

**MEETING OF THE MAYOR AND COUNCIL  
JANUARY 1, 2012  
12:00 P.M.**

A Reorganization Meeting of the Mayor and Council was held on January 1, 2012, in the Municipal Building.

**MEETING CALLED TO ORDER BY BOROUGH CLERK**

**SUNSHINE LAW STATEMENT**

**ROLL CALL**

The following Council Members and Professional Staff responded to the roll call vote: Mayor Bivona, Councilman Kahwaty, Councilwoman Lota, Councilwoman Ramsey and Councilman Smith. Also present were Borough Attorney Richard Lustgarten; Borough Administrator, Gregory C. Hart and Borough Clerk Sally T. Bleeker. Councilman Kelly was absent.

**FLAG SALUTE**

**MOMENT OF SILENT REFLECTION**

**OATH OF OFFICE ADMINISTERED TO COUNCILWOMAN PAULETTE RAMSEY**

Mayor Bivona recognized Councilwoman Ramsey. Carrying on a long family tradition, Paulette has been a Councilwoman now for 17 years, Council President for five separate years, and she begins her 6th term today. Her service to Franklin Lakes is a daily affair for many, many years and she puts her heart and soul into her work. Who else drives around town with a license plate "LUVFLKS"? She is also our local historian who has worked to preserve our Borough's history including right here in this room. The pictures you see on the wall and our newly adorned presentation cabinet are the work of Paulette and her daughter. Thank you Paulette for your efforts and we all look forward to working with you in the coming years.

At this time Mayor Bivona came forward and administered the Oath of Office to Councilwoman Paulette Ramsey.

**ROLL CALL OF 2012 MAYOR AND COUNCIL MEMBERS**

The following Council Members and Professional Staff responded to the roll call vote: Mayor Bivona, Councilman Kahwaty, Councilwoman Lota, Councilman Pedone, Councilwoman Ramsey and Councilman Smith. Also present were Borough Attorney Richard Lustgarten; Borough Administrator, Gregory C. Hart and Borough Clerk Sally T. Bleeker. Councilman Kelly was absent.

**INVOCATION – RABBI CHANOCH KAPLAN**

At this time, Rabbi Chanoch Kaplan came forward and offered a blessing.

**MAYOR BIVONA'S ADDRESS**

Welcome, Happy New Year and thank you all for coming. It is clear from the turnout today that others share my sense of enthusiasm for the year ahead. Franklin Lakes is a great community with residents who care and unselfishly give of their talents. Many are here today as evidence of that commitment to our Borough. Today we celebrate

Franklin Lakes and christen the team who will lead us forward. With the support of you in this room tonight and the many others who are here in spirit, we can and will meet the challenges ahead with a goal of doing what is best for Franklin Lakes.

I do want recognize a few people today:

Former Mayor, Tom Donch  
Former Councilman, Steve Marcus  
Jules Laubner  
Roy Messaros  
Ann Swist  
Captain Joseph Seltenrich  
Former Assemblyman, John Spizziri

I congratulate Joe Kelly, who could not be here today because of an important family commitment, on his election to the Council. I will be swearing in Joe at our next meeting on Tuesday night. Combine Paulette and Joe with our returning Council members; the Honorable, Bill Smith, Nathalie Lota, Charles Kahwaty and Frank Pedone; we have a governing body that has all the requisite skills to meet our goals for the coming year. It's a great team.

I do want to take this occasion to recognize Michael Friscia. Mike's term on the Council ended in 2011 after two terms and six years on the Council. He also sat on our Planning Board since 1998. We honored Mike at our final 2011 Council meeting but I want to recognize his many years of service again today and to express our appreciation for his dedication and commitment to our Borough.

I want to also thank the governing body who gives generously while sacrificing time away from their careers and family; to all past and present members of the governing body, thank you.

I also want to thank the volunteers. Our fire, ambulance and OEM volunteers are probably our most giving, and their service, most vital. They are staffed with professionals who we entrust with our lives. They are there for us at all hours of the day and night under any circumstances. We are fortunate to have such dedicated people and we owe them a debt of gratitude.

Additionally, we have many volunteers that serve on our various boards and committees that are part of our governing process. Thank you to the many residents who volunteer their time and talents giving to our community.

I want to spend a moment recognizing one of our most important assets - Borough employees and professionals. These are the people that make this Borough tick. They are led by Greg Hart our Borough Administrator. They are a talented group of people who work very hard and tend not to get the recognition they deserve. In my two years on the governing body, I have come to know and appreciate the many special people we have working for us.

I wanted to briefly touch on some key accomplishments during this past year.

Key Accomplishments:

- Successful management within the budget that held to the 2% cap; lowered residential taxes, maintained surplus and reduced debt
- Effectively managed resources through two unusually severe storms; DPW, police, fire ambulance and OEM responded countless emergencies to keep our residents safe and protect our homes
- Vastly improved communication programs with residents with expanded scope and venues

- Restructured the building department with a strong dedication to customer service, improving client satisfaction and overall enforcement of our zoning ordinances
- Opened the Nature Preserve as a community asset and laid the foundation for a unique park for all to enjoy through a partnership with the Trail Conference
- Dedicated an improved Memorial Pond honoring to those who lost their lives to acts of terrorism
- Introduced a concussion policy to keep our kids safe in our recreation programs; opened additional venues to team activity and reinforced our Wellness campaign in our schools
- Instituted the beginnings of a Performance Management system to further build an efficient management process and completed customer service training for employees
- Laid the groundwork for an effective planning process for buildings and grounds by forming a trust account, setting a priority list and hiring an architect for the future capital needs

We have many goals for 2012 and I will work closely with our Council in the coming weeks to finalize them. My focus in these discussions will be:

**Property Taxes-** We must continue to find ways to reduce costs while maintaining our service to residents. We must continue to slowly reduce our debt and use fundraising to augment our capital plans. All of this with the goal of keeping our tax rate among the lowest in the County.

**Affordable Housing-** We must protect the natural beauty of our Borough through aggressive management of our affordable housing obligations. Once legal issues are sorted out and obligations are clear, we must be prepared to negotiate with developers.

**Capital Plan** – We must finalize our capital plans and begin active fundraising to support our public safety needs. We must develop a true capital plan with a funding plan that is feasible and meets our financial goals.

**Recreation and Parks** – We must continue to develop our recreation fields, facilities and parks through partnerships, funding grants and fundraising – Nature Preserve paths, Municipal field trails, Community Center improvements, Pulis basketball courts/parking, McBride field improvements, to name a few.

**Sewers** – We must work closely with the NWBUA to ensure that the proposed sanitary sewer lines are consistent with our business district needs and help support the continued upgrade of our business district, while keeping its low impact street plan.

**Service** – We must continue to develop our systems to track performance and customer service to we can ensure we are delivering outstanding service to our residents and taxpayers.

The New Year will be filled with challenges and I look forward to an open dialogue with residents and taxpayers. I invite your comments, suggestions and involvement. To aide in that effort, I will be starting something new, “Meet the Mayor”. Once a quarter, I will host an open house at Borough Hall for anyone who would like to attend to discuss anything on your mind. The first meeting will be January 19<sup>th</sup> at 7:00 p.m. All are welcome. Of course, my door will always be open and my cell phone on. I am usually available, so please stop by or make an appointment but to be assured of getting me.

Finally, I want to recognize the families of the governing body. To my family and those of all the governing body and volunteers, I thank you for supporting us and coping with the added attention associated with being the family of an elected official.

Following on the theme of Rabbi Kaplan's Invocation, this is a new beginning and with the spirit of teamwork and togetherness we will excel. Thank you and God Bless Franklin Lakes.

#### **NOMINATION FOR COUNCIL PRESIDENT**

Councilwoman Ramsey nominated Councilman Kahwaty for Council President. Councilman Smith seconded the motion.

#### Roll Call:

Ayes: Kahwaty, Lota, Pedone, Ramsey, Smith  
Nays: None  
Abstain:  
Absent: Kelly  
Motion approved.

#### **PROCLAMATION**

### **THANK YOU AND APPRECIATION TO VOLUNTEERS**

**WHEREAS**, the residents of the Borough of Franklin Lakes have been fortunate during 2011 to receive the benefits of many services and programs provided by the Borough; and

**WHEREAS**, many of these programs and services are available as a result of the time and effort of many volunteers; and

**WHEREAS**, some of the services and programs which are supported or provided in part or entirely by volunteers include:

Fire Department  
Ambulance Corps  
Planning Board  
Board of Adjustment  
Board of Health  
Recreation & Parks Committee  
Shade Tree Commission  
Environmental Commission  
Local Emergency Planning Council  
Franklin Lakes Reservoir Advisory Committee  
Franklin Lakes Reservoir Executive Committee  
Juvenile Conference Committee  
Municipal Alliance

**NOW, THEREFORE, I, MAYOR FRANK BIVONA**, Mayor of the Borough of Franklin Lakes, on behalf of the Mayor and Council and the residents of the Borough, do hereby recognize, thank and extend our deepest appreciation to all of the volunteers that donate their invaluable services, time, and efforts to their fellow citizens

**IN WITNESS HEREOF**, I have hereunto set my Hand and caused the Seal of the Borough of Franklin Lakes to be affixed this 1st of January, 2012.

#### **OATH OF OFFICE ADMINISTERED TO OFFICERS**

**Fire Department**

Mayor Bivona called forth and administered the Oath of Office to the following Fire Department Officers:

- Fire Chief Denny Knubel
- Assistant Fire Chief Lawrence Kohan
- Captain Ryan Dodd
- Captain Ronald Meyers Jr.
- Lieutenant Jeremy Donch
- Lieutenant Thomas Pianettini
- President James Webb

**Ambulance Corps**

Mayor Bivona called forth and administered the Oath of Office to the following Ambulance Corps Officers:

- Captain Marc McKeon
- 1<sup>st</sup> Lieutenant Dana Emmer
- 2<sup>nd</sup> Lieutenant Fred Emmer
- 3<sup>rd</sup> Lieutenant Laurie Burnette
- President Kelly Larson

**APPOINTMENTS**

**2012 Standing Council Committee Appointments**

Mayor Bivona offered the following Council Committee appointments:

- |                               |         |         |
|-------------------------------|---------|---------|
| • Public Safety               | Lota    | Ramsey  |
| • Recreation and Parks        | Smith   | Kelly   |
| • Environmental and Community | Pedone  | Kahwaty |
| • Public Works                | Ramsey  | Lota    |
| • Planning and Development    | Kahwaty | Pedone  |
| • Finance and Administration  | Kelly   | Smith   |

Motion made by Council President Kahwaty to accept the Council Committee appointments, seconded by Councilman Smith. Discussion – none.

**Roll Call:**

- Ayes: Kahwaty, Lota, Pedone, Ramsey, Smith
- Nays: None
- Abstain:
- Absent: Kelly
- Motion approved.

**Professionals & Staff Appointments**

**The Mayor offers the following staff appointments:**

- |   |                    |
|---|--------------------|
| Superintendent Department of Public Works | Brian Peterson     |
| Recycling Coordinator                     | Richard Lilienthal |
| Tax Collector                             | Philip Moore       |
|   | 4 year Appointment |
| Deputy CFO/Payroll Clerk                  | Philip Moore       |
| Municipal Finance Associate               | Meena Sivakumar    |
| Deputy Court Administrator                | Judy Lubrano       |

Deputy Borough Clerk  
Substitute Electrical Inspector  
Substitute Electrical Inspector  
Substitute Plumbing Inspector  
Substitute Fire Inspector  
Substitute Construction Code Official  
Substitute Construction Code Official  
Zoning Officer  
Recreation & Parks Director  
Juvenile Bureau Officer  
Traffic Bureau Officer  
Detectives

Marshals-2012  
Engineers to the Fire Dept. – Chief

Fire Prevention Chief  
Fire Inspectors

Jennifer Crespo  
Lawrence Kalogera  
John Lane  
John Wittekind  
John Wittekind  
John Wittekind  
Thomas Gensheimer  
Raymond Dressler  
John Ciurciu  
Jeffrey Jost  
Robert Lyon  
John Bakelaar  
Jeffrey Jost  
Anthony Pacelli  
Lynn VerHage  
Chester Kowalski  
Denny Knubel  
Ryan Dodd  
Charles Bohny, Jr.  
Ronald Meyers, Jr.  
Steven Linz  
Brian Dalton  
John Stokes  
David Williams  
Robert Payton

**The Mayor offers the following professional appointments:**

Municipal Court Judge

Municipal Court Prosecutor  
Alternate Municipal Court Prosecutor  
Public Defender  
Borough Attorney  
Borough Engineer  
Borough Auditor  
Bond Counsel  
Risk Management Consultants  
Grant Professional  
Labor Attorney  
Borough Appraiser  
COAH Counsel  
Special Tax Appeal Attorney

Insurance Commissioner

Francis J. Leddy  
3 Year Appointment  
Mark R. DiMaria  
Arthur Balsamo  
Salvador Sclafani  
Goodman & Lustgarten  
Boswell/McClave  
Lerch, Vinci & Higgins  
Wolff & Samson PC  
PIA McCarthy Forde  
Capital Alternatives  
Ruderman & Glickman  
McNerney & Associates  
Stickel, Koenig & Sullivan  
Gittleman, Muhlstock &  
Chewcaskie, L.L.P.  
G. Thomas Donch

Motion by Councilman Smith to approve the Professional and Staff appointments, seconded by Councilwoman Lota. Discussion – none.

Roll Call:

Ayes: Kahwaty, Lota, Pedone, Ramsey, Smith  
Nays: None  
Abstain:  
Absent: Kelly  
Motion approved.

**Boards/Committees/Commissions**

The Mayor offers the following appointments:

**Board of Health: 3 year appointment**

Jim Vieldhouse		3 year term
Carlos Perez		1 year unexpired term
Stephan Billstein	Alternate #1	1 year unexpired term

**Environmental Commission: 3 year appointment**

Susan Barbuto	3 year term
Harold Holden	3 year term
Donald Scine	3 year term

**Planning Board:**

Frank Bivona, Mayor	Class I	1 year term
Steve Linz	Class II	1 year term
Peter Gostkowski	Class IV	4 year term
Kim Vierheilig	Class IV	1 year unexpired term
Jay Lazerowitz	Alternate #1	2 year term

**Library Board: 5 year appointment**

Ann Swist	5 year term
Frank Romano	1 year term

**Zoning Board of Adjustment: 4 year appointment**

Alexandra Schoenberg	Alternate #1	2 year term
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**Recreation Committee: 3 year appointment**

Brian Winters	3 year term
Ron Carti	3 year term
Peter Sacco	1 year unexpired term

**Shade Tree:**

Marion Mahn	5 year term
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**Emergency Management Council:**

**Local Emergency Planning Committee (LEPC)**

Frank Bivona	Mayor	One Year Term
Nathalie Lota	Councilwoman	One Year Term
Lt. Donald Osenbruck	OEM Deputy Coordinator	One Year Term
Denny Knubel	Fire Chief	One Year Term
Marc McKeon	Ambulance Corps. Captain	One Year Term
Gregory Hart	Borough Administrator	One Year Term
Brian Peterson	Supt. of Public Works	One Year Term
Frank Romano, III	Supt. of K-8 Schools	One Year Term
Denise Tulp	Medco Rep.	One Year Term
Anthony Albanese	Becton Dickenson Rep.	One Year Term

Motion by Council President Kahwaty to approve the Boards, Committee and Commission appointments, seconded by Councilwoman Lota. Discussion – none.

Roll Call:

Ayes: Kahwaty, Lota, Pedone, Ramsey, Smith  
Nays: None  
Abstain:  
Absent: Kelly  
Motion approved.

At this time, Mayor Bivona called forward those present and swore them in.

**CONSENT RESOLUTION**

**Resolution 01-12**

**BE IT RESOLVED** that the following resolutions, placed on the agenda by consent, require no discussion and the same having been previously reviewed by each Governing Body member, be and are hereby adopted in the entirety by the Mayor and Council of the Borough of Franklin Lakes. Full text of all consent agenda resolutions found after Adjournment.

- Resolution 02-12 Establish 2012 Temporary Budget Appropriations
- Resolution 03-12 Official Bank Depositories
- Resolution 04-12 Official Signatures
- Resolution 05-12 Official Meeting Dates
- Resolution 06-12 Official Newspapers
- Resolution 07-12 Cancellation of Property Taxes Under \$10.00
- Resolution 08-12 Enforcement Officers
- Resolution 09-12 Rate of Interest on Delinquent Taxes
- Resolution 10-12 Authorize Borough Clerk to Maintain Petty Cash Fund
- Resolution 11-12 Authorize Recreation & Parks Director to Maintain Petty Cash Fund
- Resolution 12-12 Designation of Public Agency Compliance Officer
- Resolution 13-12 Volunteer Tuition Credit Program
- Resolution 14-12 Authorization for Expenditures
- Resolution 15-12 Cooperative Pricing Agreement
- Resolution 16-12 Approval of By-Laws
- Resolution 17-12 COAH Administrative Agent

Resolution read and introduced by Council President Kahwaty. Seconded by Councilwoman Ramsey.

Roll Call:

Ayes: Kahwaty, Lota, Pedone, Ramsey, Smith  
Nays: None  
Abstain:  
Absent: Kelly  
Motion approved.

**PUBLIC'S OPPORTUNITY TO SPEAK**

Motion to open the time for public comment was made by Councilman Smith, seconded by Councilwoman Lota. Discussion – None.

Roll Call:

Ayes: Kahwaty, Lota, Pedone, Ramsey, Smith  
Nays: None  
Abstain:  
Absent: Kelly  
Motion approved.

No one from the public came forward at this time.

Motion to close the time for public comment was made by Council President Kahwaty, seconded by Councilman Smith. Discussion – None.

Roll Call:

Ayes: Kahwaty, Lota, Pedone, Ramsey, Smith  
Nays: None  
Abstain:  
Absent: Kelly  
Motion approved.

**BENEDICTION – RABBI CHANOCH KAPLAN**

At this time Rabbi Chanoch Kaplan came forward and gave the benediction and blessing.

**OLD BUSINESS**

No Old Business at this time.

**NEW BUSINESS**

No New Business at this time.

**ADJOURNMENT**

Motion made by Councilman Smith to adjourn at 12:48, seconded by Councilwoman Lota. Discussion – none.

Roll Call:

Ayes: Kahwaty, Lota, Pedone, Ramsey, Smith  
Nays: None  
Abstain:  
Absent: Kelly  
Motion approved.

**Resolution 02-12 Establish 2012 Temporary Budget Appropriations**

**WHEREAS**, Section 40:44-19 of Revised Statutes of the Local Budget Act provides that, where any contracts, commitments or payments are to be made prior to the adoption of the CY 2012 budget, temporary appropriations be made before January 31, 2012 for the purposes and amounts required and in the manner and time therein provided; and

**WHEREAS**, the total appropriations as made shall not exceed 26.25% of the total appropriations made for all purposes in the budget of the preceding calendar year excluding, in both instances, appropriations made for interest and Debt Redemption Charges, Capital Improvement Fund and Public Assistance; and,

**WHEREAS**, the date of this resolution is within the first thirty days of January, 2012; and,

**WHEREAS**, the total appropriations in the CY 2011 budget exclusive of any appropriations made for Debt Service, Capital Improvement Fund, and for Public Assistance (Relief), is the sum of \$13,213,330.00, and,

**WHEREAS**, 26.25% of the total appropriations of the CY 2011 budget exclusive of any appropriations made for Debt Service, Capital Improvement Fund, and Public Assistance (Relief) in said budget is the sum of \$3,468,499.13.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Franklin Lakes, County of Bergen, New Jersey that the following temporary appropriations be made and that a certified copy of this resolution be transmitted to the Treasurer for his records.

**Resolution 03-12      Official Bank Depositories**

**RESOLVED**, that the Mayor's designation of the TD Bank, Bank of America, and Valley National Bank as the official depositories for the Borough for 2012 be confirmed. Also the Cash Management plan of the Borough pursuant to N.J.S.A. 40:A5-14

**Resolution 04-12      Official Signatures**

**WHEREAS**, the Borough of Franklin Lakes has funds deposited in certain banking institutions; and,

**WHEREAS**, official signatures are required on certain check and documents pertaining to the transaction of the business of the said Borough;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Franklin Lakes, County of Bergen, State of New Jersey, that the following named officials are authorized to affix their signatures on all checks during the year 2012:

- Frank Bivona, Mayor
- Sally T. Bleeker, Borough Clerk
- William G. Pike, Chief Financial Officer

**BE IT FURTHER RESOLVED** that, in the absence of the aforementioned officials, the following named persons be authorized to affix their signatures to any checks:

- Charles Kahwaty, Council President for Mayor
- Gregory C. Hart, Borough Administrator for Borough Clerk
- Philip Moore, Tax Collector/Deputy Chief Financial Officer for Chief Financial Officer

**BE IT FURTHER RESOLVED** that the following named officials are authorized to affix their signatures to approve vouchers for payment during the year 2012:

- Gregory C. Hart, Borough Administrator
- William G. Pike, Chief Financial Officer

**BE IT FURTHER RESOLVED** that, in the absence of the aforementioned officials, the following named persons be authorized to affix their signatures to any vouchers:

- Sally T. Bleeker, Borough Clerk for Borough Administrator
- Philip Moore, Tax Collector/Deputy Chief Financial Officer for Chief Financial Officer

**Resolution 05-12      Official Meeting Dates**

**BE IT RESOLVED**, that the Regular Council Meeting dates for 2012 shall be as follows: Reorganization Meeting, January 1, 2012 at 12 Noon; Regular Meetings to be held at 7:30 PM on January 17, February 21, March 20, April 19, May 15, June 19, July 17, August 21, September 20, October 16, November 20 and December 18. Reorganization and Regular Meetings will be held in the Council Chamber 480 DeKorte Drive Franklin Lakes, NJ 07417

**BE IT FURTHER RESOLVED**, that the following order of business be adopted and followed at all Regular Meetings held during 2012:

1. Meeting Called to Order
2. Roll Call
3. Salute to the Flag
4. Moment of Silent Reflection
5. Open time for Public Comment
6. Public Hearings
7. Consent Agenda
8. Resolutions
9. Old Business
10. New Business; introduction of Ordinances
11. Adjournment, and

**BE IT FURTHER RESOLVED**, that Supplementary Meetings shall be held as follows: Supplementary Meetings will be held at 7:30 PM on January 3, February 7, March 6, April 3, May 1, June 7, July 3, August 7, September 4, October 2, November 1 and December 4 all Supplementary Meetings will be held in the Conference Room 480 DeKorte Drive Franklin Lakes, NJ 07417; and

**BE IT FURTHER RESOLVED**, that Special and Work Session Meetings may include the following:

1. Meeting Called to Order
2. Roll Call
3. Salute to the Flag
4. Moment of Silent Reflection
5. Open time for Public Comment
6. Consent Agenda
7. Mayor's Report
8. Committee/Liaison Reports
9. Old Business
10. New Business
11. Adjournment

**Resolution 06-12      Official Newspapers**

**BE IT RESOLVED**, that the Mayor's designation of the, The Record, Hackensack, NJ, Herald News, Hackensack, NJ, Ridgewood News, Hackensack, NJ and Star Ledger, Newark, NJ as the official newspapers of the Borough for 2012 be confirmed.

**BE IT FURTHER RESOLVED**, that franklinlakes.org is the official electronic news medium for the Borough of Franklin Lakes.

**Resolution 07-12 Cancellation of Property Taxes Under \$10.00**

**WHEREAS**, N.J.S.A. 40A:5-17 allows for the cancellation of property tax refunds or delinquent amounts of less than \$10.00; and,

**WHEREAS**, the Governing Body may authorize a municipal employee chosen by said body to process, without further action on their part, any cancellation of property tax refunds or delinquencies of less than \$10.00.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Franklin Lakes, County of Bergen, State of New Jersey, hereby authorize the Tax Collector to cancel said tax amounts as deemed necessary.

**BE IT FINALLY RESOLVED**, that a certified copy of this resolution be forwarded to the Tax Collector and Borough Auditor.

**Resolution 08-12 Enforcement Officers**

**BE IT RESOLVED**, that the Zoning Officer, Construction Officer, Department of Public Works Superintendent and all members of the Police Department shall be designated as the enforcement officers to enforce the provisions of Chapter 220, Uniform Construction Codes; Chapter 425, Streets and Sidewalks; and Chapter 300, Land Use and Development of the Borough of Franklin Lakes, and that the Zoning Officer, the Construction Officer, Department of Public Works Superintendent and all members of the Police Department shall cause persons, firms or corporations in violation thereof, to be prosecuted.

**Resolution 09-12 Rate of Interest on Delinquent Taxes**

**BE IT RESOLVED**, that the rate of interest on delinquent taxes and assessments shall be fixed at the rate of 8 percentum per annum for the year 2012, on the first \$1,500.00 of the delinquency and at the rate of 18 percentum per annum on any amount of delinquency in excess of \$1,500.00; except that no interest shall be charged if payment of any installment is made within the ten (10) days after the date upon which same became payable.

**WHEREAS**, R.S. 54:4-67 has been amended to permit a 6% penalty charged on any delinquency in excess of \$10,000.00 if not paid by the end of the calendar year, and

**BE IT FURTHER RESOLVED**, that interest be computed on delinquent taxes to the day payment is received in the Tax Collector's Office, and

**BE IT FURTHER RESOLVED**, that the Tax Collector be authorized to hold the annual tax sale on delinquent taxes as required by P.L. 1997 Chapter 99.

**BE IT FURTHER RESOLVED**, that when the 10<sup>th</sup> day of grace period falls on a Saturday or Sunday, it is due on the following Monday, and if the following Monday is a legal holiday, it will be due and payable on the following Tuesday, and

**BE IT FURTHER RESOLVED**, that in the event a check received in payment of property taxes is returned because of insufficient funds, a charge of \$20.00 will be imposed against said property. Further, where a check for insufficient funds is received, it shall be as though the taxes were not paid and interest shall accrue as outlined herein until proper payment is made.

**Resolution 10-12 Authorize Borough Clerk to Maintain Petty Cash Fund**

**WHEREAS**, N.J.S.A. 40A:521 authorizes the establishment of a Petty Cash Fund for the Borough Clerk's Office of the Borough of Franklin Lakes; and

**WHEREAS**, said Petty Cash Fund was established by resolution dated March 11, 1981, by the Borough of Franklin Lakes; and

**WHEREAS**, said Petty Cash Fund received approval from the Director of Local Government Services on March 30, 1981 and

**WHEREAS**, it is the desire of the Council that the said fund be continued under the direction of the Borough Clerk.

**NOW THEREFORE, BE IT RESOLVED**, on this 1st day of January 2012, by the Mayor and Council of the Borough of Franklin Lakes that:

1. During the year 2012, Sally T. Bleeker, Borough Clerk be and is hereby authorized and permitted to establish a Petty Cash Fund in the amount not to exceed \$500.00 pursuant to the provisions of N.J.S.A. 40A:5-21. Said Petty Cash will be used by such office or department to pay claims for small miscellaneous expenses.
2. Sally T. Bleeker, Borough Clerk, having custody of the Fund be bonded in an amount not less than \$50,000.00 maintain said Fund in accordance with the laws and regulations governing its operation.

**Resolution 11-12      Authorize Recreation & Parks Director to Maintain Petty Cash Fund**

**WHEREAS**, N.J.S.A. 40A:521 authorizes the establishment of a Petty Cash Fund for the Recreation & Parks Committee of the Borough of Franklin Lakes; and

**WHEREAS**, said Petty Cash Fund was established by resolution dated October 9, 1996, by the Borough of Franklin Lakes; and

**WHEREAS**, said Petty Cash Fund received approval from the Director of Local Government Services on November 25, 1996, and

**WHEREAS**, it is the desire of the Council that the said fund be continued under the direction of the Recreation & Parks Director

**NOW THEREFORE, BE IT RESOLVED**, on this 1<sup>st</sup> day of January 2012, by the Mayor and Council of the Borough of Franklin Lakes that:

1. During the year 2012, John Ciurciu, Recreation & Parks Director be and is hereby authorized and permitted to establish a Petty Cash Fund in the amount not to exceed \$100.00 pursuant to the provisions of N.J.S.A. 40A:5-21. Said Petty Cash Fund will be used by such office or department to pay claims for small miscellaneous expenses.
2. John Ciurciu, Recreation & Parks Director, having custody of the Fund, be bonded in an amount not less than \$50,000.00 and will maintain said Fund in accordance with the laws and regulations governing its operation.

**Resolution 12-12      Designation of Public Agency Compliance Officer**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Franklin Lakes that Gregory C. Hart, Borough Administrator, be designated as the Public Agency Compliance Officer (P.A.C.O.) for the Borough of Franklin Lakes.

**Resolution 13-12 Volunteer Tuition Credit Program**

**WHEREAS**, the Mayor and Council of the Borough of Franklin Lakes, County of Bergen, deems it appropriate to enhance the recruitment and retention of volunteer firefighters and emergency medical volunteers in the Borough of Franklin Lakes; and

**WHEREAS**, the State of New Jersey has enacted P.L. 1998, c. 145 which permits municipal governments to allow their fire fighting and emergency medical volunteers to take advantage of the Volunteer Tuition Credit Program at no cost to the municipal government.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Franklin Lakes, County of Bergen, that the Volunteer Tuition Credit Program set forth in P.L. 1998, c. 145 is herewith adopted for the volunteer firefighters and emergency medical volunteers in the municipality; and

**BE IT FURTHER RESOLVED**, that the Borough Administrator is herewith delegated the responsibility to administer the program and is authorized to enter into all agreements and to maintain files of all documents as may be required under the P.L. 1998, c. 145, a copy of which is herewith made part of this resolution.

**Resolution 14-12 Authorization for Expenditures**

**BE IT RESOLVED**, that no expenditure in excess of \$5,400.00 be expended from budget appropriations without prior authorization of the Mayor and Council, and further, that the provisions of this be null and void in emergency conditions involving Police, Fire and Road Departments.

**Resolution 15-12 Cooperative Pricing Agreement**

**WHEREAS**, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

**WHEREAS**, the Township of Wyckoff, hereinafter referred to as the "Lead Agency " has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services;

**WHEREAS**, on January 1, 2012 the governing body of the Borough of Franklin Lakes, County of Bergen, State of New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services;

**NOW, THEREFORE BE IT RESOLVED** as follows:

**TITLE**

This RESOLUTION shall be known and may be cited as the Cooperative Pricing Resolution of the Borough of Franklin Lakes

**AUTHORITY**

Pursuant to the provisions of *N.J.S.A. 40A:11-11(5)*, the Borough Administrator Gregory C. Hart, is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.

**CONTRACTING UNIT**

The Lead Agency shall be responsible for complying with the provisions of the *Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.)* and all other provisions of the revised statutes of the State of New Jersey.

**EFFECTIVE DATE**

This resolution shall take effect immediately upon passage.

**Resolution 16-12 Approval of By-Laws**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Franklin Lakes, County of Bergen, State of New Jersey, that the "By-Laws of Borough Council" annexed hereto and incorporated by reference herein, are hereby adopted.

**Resolution 17-12 COAH Administrative Agent**

**WHEREAS**, on or about December 29, 2008, the Mayor and Council of the Borough of Franklin Lakes petitioned the Council on Affordable Housing (COAH) for substantive certification of its Housing Element and Fair Share Plan; and,

**WHEREAS**, the Borough's Fair Share Plan promotes an affordable housing program pursuant to the Fair Housing Act (N.J.S.A. 52:27D-301, *et. seq.*) and COAH's Third Round Substantive Rules (N.J.A.C. 5:94-1, *et. seq.*); and,

**WHEREAS**, the Mayor and Council wish to enter into an agreement with Sterling Properties, LLC, for the purpose of administering and enforcing the affordability controls and the Borough's Affirmative Marketing Plan, in accordance with the regulations of the Council on Affordable Housing pursuant to N.J.A.C. 5:94 *et. seq.* and the New Jersey Uniform Housing Affordability Controls pursuant to N.J.A.C. 5:80-26 *et. seq.*, which agreement shall be in a form approved by the Borough Attorney; and,

**WHEREAS**, the agreement designates Sterling Properties, LLC, as the Administrative Agent for all the units in Millpond at Franklin Lakes, an inclusionary development in the Borough's affordable housing program;

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Franklin Lakes, County of Bergen and State of New Jersey, that subject to COAH's approval of this agreement, the Mayor and Borough Clerk are hereby authorized and directed to sign a two year agreement on behalf of the Borough with Sterling Properties, LLC, designating Sterling Properties, LLC, as the Administrative Agent for affordable housing units in Millpond at Franklin Lakes, in a form approved by the Borough Attorney; and,

**BE IT FURTHER RESOLVED** that the Municipal Housing Liaison shall act as the liaison to Sterling Properties, LLC; and,

**BE IT FINALLY RESOLVED** that a certified copy of this resolution be forwarded to the New Jersey Council On Affordable Housing and to Sterling Properties, LLC.

Respectfully submitted

  
Sally T. Bleeker, Borough Clerk