

MEETING OF THE MAYOR AND COUNCIL
February 5, 2013
7:30 P.M.

A regular meeting of the Mayor and Council was held on February 5, 2013 in the Municipal Building.

MEETING CALLED TO ORDER

ROLL CALL

The following Council Members and Professional responded to the roll call:

Mayor Bivona, Councilperson Kahwaty, Councilperson Kelly, Councilperson Pedone, and Councilperson Ramsey. Also present were Borough Administrator Greg Hart, Borough Attorney Smith and Borough Clerk Sally Bleeker. Council President Lota and Councilperson Lambrix were absent this evening.

SUNSHINE LAW STATEMENT

Borough Clerk Bleeker read the Sunshine Law Statement.

FLAG SALUTE

MOMENT OF SILENT REFLECTION

- **Honor Senator O'Toole**

Mayor Bivona stated that Senator O'Toole's support was instrumental in getting Franklin Lakes the resources it needed during Super Storm Sandy. He said that Senator O'Toole has also proposed legislation for more self help for municipalities during emergencies. Mayor Bivona thanked Senator O'Toole and his Chief of Staff Al Baralis for all their help.

Senator O'Toole thanked Mayor Bivona and said that it is an honor to work in partnership with the Franklin Lakes Mayor and Council.

Mayor Bivona read the following Proclamations Honoring Ramapo Indian Hills High School State Championship Teams:

HONORING INDIAN HILLS HIGH SCHOOL BOYS' CROSS COUNTRY TEAM

WHEREAS, culminating an undefeated season, the Indian Hills Braves High School cross country team won the State Group 3, Section 1 State cross country meet to become State sectional champions; and,

WHEREAS, other highlights of the Indian Hills High School boys' cross country team included:

- Won the Season Opener Invitational meet at Darlington Park
- Won the Great Adventure Invitational meet Varsity B championship, and were named the best team at the meet
- Won the Shore Coaches Invitational meet
- Won the Brett Taylor Invitational meet
- Won the Big North Freedom Division for the fourth straight time
- Won the Bergen County Championship

NOW THEREFORE, I, FRANK BIVONA, Mayor of the Borough of Franklin Lakes, County of Bergen and State of New Jersey, on behalf of the Mayor and Council and our residents, do hereby honor and congratulate Head Coach Tom Zaccone, the assistant coaches and the boys on the Indian Hills Braves High School cross country team for a tremendous cross country season;

IN WITNESS HEREOF, I have hereunto set my Hand and caused the Seal of the Borough of Franklin Lakes to be affixed this 5th day of February, 2013.

HONORING RAMAPO HIGH SCHOOL FOOTBALL TEAM

WHEREAS, on December 8, 2012 at Kean University, the Ramapo Raiders High School football team defeated Sparta to win the Group 3, Section 1 State football championship for the second time in four years, by a score of 37 to 34; and,

WHEREAS, Ramapo trailed 26 to 7 at halftime of the championship game, but came back in the second half to tie the score at 34 with just over two minutes remaining in the game; and,

WHEREAS, shortly after tying the score, an interception gave Ramapo the ball at near midfield; and,

WHEREAS, with just six second remaining, senior David Bonagura kicked a 48 yard field goal to win the game by the final score of 37 to 34; and,

WHEREAS, Head Coach Drew Gibbs, his assistant coaches, and the Ramapo Raiders High School football players are to be commended for their exceptional accomplishments;

NOW THEREFORE, I, FRANK BIVONA, Mayor of the Borough of Franklin Lakes, County of Bergen and State of New Jersey, on behalf of the Mayor and Council and our residents, do hereby honor and congratulate Coach Drew Gibbs, the assistant coaches and the players on the Ramapo Raiders High School football team for a tremendous football season, culminating with their win in the State championship game;

IN WITNESS HEREOF, I have hereunto set my Hand and caused the Seal of the Borough of Franklin Lakes to be affixed this 5th day of February, 2013.

HONORING RAMAPO HIGH SCHOOL GYMNASTICS TEAM

WHEREAS, the Ramapo High School girls' gymnastics team capped its undefeated season (8-0) with a State Championship after winning the November 19 State Championship competition with a team score of 111.875, which is the 10th highest score in State history);

WHEREAS, other highlights of the Ramapo High School girls' gymnastics team included:

- League Champions for the third year in a row
- Bergen County Champions for the second year in a row
- New Jersey Section 1 Champions for the second year in a row
- Head Coach Jenn Levirne named The Record Coach of the Year

WHEREAS, Head Coach Jenn Levirne, Assistant Coach Liz Sellitto, and the Ramapo High School girls' gymnasts are to be commended for their exceptional accomplishments;

NOW THEREFORE, I, FRANK BIVONA, Mayor of the Borough of Franklin Lakes, County of Bergen and State of New Jersey, on behalf of the Mayor and Council and our residents, do hereby honor and congratulate Head Coach Jenn Levirne, Assistant Coach Liz Sellitto, and the gymnasts on the Ramapo High School girls' gymnastics team for a tremendous season;

IN WITNESS HEREOF, I have hereunto set my Hand and caused the Seal of the Borough of Franklin Lakes to be affixed this 5th day of February, 2013.

HONORING RAMAPO HIGH SCHOOL SOCCER TEAM

WHEREAS, the Ramapo High School boys' soccer team capped its first undefeated season (21-0-2) in history (and only the second team in Bergen County history) with a December 1 State championship game against Princeton High School, which ended in a 1-1 tie and Ramapo being declared as 2012 Co-State Champions;

WHEREAS, other highlights of the Ramapo High School boys' soccer team included:

- Won the Big North Freedom Division
- Won the Bergen County Championship with 3-1 win over Bergen Catholic
- Won the State Sectional title with 3-0 win over Morris Hills
- Won the State Semi-Final with 5-0 win over Mendham
- Bergen County Group 3-4 Team of the Year
- Bergen Record and Star Ledger North Jersey Team of the Year
- Ranked #1 in North Jersey by Bergen Record
- Ranked #2 in State of New Jersey by Star Ledger
- Ranked #1 in the State by the Soccer Coaches Association of New Jersey
- Ranked #25 in the United States by the Adidas/National Soccer Coaches Association

WHEREAS, Head Coach Evan Baumgarten, his assistant coaches, and the Ramapo High School boys' soccer players are to be commended for their exceptional accomplishments;

NOW THEREFORE, I, FRANK BIVONA, Mayor of the Borough of Franklin Lakes, County of Bergen and State of New Jersey, on behalf of the Mayor and Council and our residents, do hereby honor and congratulate Coach Evan Baumgarten, the assistant coaches and the players on the Ramapo Raiders High School boys' soccer team for a tremendous soccer season;

IN WITNESS HEREOF, I have hereunto set my Hand and caused the Seal of the Borough of Franklin Lakes to be affixed this 5th day of February, 2013.

APPOINTMENTS

- Substitute Crossing Guard – Ernst H. Breh
- Fire Inspector – Kenneth Steenstra

Mayor Bivona asked that the Council proceed with the above appointments. Motion was made by Councilperson Kahwaty, seconded by Councilperson Kelly to make the following appointment – Substitute Crossing Guard Ernst H. Breh and Fire Inspector Kenneth Steenstra

Roll Call Vote

Ayes: Kahwaty, Kelly, Pedone and Ramsey

Nays:

Abstain:

Absent: Lota, Lambrix

Motion Approved

OPEN TIME FOR PUBLIC COMMENT

Motion to open the time for public comment was made by Councilperson Ramsey, seconded by Councilperson Kelly. Discussion – none.

Joseph Commorata, a developer who had attended a previous Council Meeting regarding a re-zoning matter, came forward. He explained that he had appeared at a Planning Board Meeting after the Mayor and Council Meeting where he requested that the property on Franklin Avenue be re-zoned from residential to LB1 which is a Limited

Business Zone. The re-zoning question ended in a tie vote at the Planning Board meeting which has created a significant hurdle. In order for this re-zoning to be approved there would have to be a super majority of the Mayor and Council. Mr. Commorata said that his proposal would have created an attractive use of the property for the Borough which was reflected in the opinions of many who spoke at the Planning Board Meeting.

Mr. Commorata stated that he has written to the Mayor and Council asking them to reconsider his proposal because this property is extremely vulnerable for affordable housing. If affordable housing is the way to go with this property, he asked that he be the one to develop the property in that manner. Mr. Commorata has lived in the town for 35 years and has the reputation for building attractive homes making him a good candidate to develop the property. He asked for some direction from the Mayor and Council.

Mayor Bivona stated that the Council will discuss Mr. Commorata's letter in Closed Session at the end of tonight's meeting. Mr. Commorata thanked the Council for their consideration.

No one else from the public came forward and a motion to close the time for public comment was made by Councilperson Kahwaty. Seconded by Councilperson Ramsey. Discussion – none.

BOROUGH ENGINEER'S REPORT

- **Status Report**

Kevin Boswell referred to the Status Report and said that they are working on an emergency repair to an area along the path behind the Recreation Center. He recommended that corrugated metal pipe be used in order to avoid the costly permitting process with the Department of Environmental Protection (DEP). All four pipes would then be coated with epoxy which would provide an increased service life. Mr. Boswell will have information on the permitting numbers by Thursday.

Ms. Boland stated that there is a request for a Hold Harmless Agreement on Orchard Lane relative to new construction in an area of high ground water. She recommended that the new residence, as well as neighboring residences, hook up to the storm system. This would be listed on the February 19th agenda.

Mr. Boswell stated that three informal bids have been taken for repair of the Reservoir Drive over Haledon Reservoir Tributary. The low bid was D.S. Meyers Enterprises for \$4,279.00 to repair and patch a culvert area. This will be processed via purchase order because it is lower than the quote threshold. Regarding payment for the repair of this safety hazard, Mr. Hart explained that the Mayor and Council would have to proceed under the emergency provisions of the statute. This item needs to be included as part of the 2013 Capital Improvements Budget.

Councilperson Ramsey asked about the landscaper who has been encroaching on Green Acres property behind the Old Mill Road condominiums. She questioned whether Mr. Boswell had clarified the location of the property line. Mr. Boswell said that it would cost \$2,500.00 to place permanent survey markers on the property line. Markers will be placed on the property line and the installation will be included as part of the Boswell Engineering retainer fee. These will not be permanent markers but they are accurate enough to clearly mark the property line.

Resolution 52-13

CONSENT AGENDA RESOLUTION

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 resolution can be found after the Adjournment.

Resolution 53-13 Accept Report of the Finance Committee
Resolution 54-13 Budget Transfer
Resolution 55-13 Emergency Temporary Appropriations

Resolution introduced by Councilperson Kahwaty, seconded by Councilperson Pedone.
Discussion –None.

Roll Call Vote

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

RESOLUTION 56-13
Developer’s Agreement – United Water Tank

WHEREAS, a Developer’s Agreement between the Borough of Franklin Lakes and United Water New Jersey Inc., for the installation of a water tank on property commonly known as 900 Shadow Ridge Road, Lot 1 in Block 1602 on the Tax Map of the Borough, has been prepared by John A. Spizziri, Sr., Esq., attorney for the Planning Board of the Borough of Franklin Lakes; and,

WHEREAS, said Developers Agreement and the execution of same has been recommended by the Borough Attorney;

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 Mayor and Borough Clerk be and are hereby authorized to sign said Developers Agreement in a form satisfactory to the Borough Attorney; and,

BE IT FURTHER RESOLVED that this resolution is subject to the approval of the Developer’s Agreement by the Planning Board; and,

BE IT FURTHER RESOLVED that the Mayor and Council would allow construction on Monday through Saturday, as permitted by Borough ordinance; and,

BE IT FINALLY RESOLVED that a copy of this resolution be forwarded to United Water New Jersey Inc. and the Planning Board.

Mayor Bivona stated that this document allows for the transportation of soil or rock on Saturdays beginning at 7:00 A.M. and the blasting of rock. He agreed with this provision because they would like to have the work completed as soon as possible. This matter will go before the Planning Board for their approval tomorrow night and Mr. Hart explained that because of the critical timing issues, the agreement is being considered in advance by the Mayor and Council. Mr. Smith, Borough Attorney, commented that the Planning Board did not discuss restricting the trucks and the operations. He noted that approval of the resolution is appropriate.

Resolution introduced by Councilperson Kahwaty. Seconded by Councilperson Kelly.
Discussion –None.

Roll Call Vote

Ayes: Kahwaty, Kelly, Pedone and Ramsey
Nays: None
Abstain:
Absent: Lota, Lambrix
Motion Approved

Resolution 57-13

Authorize Recreation Trail Grant Application

BE IT RESOLVED by the Mayor and Council of the Borough of Franklin Lakes, County of Bergen, and State of New Jersey, that application be made to the New Jersey Division of Environmental Protection, Green Acres Program, for grant funding under the 2013 Recreational Trails Grant Program for an ADA compliant accessible trail at the Franklin Lakes Nature Preserve; and,

BE IT FURTHER RESOLVED that the Borough Administrator is hereby authorized to submit the application and necessary supporting documentation on behalf of the Borough of Franklin Lakes for the aforesaid grant application; and,

BE IT FINALLY RESOLVED that a certified copy of this resolution be forwarded to the New Jersey Department of Environmental Protection, Green Acres Program, and the Chief Financial Officer.

Resolution introduced by Councilperson Kahwaty. Seconded by Councilperson Kelly. Discussion – Mayor Bivona said that this grant application for an accessible trail is being resubmitted. Mr. Hart explained that he was surprised when this application was denied but the Borough has been advised to emphasize that this trail has access to water and runs adjacent to the Nature Preserve. He believes that this is a stronger application which will be successful. Mayor Bivona stated that an unsolicited donation was received for the trail.

Roll Call Vote

Ayes: Kahwaty, Kelly, Pedone and Ramsey
Nays: None
Abstain:
Absent: Lota, Lambrix
Motion Approved

MAYOR’S REPORT

Mayor Bivona stated that he had no report this evening.

COMMITTEE/LIAISON REPORTS

PUBLIC WORKS

- **2013 Road Program**

Mr. Boswell stated that over the past few years the Borough has tried to allocate each year approximately \$400,000 for road improvements and \$50,000 for curb improvements. The Borough has fallen behind the original roadway rating system. Boswell Engineering has been ranking the worse roads in order to remove the emotion from selecting roads to be paved and they have tried to set up a preventative maintenance program to stop from falling behind. The Road Program has been underfunded since 2008. Mr. Boswell pointed out that the cost of asphalt has risen and the number of roads being paved has fallen behind as well.

Mr. Boswell and Mr. Peterson, Superintendent of the DPW, toured the Borough guided by the Roadway Ratings Survey and looked at which roads are ranked the worst and which roads are going to be in bad shape following a freeze/thaw winter cycle which is now taking place.

Mr. Boswell has compiled a list of roads that must be paved and another list of roads recommended for paving. He suggested that 2013 be made a “catch up” year at a combined cost of \$1.2 million in road paving and repair. Going forward, he recommended that a budget of \$700,000 be allotted annually to the road program. There is another list of roads recommended for repair by the DPW. Mr. Boswell estimated a higher tonnage and therefore more thickness on the more highly travelled roads.

Mr. Hart said that the Engineering Oversight Committee agrees with Mr. Boswell's recommendations. Mayor Bivona commented that the condition of the roads is of great concern to many residents and the number of roads being paved every year has been on the decline. The Borough needs to find a way to fund this \$1.2 million program while maintaining the 2% cap. He added that there may be some room to do a sizable portion using operating expenses.

Councilperson Ramsey pointed out that the heavy equipment used in tear downs cause a considerable amount of damage to the municipal roads. Mayor Bivona suggested an ordinance requiring an inspection of the road both before and after construction. If it was determined that the construction caused damage to the road, the homeowner would be responsible to pay a certain portion of repairs to the road. This could be included in some type of a bond.

Mr. Hart said that the Council needs to make a decision soon because the cut off for participation in the North West Bergen Coop is February 15th. He added that the Borough must work aggressively to ensure that funding is in place which will result in some control over the time line for paving. Mayor Bivona concluded that the need for this paving work isn't going to go away and prices will only increase. The problem is priorities in the Borough and a portion of a program of this magnitude will have to be bonded. Mayor Bivona stated that he thinks this is doable while at the same time meeting the CAP of 2% and decreasing debt.

The effect of teardowns was mentioned again and Mr. Hart wondered if there could be a provision included in the soil moving ordinance and application that would deal with this. Mr. Boswell said that applicants have been warned that damages to the curb and roadway are their responsibility and must be repaired in order to get a Certificate of Occupancy (CO). Ms. Boland said that she will include more details relative to the cost of specific damage to the roads in engineering review letters. The letters will also point out that cost of the repair work will be the responsibility of the homeowner in order for the issuance of a CO.

Councilperson Kahwaty made a motion to agree to the 2013 Road Program at an estimated cost of \$1.2 million and participation in the North West Bergen Co-op. Councilperson Kelly seconded the motion. Discussion – None.

Roll Call Vote

Ayes: Kahwaty, Kelly, Pedone and Ramsey
Nays: None
Abstain:
Absent: Lota, Lambrix
Motion Approved

- **Consent to Assignment of Garbage and Recycling Collection Contract**

Mr. Hart stated that Advanced Waste, the Borough's new garbage hauler, is selling its assets to Action Carting one of the largest garbage companies in the area. They have asked for the Borough's consent to the assignment of their contract to Action Carting. Mr. Hart and Don Scine from the Environmental Commission reviewed the series of documents relative to the bid information that had been required in the original bid and there doesn't seem to be any reason not to consent to this request. He recommended the preparation of a resolution consenting to the assignment for the February 19th meeting.

- **Certified Recycling Tonnage Grant Assistant Program**

Mr. Hart stated that as of last year, municipalities need someone who is certified to complete grant applications. The Borough doesn't have anyone in this position and there is a waiting list to attend the certification classes required by the State. There is an interlocal agreement whereby the BCUA signs off on these tonnage grant applications at no charge and he recommended that the appropriate resolution be adopted.

ENVIRONMENTAL AND COMMUNITY AFFAIRS

- **Tree Ordinance Revisions**

Mr. Hart said that there is nothing new to report and he will present revision to the tree ordinance to the Planning Board tomorrow evening. If there are no revisions, the ordinance could be introduced on February 19th, however, significant questions by the Planning Board may push the ordinance introduction into March.

PLANNING & DEVELOPMENT

Councilperson Kahwaty reported that at the Planning Board meeting the JP Morgan/Chase site plan and resolution was approved.

- **Sewer Ordinance**

Mayor Bivona said that he had discussions with the Sewer Authority. He recalled that the Council had agreed to introduce the ordinances; however, a signed agreement with the Authority was necessary before adoption of the ordinances. The Borough is requesting that the Sewer Authority locate the pipe under the railroad at their expense and in return the Borough will pay a \$50,000 fee for the sewer connection in advance. There is verbal agreement with the Sewer Authority to this condition and it is hoped that this can be scheduled for February 19th.

RECREATION AND PARKS

- **Facilities Use – Wyckoff Y Triathlon**
- **Facilities Use – Lions Club Circus**

Mr. Hart stated that these are the uses that were contemplated when the future use of McBride Field was discussed. A complete review package has been provided by the Recreation Director. Outstanding issues could include the timing due to the United Water project and whether these events are beneficial to Franklin Lakes. Mayor Bivona recalled that the Council agreed to approve these uses for this year, however, these event are questionable in 2014.

- **Football Equipment Reconditioning**

Mr. Hart stated that this is a contract award and the amount slightly exceeds the threshold amount.

- **Award Contract – WOLF Recreation Equipment**

Mr. Hart said that Wyckoff is the lead bidder on this WOLF recreation bid for uniforms and equipment. He pointed out that the price of 35% of the items stayed the same or decreased.

ADMINISTRATION AND FINANCE

- **Award Contract – IT Services**

Mr. Hart stated that they received only one proposal for the IT Services bid. He recommended the bid to All In One Computers who is the present vendor and pointed out that the rate had decreased from the previous bid.

PUBLIC SAFETY

- **Police Promotion Policy**

Mr. Hart stated that he has reviewed suggestions made by the Police Chief. Mayor Bivona questioned the need for such a detailed policy. Mr. Smith explained that it is

beneficial in the case of a discrimination lawsuit because the policy demonstrates the procedures, criteria and justification used by the Borough. Mayor Bivona said that these procedures are too detailed and could be problematic if certain items are missed in the case of a lawsuit. Mr. Hart suggested tentatively listing the policy for introduction at the February 19th meeting; however, it should be subject to review and comment by the Borough's labor attorney.

Mayor Bivona reported that the Police Department is looking at traffic calming methods in order to slow traffic on residential streets. He will have more information in the near future.

BOROUGH ADMINISTRATOR'S REPORT

Mr. Hart stated that they have advertised for the Accounts Payable position. There have been approximately forty responses to this part-time position and interviews will be scheduled for next week.

Mr. Hart said that a draft resolution has been received opposing the most recent controversial amendments to the Open Public Meetings Act. He will circulate the resolution and put this on the agenda for February 19th.

Mr. Hart reported that the Green Team has been working on the Sustainable Jersey Certification and the appointment of the members of the Green Team. This will be listed on the February 19th agenda.

Mr. Hart announced that proposals had been received for the McCoy Road development. Proposals were received from two developers and have been forwarded to the Borough Planner. There will be meetings to discuss and decide which proposal will go forward.

Mr. Hart stated that the Risk Manager offered a presentation concerning low premium health plans. Low premiums also benefit the employees and the open enrollment period ends at the end of February.

OLD BUSINESS

There was no old business this evening.

NEW BUSINESS

There was no new business this evening.

RESOLUTION FOR 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, February 5, 2013 which begins at 7:30 PM, in the Conference Room at the Municipal Building to discuss the following:

Closed meeting issues:

- Tax Appeal – Drost;
- Tax Appeal – Verizon Personal Property Assessment
- Contractual – Firemen's Field Lease
- Pending Litigation – GS Realty
- Pending Litigation – Steliga Tax Appeal
- Anticipated Litigation – Commorata 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 by Councilperson Kahwaty, seconded by Councilperson Pedone at 9:40 P.M. to enter into Closed Session. Discussion – none.

Roll Call Vote

Ayes: Kahwaty, Kelly, Pedone and Ramsey
Nays: None
Abstain: None
Absent Lambrix, Lota
Motion Approved

ADJOURNMENT

Motion by Councilperson Kahwaty to adjourn the meeting at 10:00 P.M. Councilperson Kelly seconded the motion. On voice vote, all in favor.

Roll Call Vote

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

Resolution 53-13

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 \$6,428,834.00 as shown on the Claims Bill List; \$7,785.25 as shown on the Soil Account Bill List and \$906.00 as shown on the Developers Escrow List.

BE IT FURTHER RESOLVED, that the payroll of December 6, 2012 in the amount of \$285,654.60; the payroll of December 20, 2012 in the amount of \$314,191.17; the payroll of December 31, 2012 in the amount of \$9688.50; the payroll of January 13, 2013 in the amount of \$268,311.73; the payroll of January 17, 2013 in the amount of \$261,960.42 and the payroll of January 31, 2013 in the amount of \$247,097.94 be hereby ratified and approved.

Resolution 54-13

BE IT RESOLVED, by the Mayor and Council of the Borough of Franklin Lakes that the following 2012 Budget Transfers be made for the following accounts:

<u>From</u>	<u>From</u>	<u>To</u>
Road Repairs & Maintenance OE	27,000	
To		
Vehicle Maintenance		20,000
Garbage & Trash Removal		7,000
	<hr/>	<hr/>
	27,000	27,000

Resolution 55-13

WHEREAS, the CY 2013 budget has not been adopted, and adequate provisions could not be made in the CY 2013 temporary budget to provide necessary funding for certain ongoing operations of the Borough of Franklin Lakes; and

WHEREAS, N.J.S.A. 40A:4-20 provides for the creation of emergency temporary appropriations for the aforementioned purpose; and

WHEREAS, the total emergency temporary resolutions adopted in CY 2013 pursuant to the provisions of N.J.S.A. 40A:4-20 including this resolution totals \$3,000.00;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Franklin Lakes, County of Bergen, New Jersey, that in accordance with provisions of N.J.S.A. 40A:4-20:

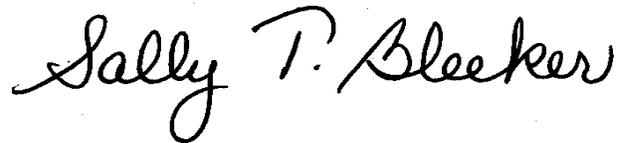
1. That emergency temporary appropriations be and the same are hereby made for:

NJPDES Stormwater Permit/	
Road Repairs & Maintenance OE	\$2,300.00
Other Insurance Premiums	200.00

2. That said emergency temporary appropriations be provided for in the CY 2013 adopted budget.

3. That one certified copy of this resolution be filed with the Director of Local Government Services.

Respectfully submitted,



Sally T. Bleeker, Borough Clerk