

MEETING OF THE MAYOR AND COUNCIL
October 16, 2012
7:30 P.M.

A regular meeting of the Mayor and Council was held on Tuesday, October 16, 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, Councilmember Kelly, Councilmember Lambrix, Councilmember Lota and Councilmember Ramsey. Also present were Borough Administrator Greg Hart, Borough Attorney William T. Smith and Borough Clerk Sally Bleeker. Absent was Councilmember Pedone.

SUNSHINE LAW STATEMENT

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

FLAG SALUTE

MOMENT OF SILENT REFLECTION

APPOINTMENT

Affordable Housing Attorney
Jeffrey Surenian, Esq. Term to expire 12/31/12

Motion to appoint Jeffrey Surenian, Esq. as the Affordable Housing Attorney was made by Council President Kahwaty, seconded by Councilmember Lota.

Roll Call Vote:

Ayes: Kahwaty, Kelly, Lambrix, Lota, Ramsey
Nays:
Abstain:
Absent: Pedone
Motion Approved.

OPEN THE TIME FOR PUBLIC COMMENT

Motion to open the time for public comment was made by Councilmember Lambrix, seconded by Councilmember Ramsey. On voice vote, all in favor.

No one from the public came forward.

Motion to close the time for public comment was made by Councilmember Lota, seconded by Councilmember Ramsey. On voice vote, all in favor.

CONSENT RESOLUTION 214-12

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 215-12 Accept Report of the Finance Committee
Resolution 216-12 Jersey Lakeland Regional – Field Use
Resolution 217-12 Award Contract Auditing Services
Resolution 218-12 Change Order 2012 Road Improvement

Resolution 219-12 Award Contract Generator Maintenance
 Resolution 220-12 Award Contract Electrical Services
 Resolution 221-12 Award Contract DPW Switchover of Spreaders and Plows
 Resolution 222-12 Professional Service Agreement – COAH Counsel
 Resolution 223-12 Chapter 159 - Drunk Driving Enforcement
 Resolution 224-12 Chapter 159 – Green Communities Grant
 Resolution 225-12 Award Contract Roll Off Truck
 Resolution 226-12 Award Contract Police Carbines

Resolution read and introduced by Councilmember Lota, seconded by Council President Kahwaty.

Roll Call Vote:

Ayes: Kahwaty, Kelly, Lambrix, Lota, Ramsey
 Nays:
 Abstain:
 Absent: Pedone
 Motion Approved.

RESOLUTIONS

**Resolution 227-12
 Award Contract Nature Preserve Bridges**

WHEREAS, the Borough Engineer received proposals for the installation of two Floating Dock Crossings at the Franklin Lakes Nature Preserve; and

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

WHEREAS, the Borough Engineer recommends that the Borough award a contract to Fox Hollow Enterprise, 4 Joanne Road, Hopewell Junction, NY 12533, for the proposal amount not to exceed \$34,300.00; and,

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

1. Fox Hollow Enterprise 4 Joanne Road, Hopewell Junction, NY 12533 is hereby awarded a contract in the amount not to exceed \$34,300.00; and,
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 read and introduced as amended by Council President Kahwaty, seconded by Councilmember Kelly. Discussion – Greg Hart, Borough Administrator explained that the Borough received two (2) proposals. He also explained that these floating bridges will last at least 10 years. The Borough Engineer said the total amount for the bridges will not exceed \$34,300.00. This has been paid for by grants and donations primarily from the Recreation Foundation.

Roll Call Vote:

Ayes: Kahwaty, Kelly, Lambrix, Lota, Ramsey
 Nays:
 Abstain:
 Absent: Pedone

Motion Approved.

**Resolution 228-12
Award Contract Borough Calendar**

WHEREAS, the Borough Administrator solicited proposals for the layout, design and printing of the 2013 Borough calendar and the printing of the recycling postcard, Mayor's letter, and envelope for the year end mailing, as well as the collating of all materials, and several proposals were obtained; and,

WHEREAS, the Borough Administrator recommends that the contract for the layout, design and printing of the 2013 Borough calendar and the printing and collating of all other items in the year end mailing be awarded to the vendor that submitted the lowest cost proposal, Alphagraphics, 95 Greenwood Avenue, Midland Park, New Jersey 07432, for the proposal amount of \$7,505.02; and,

WHEREAS, it is anticipated that this cost will be offset by the sale of advertisements within the calendar, with advertisement revenue expected to meet or exceed the cost of layout, design and printing;

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 recommendation of the Borough Administrator is approved and the contract for the layout, design and printing of the 2013 Borough calendar and the printing and collating of all other items in the year end mailing be and is hereby awarded to Alphagraphics, for the proposal amount of \$7,505.02, conditioned upon the sale of sufficient advertisements to offset the cost of the calendar; and,

BE IT FURTHER RESOLVED that a Certification of Funds has been prepared and authorized by the Chief Financial Officer for the said contract assuring that there are sufficient appropriations to fund the payments authorized in this resolution as an express and mandatory condition of the award of this contract; and,

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

Resolution read and introduced by Council President Kahwaty, seconded by Councilmember Lambrix. Discussion – Greg Hart, Borough Administrator explained the process of the Borough Calendar and how much the ads cost.

Roll Call Vote:

Ayes: Kahwaty, Kelly, Lambrix, Lota, Ramsey

Nays:

Abstain:

Absent: Pedone

Motion Approved.

ACTION ON MINUTES

Motion to accept the minutes was made by Councilmember Kelly and seconded by Councilmember Lota:

- September 4, 2012 Worksession
- September 4, 2012 Closed
- September 20, 2012 Regular Meeting
- September 20, 2012 Closed

Roll Call Vote:

Ayes: Kahwaty, Kelly, Lambrix (with exceptions), Lota, Ramsey

Nays:

Abstain: Lambrix – September 20, 2012 Regular and Closed

Absent: Pedone
Motion Approved.

OLD BUSINESS

Councilmember Ramsey reported that pavers have been repaired at Bender Court in preparation of a bike rack.

NEW BUSINESS

There was no New Business to discuss at this time.

INTRODUCTION OF ORDINANCES ON FIRST READING

At this time, Greg Hart, explained there were a couple of small changes made to Ordinance 1557 adding language reading that in order to be an outdoor café there must be interior seating and public restrooms. There is also an additional requirement for the application for a license that would require a copy of a valid retail food establishment license issued by the Board of Health.

Sewer Ordinance 1559 was pulled from the Introduction of Ordinances and will be discussed at the November 1st Mayor and Council Work Session.

Motion to take up consideration of Ordinances Nos. 1557 and 1558 for Introduction, and direct the Clerk to read each by title was made by Council President Kahwaty, seconded by Councilmember Kelly. On voice vote, all in favor.

The Borough Clerk read the Ordinance by title only.

ORDINANCE NO. 1557

AN ORDINANCE SUPPLEMENTING CHAPTER 300 “LAND USE AND DEVELOPMENT” OF THE CODE OF THE BOROUGH OF FRANKLIN LAKES TO ESTABLISH REGULATIONS FOR OUTDOOR CAFES

ORDINANCE NO. 1558

AN ORDINANCE AMENDING CHAPTER 157 “ANIMALS” OF THE CODE OF THE BOROUGH OF FRANKLIN LAKES TO PROVIDE FOR THE LICENSING OF DOGS AND CATS BY THE BOROUGH

IT IS HEREBY RESOLVED, that Ordinances 1557 and 1558 are hereby introduced upon first reading; and

BE IT FURTHER RESOLVED that said Ordinance 1557 and 1558 will be further considered for final passage at a meeting of the said Mayor and Council to be held on the 20th day of November 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 No. 1557, as amended, and 1558; and,

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

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

Roll Call Vote:

Ayes: Kahwaty, Kelly, Lambrix, Lota, Ramsey
Nays:
Abstain:
Absent: Pedone

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, October 16, 2012 which begins at 7:30 PM, in the Council Chambers at the Municipal Building to discuss the following:

Closed meeting issues:

- Personnel – Tax Collector
- Pending Litigation – TD Bank Tax Appeal

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 was made by Councilmember Lota, seconded by Councilmember Ramsey.

Roll Call Vote:

Ayes: Kahwaty, Kelly, Lambrix, Lota, Ramsey

Nays:

Abstain:

Absent: Pedone

Motion Approved.

ADJOURNMENT

Motion to adjourn the meeting at 8:00 pm was made by Council President Kahwaty, seconded by Councilmember Lambrix. On voice vote, all in favor.

Resolution 215-12 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 \$3,884,429.36 as shown on the Claims Bill List; \$3,013.00 as shown on the Soil Account Bill List and \$1,892.75 as shown on the Developers Escrow List.

BE IT FURTHER RESOLVED, that the payroll of September 13, 2012 in the amount of \$237,665.25 and the payroll of September 27, 2012 in the amount of \$248,787.48 be hereby ratified and approved.

Resolution 216-12 Jersey Lakeland Regional – Field Use

WHEREAS, by letter dated June 20, 2012, the Jersey Lakeland Region – Vintage Chevrolet Club of America, has requested the use of McBride Field for its annual car show on May 24 to 26, 2013;

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 Jersey Lakeland Region – Vintage Chevrolet Club of America are hereby granted permission to use McBride Field for its annual car show on May 24 to 26, 2013, subject to: (1) a donation to the Borough for the Franklin Lakes Nature Preserve in accordance with the August 30, 2012 letter from the Jersey

Lakeland Region – Vintage Chevrolet Club of America, which is incorporated by reference herein; and (2) compliance with all other 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 Jersey Lakeland Region – Vintage Chevrolet Club of America and the Recreation and Parks Director.

Resolution 217-12 Award Contract Auditing Services

WHEREAS, the Borough of Westwood, as the lead agency for the Pascack Valley Cooperative Pricing System (#107-PVCPS), received proposals for utility bill and insurance invoice verification audit and cost recovery; and,

WHEREAS, by resolution adopted on October 2, 2012, the Borough of Westwood awarded the contract for utility bill and insurance invoice verification audit and cost recovery to Neczus/Madison Cost Recovery, P.O. Box 3, Chappaqua, New York 10514, with the cost of said contract to be a percentage of the savings found and/or credit to be paid to the vendor; and,

WHEREAS, the Borough Administrator has recommended the award of a contract for resurfacing of streets in the Borough of Franklin Lakes to utility bill and insurance invoice verification audit and cost recovery to Neczus/Madison Cost Recovery in accordance with its proposal;

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 recommendation of the Borough Administrator is approved and a contract for utility bill and insurance invoice verification audit and cost recovery be and is hereby awarded to Neczus/Madison Cost Recovery, with the cost of said contract to be a percentage of the savings found and/or credit to be paid to the vendor, in accordance with the October 2, 2012 contract award by the lead agency, the Borough of Westwood; and,

BE IT FURTHER RESOLVED that 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; and,

BE IT FINALLY RESOLVED that a copy of this resolution be forwarded to Neczus/Madison Cost Recovery, the Borough of Westwood, and the Chief Financial Officer.

Resolution 218-12 Change Order 2012 Road Improvement

WHEREAS, by Resolution adopted on May15, 2012, the Mayor and Council of the Borough of Franklin Lakes awarded a contract in the amount of \$334,000.57 to D&L Paving Contractors, 681 Franklin Avenue, Nutley, New Jersey, hereinafter referred to as “the Contractor”, for the Borough’s 2012 Road Program; and,

WHEREAS, the Contractor has submitted Change Order #1, which increases the amount of the contract by \$62,628.00 for an amended contract amount of \$396,628.57, which Change Order has been approved by the Borough Engineer;

NOW THEREFORE, BE IT RESOLVED that Change Order #1 is hereby authorized and approved for the 2012 Road Program, for a contract increase of \$62,628.00, for a revised contract amount of \$396,628.57; and,

BE IT FINALLY RESOLVED that a copy of this Resolution be forwarded to D&L Paving Contractors, Boswell Engineering, and the Chief Financial Officer.

Resolution 219-12 Award Contract Generator Maintenance

WHEREAS, the Borough Administrator solicited proposals for the maintenance of six (6) generators for the Borough of Franklin Lakes and three proposals were received; and

WHEREAS, the Superintendent of Public Works recommends that the Borough award a 2 year contract for the maintenance of six (6) generators to DeCarlo Dependable Generator, 993 Pleasant Drive, New Milford, NJ 07646, for the proposal amount of \$6,480.00; and,

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, N.J.S.A 40A:11-12; and,

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Franklin Lakes that the recommendation of the Superintendent of Public Works be approved and the contract for the maintenance of six (6) generators for the Borough of Franklin Lakes be and is hereby awarded to DeCarlo Dependable Generator for the proposal amount of \$6,480.00; and,

BE IT FURTHER RESOLVED that 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; and,

BE IT FINALLY RESOLVED that a copy of this resolution be forwarded to DeCarlo Dependable Generator, the Superintendent of Public Works, and the Chief Financial Officer.

Resolution 220-12 Award Contract Electrical Services

WHEREAS, the Borough Administrator solicited proposals for electrical services for the Borough of Franklin Lakes and four proposals were received; and

WHEREAS, the Borough Administrator and Superintendent of Public Works recommend that the contract be awarded to the contractor that submitted the lowest cost proposal, MJ Hickey Electric LLC, 210 Deerfield Lane, Franklin Lakes, New Jersey, for the hourly rates set forth in its September 27, 2012 proposal, including the base hourly rate of \$60 per hour;

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 recommendation of the Borough Administrator and Superintendent of Public Works be approved and the contract for electrical services be and is hereby awarded to MJ Hickey Electric LLC for the hourly rates set forth in its September 27, 2012 proposal, including the base hourly rate of \$60 per hour; and,

BE IT FURTHER RESOLVED that 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; and,

BE IT FINALLY RESOLVED that a copy of this resolution be forwarded to MJ Hickey Electric LLC, the Superintendent of Public Works, and the Chief Financial Officer.

Resolution 221-12 Award Contract DPW Switchover of Spreaders and Plows

WHEREAS, the Superintendent of Public Works, by email dated October 4, 2012, recommends that the Borough award a contract for the switching over of the salt spreader and plows on the used dump truck bodies to Cliffside Body Corp., 130 Broad Avenue, Fairview, New Jersey, an authorized vendor under the State of New Jersey Cooperative Purchasing Program Contract #73499, with expiration date of February 28, 2013, for the proposal amount of \$22,890; and,

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, N.J.S.A 40A:11-12; and,

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Franklin Lakes that the recommendation of the Superintendent of Public Works be approved and the contract for the switching over of the salt spreader and plows on the used dump truck bodies be and is hereby awarded to Cliffside Body Corp., pursuant to State Contract #73499, for the proposal amount of \$22,890; and,

BE IT FURTHER RESOLVED that 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; and,

BE IT FINALLY RESOLVED that a copy of this resolution be forwarded to Cliffside Body Corp., the Superintendent of Public Works, and the Chief Financial Officer.

Resolution 222-12 Professional Service Agreement – COAH Counsel

WHEREAS, the Borough of Franklin Lakes has a need for the provision of legal services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and,

WHEREAS, the Borough Administrator has determined and certified in writing that the value of the services will exceed \$17,500.00; and,

WHEREAS, the anticipated term of this contract is from October 5, 2012 to December 31, 2012; and,

WHEREAS, Jeffrey R. Surenian. Esq. of Jeffrey R. Surenian and Associates, LLC has agreed to provide legal services as the Borough's Affordable Housing Counsel in accordance with an Agreement effective October 5, 2012, for a billing rate as described in said Agreement; and,

WHEREAS, Jeffrey R. Surenian. Esq. of Jeffrey R. Surenian and Associates, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that Jeffrey R. Surenian. Esq. of Jeffrey R. Surenian and Associates, LLC has not made any reportable contributions to a political or candidate committee in the Borough of Franklin Lakes in the previous one year, and that the contract will prohibit Jeffrey R. Surenian. Esq. of Jeffrey R. Surenian and Associates, LLC from making any reportable contributions through the term of the contract, and,

WHEREAS, the Chief Financial Officer has certified the availability of funds for this award according to N.J.A.C. 5:30-5.4;

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Franklin Lakes authorizes Mayor Frank Bivona to enter into a contract with Jeffrey R. Surenian Esq. of Jeffrey R. Surenian and Associates, LLC, 707 Union Avenue, Suite 301, Brielle, New Jersey, 08730 as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and,

BE IT FURTHER RESOLVED that a copy of this resolution shall be published as required by law within ten days of its passage.

Resolution 223-12 Chapter 159 - Drunk Driving Enforcement

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for an equal amount; and

WHEREAS, the Borough of Franklin Lakes has received a \$2,162.65, 2012 Drunk Driving Enforcement Fund Grant and wishes to amend its 2012 Budget to include said amount as a revenue;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Franklin Lakes, that permission be requested by the Director of the Division of Local

Government Services to approve the insertion of an item of revenue in the 2012 Budget in the sum of \$2,162.65 which will be available as a revenue from:

Miscellaneous Revenues:

Public and Private Programs Offset by Appropriations:	
2012 Drunk Driving Enforcement Fund Grant	\$2,162.65

BE IT FURTHER RESOLVED that a sum of \$2,162.65 and the same is hereby appropriated under the caption of:

General Appropriations:

(a) Operations Excluded from "CAPS":	
Public and Private Programs Offset by Revenues:	
2012 Drunk Driving Enforcement Fund Grant	\$2,162.65

BE IT FURTHER RESOLVED that the Borough Clerk forward two copies of this resolution to the Director of Local Government Services.

Resolution 224-12 Chapter 159 – Green Communities Grant

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for an equal amount; and

WHEREAS, the Borough of Franklin Lakes has received a \$1,500.00, 2012 Green Communities Grant and wishes to amend its 2012 Budget to include said amount as revenue;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Franklin Lakes, that permission be requested by the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the 2012 Budget in the sum of \$1,500.00 which will be available as revenue from:

Miscellaneous Revenues:

Public and Private Programs Offset by Appropriations:	
2012 Green Communities Grant	\$1,500.00

BE IT FURTHER RESOLVED that a sum of \$1,500.00 and the same is hereby appropriated under the caption of:

General Appropriations:

(a) Operations Excluded from "CAPS":	
Public and Private Programs Offset by Revenues:	
2012 Green Communities Grant	\$1,500.00

BE IT FURTHER RESOLVED that the Borough Clerk forward two copies of this resolution to the Director of Local Government Services.

Resolution 225-12 Award Contract Roll Off Truck

WHEREAS, the Borough of Franklin Lakes advertised for and opened bids on October 11, 2012 for the Used Roll Off Truck, Model Year 2000 or Newer, with 100,000 Miles or Less; and

WHEREAS, the Mayor and Council wish to award this contract to the lowest responsible bidder; and

WHEREAS, one (1) company submitted a bid for the Used Roll Off Truck, Model Year 2000 or Newer, with 100,000 Miles or Less;

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

1. American Hose & Hydraulics, 700 21st Avenue, Paterson, NJ 07513, is hereby awarded the contract for the Used Roll Off Truck, Model Year 2000 or Newer, with 100,000 Miles or Less for the total bid amount of \$62,000.00 in accordance with the bid specifications.
2. A Certification of Funds has been prepared and authorized by the Chief Financial Officer for the said contract assuring that there are sufficient appropriations to fund the purchases authorized in this resolution as an express and mandatory condition of the award of this contract.
3. The Mayor and Borough Clerk are hereby authorized to sign the contract documents necessary to effectuate the award of this contract. The Borough Attorney shall review any and all contractual documents prepared in furtherance of this award.

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

BE IT FINALLY RESOLVED that this resolution is conditioned upon written confirmation by the Borough Attorney that the bid of American Hose & Hydraulics is compliant with the bid specifications.

Resolution 226-12 Award Contract Police Carbines

WHEREAS, the Police Department solicited proposals for the purchase of nine police carbines and related equipment; and,

WHEREAS, the Police Chief recommends that the Borough award a contract for the purchase of nine police carbines and related equipment from Interstate Arms Corp., 6G Dunham Road, Billerica, Massachusetts, in accordance with its October 10, 2012 proposal, which includes the purchase of the nine police carbines under the State of New Jersey Cooperative Purchasing Program Contract #82098, with expiration date of April 30, 2015, for \$8,874.90, and purchase of additional related equipment, which are not under State contract, for \$5,103.50, for a total contract award of \$13,978.40;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Franklin Lakes that the recommendation of the Police Chief approved and the contract for the purchase of nine police carbines and related equipment be and is hereby awarded to Interstate Arms Corp., in accordance with its October 10, 2012 proposal, which includes the purchase of the nine police carbines under the State of New Jersey Cooperative Purchasing Program Contract #82098, with expiration date of April 30, 2015, for \$8,874.90, and purchase of additional related equipment, which are not under State contract, for \$5,103.50, for a total contract award of \$13,978.40; and,

BE IT FURTHER RESOLVED that 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; and,

BE IT FINALLY RESOLVED that a copy of this resolution be forwarded to Interstate Arms Corp., the Police Chief, and the Chief Financial Officer.

Respectfully submitted,



Sally T. Bleeker, Borough Clerk