants	39,880.00
1983	Recycling Trust	515.28
2850	Water Capital	360.00
7444 thru 7449	Water Utility	131,907.72

Regular Meeting Checks 7444-7462

RESOLUTION R13-144

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>
CURRENT			
<u>CONFIRMED CHECKS:</u>			
38365	Net Payroll	Void for Payroll	\$130,366.85
38366	Payroll Escrow	Void for Payroll	\$93,985.87
38367	Pitney Bowes	Purchase Power	\$1,152.41
38368	USPS	Postage	\$2,000.00
38369	Net Payroll	Void for Payroll	\$125,581.63
38370	Payroll Escrow	Void for Payroll	\$94,537.08
38371	NJMEB Fund	Benefits	\$138,809.00
38372	Treasurer, State of NJ	Registration	\$80.00
38373	Prudential	DCRP	\$209.12
38374	Net Payroll	Void for Payroll	\$133,553.57
38375	Payroll Escrow	Void for Payroll	\$101,000.93
38376	Treasurer, State of NJ	Licensing Fees PAL	\$220.00
38377	Treasurer, State of NUJ	Licensing Fees School	\$220.00
38378	USPS	Postage	\$3,000
	Regular Meeting Checks	38379 – 388525	\$344,226.55
<u>GENERAL TRUST</u>			
2506	Viking	Food Pantry	\$96.00

WATER UTILITY

7444	Net Payroll	Voided for Payroll - book transfer	\$9,276.64
7445	Payroll Escrow	Voided for Payroll – book transfer	\$7,848.45
7446	Net Payroll	Voided for Payroll – book transfer	\$9,376.66
7447	Payroll Escrow	Voided for Payroll – book transfer	\$6,415.92
7448	Net Payroll	Voided for Payroll – book transfer	\$8,207.01
7449	Payroll Escrow	Voided for Payroll – book transfer	\$5,942.54
	Regular Meeting Checks	7450 – 7462	\$131,907.72

Kerwin Call the Roll.

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

Ross: Yes, however I Abstain from R13-143 & R13-144.

The Resolutions were Adopted.

VIII. REGULAR AGENDA:

Kerwin: Resolutions R13-145 through R13-147

Thompson: So Moved

Cardillo: Second

RESOLUTION R13-145

BE IT RESOLVED, by the Governing Body of the Borough of Lincoln Park that the following are hereby appointed as members of the County Alliance Steering Subcommittee (CASS) for a term of one (1) year to expire on December 31, 2013 without salary.

Janet Cassidy	Rose Lynn Shawah
David Runfeldt	Mary Vineis
Perry Mayers	Patti Delaporte
Dina Valente	Lori Johnson
Mark West	Cathy Aduato
William Karback	Toni Smith
James Grube	Diane Marchione
Michael Meyer	Jillian Marchione
Michelle Bammer	Jack Cassidy
Wendy Vander Vliet	Rich Williams
Sue Iapocce	Jaclyn Braddock

RESOLUTION R13-146

**BOROUGH OF LINCOLN PARK, NJ
SELF-EXAMINATION OF BUDGET RESOLUTION**

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Borough of Lincoln Park has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2013 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the Borough of Lincoln Park that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate and correctly stated,
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.

5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.

6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

Vote recorded as follows:

Yes: Cardillo, Gemian, Ross, Thompson, Wild, Kerwin.

No: None

Abstain: None

Absent: Pepe

RESOLUTION 13-147

WHEREAS, on February 19, 2013, the Borough of Lincoln Park ("Borough") adopted Resolution Number R13-92, which accepted a quote for dental insurance coverage from Horizon Blue Cross and Blue Shield effective June 1, 2013 through May 31, 2015, appointed IMAC Insurance Agency LLC as the Borough's Dental broker beginning June 1, 2013, and appointed Business Analysis Inc. as the Borough's Dental Self Pay Retiree biller and Dental COBRA Administrator effective June 1, 2013 through May 31, 2015; and

WHEREAS, in response to various concerns by current Borough employees and retirees, on March 18, 2013, the Borough adopted Resolution No. 13-110, which authorized the Business Administrator to seek proposals for Dental Health Benefits; and

WHEREAS, the award of the contract to Business Analysis Inc. as set forth in Resolution No. 13-92 was not the subject of the request for proposals and remains unchanged; and

WHEREAS, on April 19, 2013, the Business Administrator received proposals from Dave Vozza, The Vozza Agency Inc. ("Vozza") and Joseph Maurillo, IMAC Insurance Agency, LLC ("IMAC"); and

WHEREAS, Vozza submitted three proposals including a Current Plan with Premier Network with monthly premium costs of \$53.00 for the single rate, \$85.00 for the parent/child rate, \$129.00 for the husband/wife rate, and \$148.00 for the family rate; and

WHEREAS, the second proposal submitted by Vozza was a Current Plan with Advantage Network with monthly premium costs of \$42.00 for the single rate, \$68.00 for the parent/child rate, \$103.00 for the husband/wife rate, and \$118.00 for the family rate; and

WHEREAS, the third proposal submitted by Vozza was a Current Plan with PPO Network with monthly premium costs of \$37.00 for the single rate, \$60.00 for the parent/child rate, \$90.00 for the husband/wife rate, and \$104.00 for the family rate; and

WHEREAS, IMAC submitted two proposals including a Horizon BCBSNJ Dental Option Plan with monthly premium costs of \$36.39 for the single rate, \$74.61 for the parent/child rate, \$80.41 for the husband/wife rate, and \$126.35 for the family rate; and

WHEREAS, the second proposal submitted by IMAC was a Delta Dental PPO plus Premier Program with monthly premium costs of \$61.02 for the single rate, \$148.52 for the parent/child rate, \$97.86 for the husband/wife rate, and \$170.39 for the family rate; and

WHEREAS, after a review of all five proposals submitted it was determined that the prior experience, qualifications and client satisfaction ratings were all equal; and

WHEREAS, after a review of all five proposals submitted it was determined that only the Current Plan with Advantage Network submitted by Vozza and the Horizon BCBSNJ Dental Option Plan submitted by IMAC include a network of providers similar to what is currently offered to Borough employees and retirees; and

WHEREAS, using the current census of employees and retirees, the annual premium for the Current Plan with Advantage Network submitted by Vozza is \$100,284.00 and the annual premium for the Horizon BCBSNJ Dental Option Plan submitted by IMAC is \$94,790.00; and

WHEREAS, the Borough desires to adopt this resolution reaffirming Resolution No. 13-92, confirming the acceptance of the dental insurance coverage quote from IMAC for the Horizon Blue Cross and Blue Shield of New Jersey Dental Option Plan effective June 1, 2013 through May 31, 2015 as the lowest, responsive quote received, and appointing IMAC Insurance Agency LLC as the Borough's Dental broker beginning June 1, 2013.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Lincoln Park, County of Morris, State of New Jersey as follows:

1. Resolution No. R13-92 is hereby reaffirmed, along with any terms and conditions contained therein. The Borough accepts the dental insurance coverage quote received from IMAC for the Horizon Blue Cross and Blue Shield of New Jersey Dental Option Plan in the monthly premium costs of \$36.39 for the single rate, \$74.61 for the parent/child rate, \$80.41 for the husband/wife rate, and \$126.35 for the family rate for the period of June 1, 2013 through May 31, 2015. The Borough appoints IMAC Insurance Agency LLC as the Borough's Dental broker beginning June 1, 2013.

2. The Mayor, Business Administrator and Borough Clerk, together with all other officers, professionals and employees of the Borough, are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of this Resolution.

3. This Resolution shall take effect immediately.

Kerwin: Call the Roll.

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

The Resolutions were Adopted.

VII. MISCELLANEOUS COUNCIL COMMITTEE REPORTS:

Cardillo: I have nothing tonight. Thank you

Gemian: I would like to briefly discuss while I was riding by Ward 1, I noticed a property which has been the topic of discussion in recent council meetings has been cleaned up considerably. 1 Cheryl Court I don't know if that is a result of the property owner's initiative, or ours or both, but it looks 100% better. Front and back yard appear to be presentable. Thank you

Ross: Nothing tonight.

Thompson: I just attended my first Fire House meeting, and they are very busy. The Fire Department is attempting to raise funds to purchase new radios.

Wild: I have nothing at this time.

Kerwin: I would just like to remind everyone that the Memorial Day Parade is on Sunday, and we will meet at the Firehouse at 12 noon. The Parade will start at 2:00pm on Pleasant Avenue. The ceremony will take place at The American Legion immediately following the Parade. The Parade starts at 2:00pm this year. The Parade will take place rain or shine. If the Parade is in fact cancelled; a ceremony will be held at the American Legion Hall.

VIII. MAYOR'S AGENDA:

- 1) The Memorial Day Parade was the first item, and it begins at 2:00pm.
- 2) Early Registration for the Triathlon ends in two weeks, so get your registrations in. This will be our third annual Triathlon. The date of the Triathlon is June 30, 2013.
- 3) Lincoln Park lake will open this weekend; on Saturday morning. The Lake will be open on the weekends from now until the time school gets out. I believe that would be the weekend of the 20th of June. We also received a donation of inflatables from a family in town. We are looking forward to unveiling those items; the kids, and most of the adults seem to enjoy the inflatables at the lake.
- 4) Shop-Rite now has a Registered Dietitian on staff, and they've reached out to us, so in two weeks; at the Library we will be having our first program with the Registered Dietitian from Shop-Rite on "Label Reading" an email just went out about that today as well.
- 5) Shop-Rite has made a generous donation to the Borough, and more specifically the Food Pantry. We received a check in the amount of \$4,600.00 from Shop-Rite to our Food Pantry. The Suburban Women's Club from Pompton Plains also sent over a check for \$2,500.00 to contribute to our Food Pantry. Joyce took over the responsibility of the Food Pantry when Marian Beckwith moved out of town.

Joyce has done a phenomenal, phenomenal job running the Food Pantry. Anyone who hasn't seen our Food Pantry should take the opportunity to check it out.

IX. PUBLIC HEARING:

Kerwin: I will take a Motion for a Public Hearing.

Thompson: So Moved

Wild: Second

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 record.

Unless further time is granted by the Council he shall limit his statement to five minutes. Statements shall be addressed to 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: Seeing no members of the public wishing to come forward; I move we close the Public Portion.

Wild: Second

Council President Kerwin: Asked for a Voice Vote. The Public Hearing was Closed.

X. ADJOURNMENT:

Thompson: Motion to Adjourn.

Cardillo: Second

There being no further business to come before the Council. The May 20th, 2013 Regular Meeting was adjourned at 7:48pm.

Raymond T. Kerwin, Council President

James Van Derveer III, Deputy Borough Clerk