

MEETING OF THE MAYOR AND COUNCIL

April 17, 2012

7:30 P.M.

A regular meeting of the Mayor and Council was held on Tuesday, April 17, 2012 in the Municipal Building.

MEETING CALLED TO ORDER

ROLL CALL

The following Council Members and Professional Staff responded to the roll call: Mayor Bivona, Council President Kahwaty, Councilman Kelly, Councilwoman Lota, Councilman Pedone, Councilwoman Ramsey, and Councilman Smith. Also present were Borough Administrator Greg Hart, Borough Attorney Richard Lustgarten, Chief Financial Officer William Pike and Borough Clerk Sally Bleeker.

SUNSHINE LAW STATEMENT

Borough Clerk, Sally Bleeker, read the Sunshine Law Statement.

FLAG SALUTE

MOMENT OF SILENT REFLECTION

APPOINTMENT

Scott A. Visbeen - Franklin Lakes Junior Fire Fighter

A motion to appoint Scott A. Visbeen as Junior Fire Fighter was made by Council President Kahwaty, seconded by Councilmember Ramsey.

Roll Call Vote:

Ayes: Kahwaty, Kelly, Lota, Pedone, Ramsey, Smith.

Nays: None

Abstain:

Absent:

Motion Approved.

Scott A. Visbeen was sworn in as a Franklin Lakes Junior Fire Fighter by Mayor Bivona.

2012 CERT Volunteers

Motion to appoint the following individuals as the Borough's 2012 CERT Team volunteers was made by Councilmember Pedone, seconded by Councilmember Ramsey.

Joseph Barcelo	John Benedetto	Noelle Benedetto
Robert Davidson	Dr. Drew Dellapi	Craig Goldman
Dave Kampschmidt	Mike Koeller	Marion Koprowski
Diane Lane	Constantine Lenas	Gail Lowenstein
Don Osenbruck	Lynn Pagano	Joni Parekh
Jill Piccoli	Michael Piccoli	Chris Pontrelli
Frances Rottino	Chris Russo	Loria Russo
Linda Schmidt	Sabrina Schmidt	Constantine Skamas
Ronald Smith	Denise Tulp	Herb Humland
Gina Ventura	Ricardo Ventura	Judy Vernon
Nelson Winokur	Robert Wolfgang, Jr.	Lucrecia Yentura

Roll Call Vote:

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

Stephen Billstein - Board of Health - (unexpired term)

Motion to appoint Stephan Billstein to Hanz Maunz unexpired term was made by Council President Kahwaty, seconded by Councilmember Pedone.

Roll Call Vote:

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

RESIGNATION

Mayor Accepts Resignation of Richard Lustgarten as Borough Attorney

Mayor Bivona thanked Borough Attorney Richard Lustgarten for all of his hard work and dedication. Mayor Bivona also announced his intention to appoint Councilmember Bill Smith as the Borough Attorney at the next Mayor and Council meeting on May 1st.

Councilmember Smith also thanked Richard Lustgarten for the excellent job he has done for the Borough.

Borough Attorney Lustgarten said that the Mayor and Council of Franklin Lakes is one of the finest he's ever served. He recognized the past council members Steve Marcus and Mike Friscia, as well as, the current members of the Council. He also thanked Borough Administrator Greg Hart and Borough Clerk Sally Bleeker.

Motion to accept the resignation of Borough Attorney Richard Lustgarten effective May 1st was made by Council President Kahwaty, seconded by Councilmember Ramsey.

Roll Call Vote:

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

PROCLAMATION

**Municipal Clerks Week
April 29-May 5, 2012**

WHEREAS, The Office of the Municipal Clerk, a time honored and vital part of local government exists throughout the world, and

WHEREAS, The Office of the Municipal Clerk is the oldest among public servants, and

WHEREAS, The Office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels, and

WHEREAS, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all.

WHEREAS, The Municipal Clerk serves as the information center on functions of local government and community.

WHEREAS, Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, province, county and international professional organizations.

WHEREAS, It is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk.

NOW, THEREFORE, I, FRANK BIVONA, Mayor of Franklin Lakes, do recognize the week of April 29 through May 5, 2012, as Municipal Clerks Week, and further extend appreciation to our Municipal Clerk, Sally Bleeker, and our Deputy Clerk, Jenn Crespo and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

**American Cancer Society
Paint the Town Purple Day For Relay**

WHEREAS, an estimated 50,650 New Jersey residents are diagnosed with cancer each year; and,

WHEREAS, the Borough of Franklin Lakes is joining over 5,000 other communities worldwide to host the American Cancer Society's Relay For Life, an event to celebrate cancer survivors and remember those who are no longer with us; and,

WHEREAS, Relay For Life raises funds to help the American Cancer Society create a world with less cancer and more birthdays by helping people stay well, get well, find cures and fight back; and,

NOW, THEREFORE, I, MAYOR FRANK BIVONA, Mayor of the Borough of Franklin Lakes, recognize April 28 as American Cancer Society's Paint the Town Purple Day for Relay and the official kick off of Relay For Life in the Borough of Franklin Lakes. In doing so, I urge citizens to celebrate cancer survivorship, remember loved ones lost to the disease, honor caregivers and join Franklin Lakes fight against cancer. Only together will we find a cure.

IN WITNESS HEREOF, I have hereunto set my Hand and caused the Seal of the Borough of Franklin Lakes to be affixed this 17th day of April, 2011.

OPEN THE TIME FOR PUBLIC COMMENT

Motion to open the time for public comment was made by Council President Kahwaty, seconded by Councilmember Pedone. Discussion – none.

Roll Call Vote

Ayes: Kahwaty, Kelly, Lota, Pedone, Ramsey and Smith
Nays:
Abstain:
Absent:
Motion Approved

Mayor Bivona started by sharing certain developments in regards to switching healthcare plans. The Council is still proposing the switch to a match plan. He said that they have

heard the concerns of the employees and worked on solutions. The changes that they have worked into the resolution include transitional benefits to employees receiving active treatment when BMED commences. Meaning that if an employee is being actively treated for an illness or condition by a physician that is in-network under the State Health Benefit Plan but is out-of-network under the BMED then BMED will continue provide coverage as if the physician is in-network until such time that the employee is no longer receiving active treatment for the illness or condition. Active treatment shall be defined by BMED and is not on-going treatment for a chronic long-term condition.

The Mayor also advised that claims incurred for the period of the commencement of BMED until December 31, 2012 that are in-network under the State Health Benefit Plan but out-of-network under BMED the Borough shall reimburse the employee for the difference in the deductible and the coinsurance amount. Proper documentation is needed and there is a cap of \$30,000 cumulative.

He believes this will ease some short-term financial burdens and allow a transitional period for employees to find an in-network doctor or make an arrangement with an out-of-network doctor to accept BMED's 80% coinsurance. BMED will also try to recruit the doctors that are out-of-network. This also gives employees time to opt out of the Borough's benefit and switch to a spouse's benefits if they choose.

Councilmember Lota asked if this included the employee's dependents and wanted that specified on the resolution. Borough Administrator Greg Hart said it can be added.

Councilmember Smith wanted some items added for some clarification.

Laurie Burnette – 860 Woodfield Road, came forward to wish Borough Attorney Richard Lustgarten the best. She asked what Bill Smith's salary would be. Mayor Bivona said the intent is to compensate him with the same salary as Richard Lustgarten was receiving for 2012. Then they will openly bid the 2013 contract.

Maria Berardi – 281 Myrtle Avenue, Mahwah, came forward to ask who the employees would go to if they had any problems with the way BMED was administering the plan. Mayor Bivona advised that you go to a representative at PIA McCarthy Forde. She also asked who determines what an "on-going treatment" is. Mayor Bivona said that it would be BMED working with Aetna who determines that.

Beverly Bentley – 85 Motta Avenue, North Haledon, came forward to just let them know that she feels very safe a secure with the doctors and insurance that the Borough offers now. She is not sure what will happen with BMED and it's hard to accept it.

Council President Kahwaty advised that if this new plan does not work out that they do have the option to go back. Mr. Hart expects that we will get much better service on the claims level considering that PIA McCarthy Forde has a full-time person who will be helping with claims.

Mayor Bivona also said that PIA McCarthy Forde will try to recruit some doctors who are not in-network during the transition period. Although, switching the plan will save taxpayers, they are not looking to "save at all costs", they want to make sure it's a plan that is reasonable and that can be embraced over time.

Philip Moore – Glen Rock, came forward to clarify the \$30,000 dollars asking if this money is just for active treatments. Mayor Bivona advised that is correct.

Motion to close the time for Public Comment was made by Councilmember Pedone, seconded by Councilmember Smith.

Roll Call Vote

Ayes: Kahwaty, Kelly, Lota, Pedone, Ramsey and Smith
Nays:
Abstain:

Absent:
Motion Approved

RESOLUTIONS

Motion to Table the following resolutions was made by Councilmember Smith, seconded by Council President Kahwaty.

Transitional Duty Policy – Amendment to Personnel Policy

Collective Bargaining Agreement – PBA

Collective Bargaining Agreement - AFSCME

Roll Call Vote

Ayes: Kahwaty, Kelly, Lota, Pedone, Ramsey and Smith
Nays:
Abstain:
Absent:
Motion Approved

Resolution 104-12 Agreement with Gateway BMED Plan

WHEREAS, a number of public entities in the State of New Jersey have joined together to form the Bergen Municipal Employee Benefits Fund, hereafter referred to as “Gateway BMED Fund”, as permitted by N.J.S.A. 11:15-3, 17:1-8.1, and 40A:10-36 et seq.; and,

WHEREAS, the Gateway BMED Fund was approved to become operational by the Departments of Insurance and Community Affairs and has been operational since that date; and,

WHEREAS, the statutes and regulations governing the creation and operation of a joint health insurance fund contain certain elaborate restrictions and safeguards concerning the safe and efficient administration of the public interest entrusted to such health insurance fund; and,

WHEREAS, the Mayor and Council of the Borough of Franklin Lakes determined that membership in the Gateway BMED Fund is in the best interests of the Borough of Franklin Lakes;

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Franklin Lakes, County of Bergen and State of New Jersey, hereby agrees as follows:

- i. Commence membership with the Gateway BMED Fund for the period outlined in the Borough of Franklin Lakes’ Indemnity and Trust Agreements;
- ii. Will participate in the following type of coverage: Health Insurance as defined pursuant to N.J.S.A. 17B:17-4, the Gateway BMED Fund’s Bylaws, and Plan of Risk Management;
- iii. Adopts and approves the Gateway BMED Fund’s Bylaws; and
- iv. Execute an application for membership and any accompanying certifications;

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized and directed to execute the Indemnity and Trust Agreement and such other documents signifying membership in the Gateway BMED Fund as required by the Gateway BMED Fund’s Bylaws, and to deliver these documents to the Gateway BMED Fund’s Executive

Director with the express reservation that these documents shall become effective only upon:

- i. Approval of the Borough of Franklin Lakes by the Gateway BMED Fund;
- ii. Receipt from the Borough of Franklin Lakes of a Resolution accepting assessment; and
- iii. Approval by the New Jersey Department of Insurance and Department of Community Affairs.

BE IT FURTHER RESOLVED that the plan in which the Borough is seeking to enroll is referred to in presentation and plan comparison documents as the BMED Match Plan; and

BE IT FURTHER RESOLVED that the Gateway BMED has agreed to provide transitional benefits for employees and covered dependents receiving active treatment at the time coverage with Gateway BMED commences, which means in general terms that, in the event that an employee is being actively treated for an illness or condition by a physician that is in-network under the State Health Benefits Plan and out-of-network under the Gateway BMED plan, then Gateway BMED will continue to provide coverage as though the physician were in-network under the Gateway BMED plan until such time as the employee is no longer receiving active treatment for the illness or condition, with the understanding that active treatment shall be defined by Gateway BMED and is not generally considered, among other things, ongoing treatment for a chronic or long term condition or maintenance treatment for a chronic or long term condition; and,

BE IT FURTHER RESOLVED, for claims incurred during the period from the commencement date of the Gateway BMED plan to and including December 31, 2012 for treatment by physicians that are in-network under the State Health Benefits Plan and out-of-network under the Gateway BMED plan, the Borough shall reimburse the employee for the additional expense incurred by the employee or covered dependent as the result of the difference in deductible and co-insurance amounts between coverage by an in-network physician and an out-of-network physician, upon presentation by the employee of an explanation of benefits for the claim, proof of payment by the employee, proof that the physician is in-network under the State Health Benefits Plan, and such other documentation as may be required by the Borough; provided, however, that all claims for reimbursement by an employee must be submitted to the Borough cumulatively on or before January 31, 2013, that the total amount to be paid by the Borough for all claims for reimbursement shall not exceed \$30,000, that claims shall be paid on a first-come, first-serve basis, and that the employee shall be responsible for payment of taxes, if any, required as the result of the reimbursement payment by the Borough.

Resolution read by Borough Administrator Hart and introduced by Councilmember Smith, seconded by Council President Kahwaty. Discussion -- none.

Roll Call Vote:

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

**Resolution 103-12
Terminate State Health Benefits Plan**

A Resolution to terminate participation under the State Health Benefits Program and School Employees' Health Benefits Program (including Prescription Drug Plan and/or Dental Plan coverage).

BE IT RESOLVED:

1. The Borough of Franklin Lakes hereby resolves to terminate its participation in the program (Medical Plan, Prescription Drug Plan, and/or Dental Plan coverage) thereby canceling coverage provided by the State Health Benefits Program and/or School Employees' Health Benefits Program (N.J.S.A. 52:14-17.25 et seq.) for all of its active and retired employees.
2. We shall notify all active employees of the date of their termination of coverage under the program.
3. We understand that the Division of Pensions and Benefits will notify retired employees of the cancellation of their coverage.
4. We understand that all COBRA participants will be notified by the Division of Pensions and Benefits and advised to contact our office concerning a possible alternative health, prescription drug, and dental insurance plan.
5. We understand that this resolution shall take effect the first of the month following a 60-day period beginning with the receipt of the resolution by the State Health Benefits Commission or School Employees' Health Benefits Commission.

Resolution read by Borough Administrator Hart and introduced by Councilmember Smith, seconded by Council President Kahwaty. Discussion – none.

Roll Call Vote:

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

CONSENT AGENDA
Resolution 91-12

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

- | | |
|-------------------|-------------------------------------------------|
| Resolution 92-12 | Accept Report of the Finance Committee |
| Resolution 93-12 | Tonnage Grant |
| Resolution 94-12 | Facilities Use Request – Oktoberfest |
| Resolution 95-12 | Opposing S-1451 Reforming OPMA |
| Resolution 96-12 | Opposing S-1452 Reforming OPRA |
| Resolution 97-12 | Support A-132 Unemployment for Seasonal Workers |
| Resolution 98-12 | Affordable Housing Trust Fund |
| Resolution 99-12 | Award Contract – Video Server |
| Resolution 100-12 | Rescinding Temporary Capital Budget Amendment |
| Resolution 101-12 | Capital Budget Amendment Resolution |
| Resolution 102-12 | Award Contract Lacrosse Trainers |

Resolution read and introduced by Council President Kahwaty, seconded by Councilmember Ramsey. Discussion – none.

Roll Call Vote:

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

Motion Approved.

PUBLIC HEARINGS

ORDINANCE 1539

AN ORDINANCE AMENDING CHAPTER 144 "ALCOHOLIC BEVERAGES" OF THE CODE OF THE BOROUGH OF FRANKLIN LAKES TO UPDATE CERTAIN FEES

WHEREAS, an ordinance entitled, AN ORDINANCE AMENDING CHAPTER 144 "ALCOHOLIC BEVERAGES" OF THE CODE OF THE BOROUGH OF FRANKLIN LAKES TO UPDATE CERTAIN FEES was introduced at a meeting of the Mayor and Council held on the 20th day of March, 2012 and duly published by law;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Franklin Lakes, County of Bergen, State of New Jersey, that Ordinance 1539 be and the same is hereby adopted on second and final reading; and,

BE IT FINALLY RESOLVED that the Borough Clerk is hereby authorized and directed to publish the Notice of Adoption as required by law.

Motion to open the hearing to the public and read by title only was made by Councilmember Lota, seconded by Councilmember Ramsey. Discussion – none.

Roll Call Vote:

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

Ordinance read by title only by Borough Clerk, Sally Bleeker.

No one from the public came forward.

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

Roll Call Vote:

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

Resolution read and introduced by Councilmember Lota, seconded by Councilmember Ramsey. Discussion – none.

Roll Call Vote:

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

ORDINANCE 1540

AN ORDINANCE RELATING TO SALARIES AND OTHER COMPENSATION OF OFFICERS, MANAGERIAL STAFF, CONFIDENTIAL EMPLOYEES, AND EMPLOYEES OF THE BOROUGH OF FRANKLIN

**LAKES, COUNTY OF BERGEN, STATE OF NEW JERSEY FOR THE YEAR
2012**

WHEREAS, an ordinance entitled, AN ORDINANCE RELATING TO SALARIES AND OTHER COMPENSATION OF OFFICERS, MANAGERIAL STAFF, CONFIDENTIAL EMPLOYEES, AND EMPLOYEES OF THE BOROUGH OF FRANKLIN LAKES, COUNTY OF BERGEN, STATE OF NEW JERSEY FOR THE YEAR 2012 was introduced at a meeting of the Mayor and Council held on the 20th day of March, 2012 and duly published by law;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Franklin Lakes, County of Bergen, State of New Jersey, that Ordinance 1540 be and the same is hereby adopted on second and final reading; and,

BE IT FINALLY RESOLVED that the Borough Clerk is hereby authorized and directed to publish the Notice of Adoption as required by law.

Motion to carry the public hearing to May 1st was made by Councilmember Smith, seconded by Councilmember Kelly. Discussion – none.

Roll Call Vote:

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

ORDINANCE 1541

**AN ORDINANCE SUPPLEMENTING CHAPTER 425 “STREETS AND
SIDEWALKS” OF THE CODE OF THE BOROUGH OF FRANKLIN LAKES
TO PROVIDE REQUIREMENTS FOR CURBS**

WHEREAS, an ordinance entitled, AN ORDINANCE SUPPLEMENTING CHAPTER 425 “STREETS AND SIDEWALKS” OF THE CODE OF THE BOROUGH OF FRANKLIN LAKES TO PROVIDE REQUIREMENTS FOR CURBS was introduced at a meeting of the Mayor and Council held on the 20th day of March, 2012 and duly published by law;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Franklin Lakes, County of Bergen, State of New Jersey, that Ordinance 1541 be and the same is hereby adopted on second and final reading; and,

BE IT FINALLY RESOLVED that the Borough Clerk is hereby authorized and directed to publish the Notice of Adoption as required by law.

Motion to open the hearing to the public and read by title only was made by Councilmember Pedone, seconded by Councilmember Smith. Discussion – none.

Roll Call Vote:

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

Ordinance read by title only by Borough Clerk, Sally Bleeker.

No one from the public came forward.

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

Roll Call Vote:

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

Resolution read and introduced by Council President Kahwaty, seconded by Councilmember Smith. Discussion – none.

Roll Call Vote:

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

ORDINANCE 1542

A BOND ORDINANCE AUTHORIZING VARIOUS STREET IMPROVEMENTS BY AND FOR THE BOROUGH OF FRANKLIN LAKES, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING AN AGGREGATE AMOUNT OF \$450,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$285,000 IN AGGREGATE PRINCIPAL AMOUNT OF BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF

WHEREAS, an ordinance entitled, A BOND ORDINANCE AUTHORIZING VARIOUS STREET IMPROVEMENTS BY AND FOR THE BOROUGH OF FRANKLIN LAKES, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING AN AGGREGATE AMOUNT OF \$450,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$285,000 IN AGGREGATE PRINCIPAL AMOUNT OF BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF was introduced at a meeting of the Mayor and Council held on the 3rd day of April, 2012 and duly published by law;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Franklin Lakes, County of Bergen, State of New Jersey, that Ordinance 1542 be and the same is hereby adopted on second and final reading; and,

BE IT FINALLY RESOLVED that the Borough Clerk is hereby authorized and directed to publish the Notice of Adoption as required by law.

Motion to open the hearing to the public and read by title only was made by Councilmember Pedone, seconded by Councilmember Smith. Discussion – none.

Roll Call Vote:

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

Ordinance read by title only by Borough Clerk, Sally Bleeker.

No one from the public came forward.

Motion to close the time for public comment was made by Councilmember Ramsey, seconded by Council President Kahwaty. Discussion – none.

Roll Call Vote:

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

Resolution read and introduced by Councilmember Kelly, seconded by Councilmember Ramsey. Discussion – none.

Roll Call Vote:

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

ACTION ON MINUTES

Motion to accept the minutes was made by Council President Kahwaty and seconded by Councilmember Lota:

- March 6, 2012 Worksession
- March 20, 2012 Regular Meeting

Discussion – none.

Roll Call Vote:

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

OLD BUSINESS

There was no Old Business to discuss at this time.

NEW BUSINESS

At this time Councilmember Lota advised that the Ambulance Corps building is having some items repaired by volunteers.

ORDINANCE 1543

**AN ORDINANCE AMENDING CHAPTER 247 “FEES”
OF THE CODE OF THE BOROUGH OF FRANKLIN LAKES
TO AMEND FEES FOR RECREATION PROGRAMS**

WHEREAS, an ordinance entitled AN ORDINANCE AMENDING CHAPTER 247 “FEES” OF THE CODE OF THE BOROUGH OF FRANKLIN LAKES TO AMEND FEES FOR RECREATION PROGRAMS was introduced at a meeting of the Mayor and Council held on the 17th day of April, 2012;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Franklin Lakes, County of Bergen, State of New Jersey, that Ordinance 1543 be and the same is hereby introduced on First Reading; and,

BE IT FURTHER RESOLVED that said Ordinance 1543 will be further considered for final passage at a meeting of the said Mayor and Council to be held on the 15th day of May 2012 at 7:30 pm in the evening or as soon thereafter as the matter can be reached in the Council Chambers at Borough Hall, 480 DeKorte Drive, Franklin Lakes, New Jersey, at which time and place all persons who may be interested will be given an opportunity to be heard regarding Ordinance 1543; and,

BE IT FINALLY RESOLVED that the Borough Clerk is hereby authorized and directed to publish the Introduction and Notice of Hearing as required by Law.

Motion to read by title only was made by Councilmember Lota, seconded by Councilmember Ramsey. Discussion – none.

Roll Call Vote:

Ayes: Kahwaty, Kelly, Lota, Pedone, Ramsey, Smith

Nays: None

Abstain:

Absent:

Motion Approved.

Ordinance read by title only by Borough Clerk, Sally Bleeker.

Resolution read and introduced by Councilmember Lota, seconded by Councilmember Ramsey. Discussion – none.

Roll Call Vote:

Ayes: Kahwaty, Kelly, Lota, Pedone, Ramsey, Smith

Nays: None

Abstain:

Absent:

Motion Approved.

ORDINANCE 1544

**AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 362 “PEDDLING AND SOLICITING” OF THE
CODE OF THE BOROUGH OF FRANKLIN LAKES**

WHEREAS, an ordinance entitled AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 362 “PEDDLING AND SOLICITING” OF THE CODE OF THE BOROUGH OF FRANKLIN LAKES was introduced at a meeting of the Mayor and Council held on the 17th day of April, 2012;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Franklin Lakes, County of Bergen, State of New Jersey, that Ordinance 1544 be and the same is hereby introduced on First Reading; and,

BE IT FURTHER RESOLVED that said Ordinance 1544 will be further considered for final passage at a meeting of the said Mayor and Council to be held on the 15th day of May 2012 at 7:30 pm in the evening or as soon thereafter as the matter can be reached in the Council Chambers at Borough Hall, 480 DeKorte Drive, Franklin Lakes, New Jersey, at which time and place all persons who may be interested will be given an opportunity to be heard regarding Ordinance 1544; and,

BE IT FINALLY RESOLVED that the Borough Clerk is hereby authorized and directed to publish the Introduction and Notice of Hearing as required by Law.

Motion to read by title only was made by Council President Kahwaty, seconded by Councilmember Ramsey. Discussion – Councilmember Smith stated that the courts have said that municipalities have to let people who are soliciting have the right to go to homes when the residents are more likely to be at home.

Mr. Lustgarten stated that this ordinance strikes a balance between first amendment considerations and public safety. Also, it provides reasonable accommodations for people who wish to solicit for charitable, political and other organizations and provides plenty of access to the residents of Franklin Lakes.

Roll Call Vote:

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

Ordinance read by title only by Borough Clerk, Sally Bleeker.

Resolution read and introduced by Councilmember Lota, seconded by Councilmember Smith. Discussion – none.

Roll Call Vote:

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

ORDINANCE 1545

AN ORDINANCE AMENDING CHAPTER 300 “LAND USE AND DEVELOPMENT” OF THE CODE OF THE BOROUGH OF FRANKLIN LAKES TO CLARIFY REGULATION OF ILLUMINATED SIGNS

WHEREAS, an ordinance entitled AN ORDINANCE AMENDING CHAPTER 300 “LAND USE AND DEVELOPMENT” OF THE CODE OF THE BOROUGH OF FRANKLIN LAKES TO CLARIFY REGULATION OF ILLUMINATED SIGNS was introduced at a meeting of the Mayor and Council held on the 17th day of April, 2012;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Franklin Lakes, County of Bergen, State of New Jersey, that Ordinance 1545 be and the same is hereby introduced on First Reading; and,

BE IT FURTHER RESOLVED that said Ordinance 1545 will be further considered for final passage at a meeting of the said Mayor and Council to be held on the 15th day of May 2012 at 7:30 pm in the evening or as soon thereafter as the matter can be reached in the Council Chambers at Borough Hall, 480 DeKorte Drive, Franklin Lakes, New Jersey, at which time and place all persons who may be interested will be given an opportunity to be heard regarding Ordinance 1545; and,

BE IT FINALLY RESOLVED that the Borough Clerk is hereby authorized and directed to publish the Introduction and Notice of Hearing as required by Law.

Motion to read by title only was made by Council President Kahwaty, seconded by Councilmember Smith. Discussion – none.

Roll Call Vote:

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

Ordinance read by title only by Borough Clerk, Sally Bleeker.

Resolution read and introduced by Council President Kahwaty, seconded by Councilmember Ramsey. Discussion – none.

Roll Call Vote:

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

CLOSED SESSION

BE IT RESOLVED, by the Mayor and Council of the Borough of Franklin Lakes, County of Bergen and State of New Jersey that a Closed Meeting be held on Tuesday, April 17, 2012 which begins at 7:30 PM, in the Council Chamber at the Municipal Building to discuss the following:

Closed meeting issues:

Contract Negotiations - Temple Property

BE IT FURTHER RESOLVED, that the discussion conducted in closed session shall be disclosed to the public once the matter involving the confidentiality of the above no longer requires that confidentiality, then the minutes can be made public.

NOW, THEREFORE BE IT RESOLVED, that the public be excluded from this meeting.

Motion to go into Closed Session at 8:50 PM was made by Council President Kahwaty, seconded by Councilmember Lota.

Roll Call Vote:

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

ADJOURNMENT

Motion to adjourn the meeting was made by Council President Kahwaty, seconded by Councilmember Lota. On voice vote, all in favor.

Resolution 92-12 Accept Report of the Finance Committee

RESOLVED, by the Mayor and Council of the Borough of Franklin Lakes that the report of the Finance Committee be accepted and recommendations adopted; that the report be made part of the record of this meeting; and the proper Borough Officials are hereby authorized and directed to issue warrants in the amount of \$338,487.73 as shown on the Claims Bill List; \$227.50 as shown on the Soil Account Bill List and \$145.75 as shown on the Developers Escrow List.

Resolution 93-12 Tonnage Grant

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L.1987, c.102, has established a Recycling Act for the year 2012 from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grant to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the regulations impose on municipalities certain requirements as a condition for applying for such tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycling and indicate the assent of the Mayor and Council of the Borough of Franklin Lakes to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Franklin Lakes that the Borough of Franklin Lakes hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Richard Lilienthal, Assistant Superintendent of the Department of Public Works, to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED, that the monies received from the recycling tonnage grant be utilized in the 2012 Budget for purposes of recycling.

Resolution 94-12 Facilities Use Request – Oktoberfest

WHEREAS, by letter dated February 3, 2012, The Market Basket, 813 Franklin Lake Road, Franklin Lakes, NJ has requested the use of McBride Field for its annual Oktoberfest on October 11th 12th and 13th, 2012;

WHEREAS, the Mayor and Council are satisfied that the proposal for use of McBride Field meets the requirements of the Borough's field use ordinance;

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 The Market Basket, 813 Franklin Lake Road, Franklin Lakes are hereby granted permission to use McBride Field for its annual Oktoberfest on October 11th 12th and 13th, 2012 subject to compliance with all Borough ordinance requirements as determined by the Recreation and Parks Director; and,

BE IT FINALLY RESOLVED that a copy of this resolution be forwarded to The Market Basket, 813 Franklin Lake Road, Franklin Lakes, NJ and the Recreation and Parks Director.

Resolution 95-12 Opposing S-1451 Reforming OPMA

WHEREAS, legislation has been introduced to reform and modernize the Open Public Meetings Act (S-1451); and

WHEREAS, the governing body of the Borough of Franklin Lakes agrees with and supports the statement that “the right of the public to be present at all meetings of public bodies, and to witness in full detail all phases of the deliberation, policy formulation, and decision making of public bodies, is vital to the enhancement and proper functioning of the democratic process”; and

WHEREAS, the changes, however, proposed in S-1451 will not only be a cost driver for local and State government but make government less effective; and

WHEREAS, S-1451 includes a number of proposed requirements which involve costly unfunded mandates, impractical requirements and impediments to the democratic process, including the following:

- A new definition of subcommittees that expands subcommittees to be overly inclusive so that, for example, even research projects assigned to one member of a public body could be covered; and
- A new requirement that all subcommittees meetings include notice of their meeting and the preparation of minutes, which would, among other things, necessitate additional administrative support for all meetings of subcommittees as well as increased legal advertising cost; and
- A new requirement that agendas provide a description of all agenda items, including the names of parties to and approximate dollar amounts of any contracts to be acted upon, which will delay the award of contracts and could lead to the loss of grant monies; and
- A new requirement that the governing body may discuss, but not act upon, an item brought up by a citizen at a public meeting if it was not published as an agenda item, that not only runs contrary to the time honored tradition of holding a public meeting for the very purpose of soliciting such input and acting upon it but is impractical, ineffective and unnecessarily inhibits the operations of municipal government; and
- A new requirement for advance notification of estimated start times for the public portion of the meeting and the portion of the meeting from which the public is to be excluded that is unworkable and disruptive; and
- A new requirement that recordings of meetings become a part of the minutes that renders the recordings a permanent municipal record and is not only counter to the already-established records retention schedule of Division of Archive and Records Management for such records but which will be costly to preserve the records to ensure that they are permanent; and
- A new requirement that electronic communications, such as e-mails and text messages, concerning public business among an effective majority of the members that occurred prior to a meeting become part of the minutes and renders the recordings a permanent municipal record, is unworkable and unmanageable as the technology does not always exist to make “hard copies” or digital copies of text messages and the records custodian does not always have access to them, and which is an unprecedented expansion of the meeting concept; and
- A new requirement that public bodies be permitted to exclude the public from discussion of personnel matters only with the written consent of the employee and potentially affected employees which will inhibit the public bodies’ ability to take necessary actions on personnel matters and could lead to costly litigation; and
- A new requirement that comprehensive minutes that must include each member’s stated reason for their actions or vote, the identity of each member of the public who spoke, and summary of what was said, be made available to the public as soon as possible but no later than 45 days after the meeting that will not only be

costly but the historical value of minutes will be lost in order to meet an arbitrary deadline; and

WHEREAS, the provisions of S-1451 place financial, time, manpower and other burdens on municipalities at a time when municipalities are forced to layoff municipal employees, impose furloughs and reduce departmental budgets so that municipalities can meet the strict CAP requirements with decreased revenues and increasing operating expense; and

WHEREAS, the totality of the new requirements of S-1451 will be a significant cost driver for local and State government with no known appropriation contemplated or any alternate means to offset these costs, such a reasonable increase in fees; and

WHEREAS, while the governing body of the Borough of Franklin Lakes strives for and agrees that open and transparent government is essential to the democratic process, the provisions of S-1451 will make government inefficient;

NOW, THEREFORE, BE IT RESOLVED that the governing body of the Borough of Franklin Lakes, County of Bergen, and State of New Jersey for reasons stated above, does hereby oppose S-1451, as currently drafted, and strongly urges the State Senate and Assembly to oppose these bills; and

BE IT FURTHER RESOLVED that a copy of this duly adopted resolution be forwarded to Senate President Stephen Sweeney, Senator Loretta Weinberg, Assembly Speaker Shelia Oliver, Assemblyman Gordon Johnson, Assemblyman Upendra Chivukula, the legislators of the 40th State Legislative District, Governor Chris Christie, the New Jersey State League of Municipalities and the Municipal Clerks' Association of New Jersey.

Resolution 96-12 Opposing S-1452 Reforming OPRA

WHEREAS, legislation has been introduced to reform and modernize the Open Public Records Act (S-1452); and

WHEREAS, the governing body of the Borough of Franklin Lakes agrees that government records should be readily accessible and transparent but there must be an appropriate balance between the need for openness and transparency in government and citizens' reasonable expectation of privacy; and

WHEREAS, among the costly unfunded mandates and impractical new requirements of S-1452 are the following:

- The expansion of the definition of government record to include records that are required by law to be made, maintained or kept on file by any public agency that will lead to a records custodians to be in violation of OPRA for the non-existence of a government records created before their tenure with the public body; and
- The creation of a definition for "advisory, consultative or deliberative" material that may be contrary to the well established definition in case law leading to costly litigation; and
- The expanding of the definition of government record to include electronic communications, such as e-mails and text messages, concerning public business among an effective majority of the members that occurred prior to a meeting that is unworkable and unmanageable as the technology does not always exist to make "hard copies" or digital copies of text messages, the records custodian does not always have access to the electronic communications and certain cell phone carriers will not provide this information without a subpoena; and
- The inclusion of a subjective definition for "reasonable" that may be contrary to the well established definition in case law leading to costly litigation; and

- A new requirement that any video or audio recordings or public meetings should be available in unedited form will be in direct violation of the Open Public Meetings Act requirement that requires the redacting of discussions in closed session until the matter can legally be released; and
- A new requirement on how to handle redactions and special services fees is time consuming and costly, especially considering that the Government Records Council has already addressed these procedures in their Custodians' Toolkit, which should be codified; and
- A provision that permits the records custodian to advise a requestor that a government record is readily available on the public agency's website; however, the bill requires the records custodian to directly provide the records to the requestor if they do not have access to a computer but does not define what is meant by "access to a computer"; and
- A new costly requirement that when there is a special service charge the requestor must be provided, at no cost, an index generally describing the responsive government records to be provided and to the greatest extent possible the index shall include the name of each record or brief description of the record or general categories of records, a detailed breakdown of how the special charges were assessed and if records are exempt or redacted, the records custodian must provide a description of those records; and
- A provision that prohibits the assessment of a special service charge for requests for budgets, bills, vouchers, contracts and public employee salaries and overtime unless the request is deemed voluminous, which is undefined and subjective; and

WHEREAS, the provisions of S-1452 place financial, time, manpower and other burdens on municipalities at a time when municipalities are forced to layoff municipal employees, impose furloughs and reduce departmental budgets so that municipalities can meet the strict CAP requirements with decreased revenues and increasing operating expense; and

WHEREAS, the totality of the new requirements of S-1452 will be a significant cost driver for local and State government with no known appropriation contemplated or any alternate means to offset these costs, such a reasonable increase in fees; and

WHEREAS, while the governing body of the Borough of Franklin Lakes strives for and agrees that open and transparent government is essential to the democratic process, the provisions of S-1452 will make government inefficient;

NOW, THEREFORE, BE IT RESOLVED that the governing body of the Borough of Franklin Lakes, County of Bergen, and State of New Jersey for reasons stated above, does hereby oppose S-1452, as currently drafted, and strongly urges the State Senate and Assembly to oppose these bills; and

BE IT FURTHER RESOLVED that a copy of this duly adopted resolution be forwarded to Senate President Stephen Sweeney, Senator Loretta Weinberg, Senator Barbara Buono, Senator Shirley Turner, Assembly Speaker Shelia Oliver, Assemblyman Gordon Johnson, the legislators of the 40th State Legislative District, Governor Chris Christie, the New Jersey State League of Municipalities and the Municipal Clerks' Association of New Jersey.

Resolution 97-12 Support A-132 Unemployment for Seasonal Workers

WHEREAS, R.S. 43:21-4 defines "seasonal industry or occupation" as an industry or occupation which, because climatic conditions make it impractical or impossible to do otherwise, customarily operates only during a regularly recurring 28-week period or periods of less than 26-weeks of work in a calendar year; and

WHEREAS, many municipal seasonal jobs in the State are offered for only 10 to 12 weeks in a given year such as beach taggers, recreation personnel, seasonal laborers and lifeguards due to the short summer season; and

WHEREAS, there should be no expectation by an employee who has applied for a seasonal job that when the season ends that there would be continued employment, in fact, that individual consciously made the choice to apply for and accept a seasonal job rather than seeking year-round employment; and

WHEREAS, when the length of employment is clearly defined by the public entity as a seasonal job with a specific beginning and ending date, this seasonal job should not be included in unemployment calculations for individuals working other jobs during the unemployment period of eligible benefits; and

WHEREAS, unlike private employers, municipalities and other public entities are unique in that unemployment claims arising from seasonal employment require the expenditure of taxpayers funds to pay unemployment claims for these individuals thereby burdening the already overwhelmed taxpayer in the State New Jersey; and

WHEREAS, in many cases municipalities and other public entities pay claims quarterly and do not pay into the unemployment compensation fund due to budgetary constraints and the high cost of unemployment insurance; and

WHEREAS, these unexpected quarterly payments have forced some municipalities to do special emergency appropriations just to pay this year's claims thereby affecting next year's municipal budget which by all accounts will be equally as difficult as the present year's ; and

WHEREAS, Assemblywoman Amy Handlin and Assemblyman Sean Kean have introduced A-2454, which would prohibit all seasonal workers for receiving unemployment insurance benefits during a period between two successive seasons if the worker has a reasonable assurance that the worker will perform those services in the second of such seasons;

NOW, THEREFORE, BE IT RESOLVED, that the governing body of (municipality) urges the legislature to approve A-2454 as swiftly as possible, and

BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to the members of the New Jersey General Assembly, the New Jersey State Senate, the Commissioner of the Department of Labor, the Lieutenant Governor and the Governor of State of New Jersey and the League of Municipalities.

Resolution 98-12 Affordable Housing Trust Fund

WHEREAS, P.L. 2008, c. 46 established a four year timetable for municipal housing trust dollars to be "committed for expenditure, or risk forfeiture to the State;" and

WHEREAS, the 2008 Act did not define the term "committed for expenditure" and deferred to the Council on Affordable Housing (COAH) to promulgate regulations as to the requirements to be met for "committed" as well as a timetable for expenditures; and

WHEREAS, neither COAH nor the Department of Community Affairs has adopted, nor proposed, the regulations pursuant PL 2008, c. 46; and

WHEREAS, hundreds of municipalities submitted spending plans to COAH, of which only a fraction of these plans were reviewed by the agency, and most of these municipalities have not been provided any guidance on their spending plans; and

WHEREAS, at the time of 2008 Act, COAH was prepared to adopt its "3rd round regulations" establishing municipal obligations under the "Fair Housing Act"; and

WHEREAS, COAH's 3rd round regulations were highly controversial and fundamentally flawed, and subsequently set aside by the Appellate Division, and the appeal of that decision now awaits consideration by the State Supreme Court; and

WHEREAS, eight years of litigation over COAH's methodology has had a chilling effect not only on the development of affordable housing, but on the ability of local governments to commit trust fund dollars without knowledge of their respective obligations, and certainty that such commitment would count towards its housing obligation; and

WHEREAS, forfeiture of trust fund dollars starting in July 2012 would be fundamentally unfair, inequitable and indefensible since neither COAH nor DCA has provided the required guidance or certainty; and

WHEREAS, these trust fund dollars should be used as intended: to subsidize the costs for municipalities in meeting their affordable housing obligations while assuring that these costs do not fall to local taxpayers; and

WHEREAS, forfeiture of these dollars, estimated by some to be as much as \$200 million, would displace this financial obligation to the taxpayers in these communities; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Franklin Lakes urges our State Legislators to **support and approve A-2717**, which will provide a four-year extension for municipalities to commit the municipal housing trust fund dollars; and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the sponsor of A-2717, Assemblyman Anthony Bucco, members of the Assembly Housing and Local Government Committee, the New Jersey State League of Municipalities and the Office of the Governor.

Resolution 99-12 Award Contract – Video Server

WHEREAS, the Borough of Franklin Lakes received three (3) proposals for a video server and related equipment; and

WHEREAS, the Mayor and Council wish to award this contract to the contractor that submitted the lowest proposal; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Franklin Lakes that:

1. Telvue Corporation, 16000 Horizon Way, Suite 500, Mount Laurel, NJ 08054 is hereby awarded a contract in the amount of \$5,920.69
2. A Certification of Funds has been prepared and authorized by the Chief Financial Officer for the said contract assuring that there is a sufficient appropriation to fund the purchase authorized in this resolution as an express and mandatory condition of the award of this contract

BE IT FURTHER RESOLVED, that the Treasurer be and is hereby authorized and directed to issue payment upon receipt of an approved voucher.

Resolution 100-12 Rescinding Temporary Capital Budget Amendment

WHEREAS, at the April 3, 2012 meeting of the Mayor and Council, Resolution 90-12 entitled "Temporary Capital Budget" was adopted in error;

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 Resolution 90-12

entitled "Temporary Capital Budget", as adopted on April 3, 2012, be and is hereby rescinded; and,

BE IT FINALLY RESOLVED that a copy of this resolution be forwarded to the Borough Auditor and the Chief Financial Officer.

Resolution 101-12 Capital Budget Amendment Resolution

See Attached

Resolution 102-12 Award Contract Lacrosse Trainers

WHEREAS, the Borough of Franklin Lakes received three (3) proposals on for Lacrosse Training; and

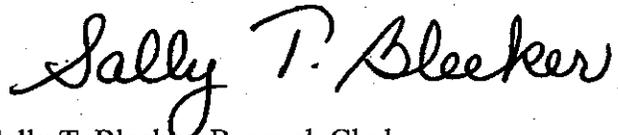
WHEREAS, the Mayor and Council wish to award this contract to the contractor that submitted the lowest proposal; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Franklin Lakes that:

3. Musketeer Lacrosse, PO Box 286, Ridgewood, NJ 07450 is hereby awarded a contract in the amount of \$11,800.00
4. A Certification of Funds has been prepared and authorized by the Chief Financial Officer for the said contract assuring that there is a sufficient appropriation to fund the purchase authorized in this resolution as an express and mandatory condition of the award of this contract

BE IT FURTHER RESOLVED, that the Treasurer be and is hereby authorized and directed to issue payment upon receipt of an approved voucher.

Respectfully submitted,



Sally T. Bleeker, Borough Clerk

**BOROUGH OF FRANKLIN LAKES
CAPITAL BUDGET AMENDMENT
Resolution 101-12**

Whereas, the local capital budget for the year 2012 was adopted on the 20th day of March, 2012; and,
Whereas, it is desired to amend said adopted capital budget section,

Now, Therefore Be It Resolved, by the Governing Body of the Borough of Franklin Lakes, County of Bergen, that the following amendment(s) to the adopted capital budget section of the 2012 Budget be made:

RECORDED VOTE	(Kahwaty	(ABSTAIN (
(Insert last names)	(Kelly	(ABSENT (
	(Lots	(
	(Pedone	(
	(Ramsey	(
	(Smith	(

**FROM
CAPITAL BUDGET (Current Year Action)
2012**

PROJECT	ESTIMATED TOTAL COST	AMOUNTS RESERVED IN PRIOR YEARS	PLANNED FUNDING SERVICES FOR CURRENT YEAR 2012					TO BE FUNDED IN FUTURE YEARS
			5a 2012 Budget Appropriations	5b Improvement Fund	5c Capital Surplus	5d Grants in Aid and Other Funds	5e Debt Authorized	
Road Program	\$ 3,050,000			\$ 27,500			\$ 522,500	\$ 2,500,000
TOTAL ALL PROJECTS	\$ 3,050,000			\$ 27,500			\$ 522,500	\$ 2,500,000

**6 YEAR CAPITAL PROGRAM 2012-2017
Anticipated PROJECT Schedule and Funding Requirement**

PROJECT	ESTIMATED TOTAL COST	ESTIMATED COMPLETION TIME	5 FUNDING AMOUNTS PER YEAR					
			Budget Year 2012	2013	2014	2015	2016	2017
Road Program	\$ 3,050,000		\$ 550,000	\$ 500,000	\$ 500,000	\$ 500,000	\$ 500,000	\$ 500,000
TOTALS ALL PROJECTS	\$ 3,050,000		\$ 550,000	\$ 500,000				

6 YEAR CAPITAL PROGRAM 2012-2017

SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS

1 PROJECT	2 Estimated TOTAL COST	3 Budget Appropriations		4 Capital Improvement Fund	5 Capital Surplus	6 Grants in Aid And Other Funds	7 BONDS AND NOTES			
		Current 2012	Future Years				General	Self Liquidating	Assessment	School
Road Program	\$ 3,050,000			\$ 152,500			\$ 2,897,500			
TOTAL ALL PROJECTS	\$ 3,050,000			\$ 152,500			\$ 2,897,500			

TO
CAPITAL BUDGET (Current Year Action)
2012

1 PROJECT	2 Project Number	3 Estimated Total Cost	4 Amounts Reserved in Prior Years	5a 2012 Budget Appro- priations	PLANNED FUNDING SERVICES FOR CURRENT YEAR 2012				
					5b Capital Improvement Fund	5c Capital Surplus	5d Grants in Aid and Other Funds	5e Debt Authorized	6 To Be Funded in Future Years
Various Street Improvements		\$ 2,950,000			\$ 165,000			\$ 285,000	\$ 2,500,000
TOTALS ALL PROJECTS		\$ 2,950,000			\$ 165,000			\$ 285,000	\$ 2,500,000

