

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

A regular meeting of the Mayor and Council was held on March 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, Council President Lota (7:50 P.M.), Councilperson Kahwaty, Councilperson Kelly, Councilperson Lambrix, Councilperson Pedone and Councilperson Ramsey, Also present were Borough Administrator Greg Hart, Borough Attorney Smith and Borough Clerk Sally Bleeker.

SUNSHINE LAW STATEMENT

Borough Clerk Bleeker read the Sunshine Law Statement.

FLAG SALUTE

MOMENT OF SILENT REFLECTION

FRANK COVELLI – ANNUAL REPORT PIA

Mr. Covelli presented his Annual Report and outlined the Borough insurance coverage through the Joint Insurance Fund (JIF). Mr. Covelli stated that the Council reviewed the action items at the last meeting and the Borough is in full compliance relative to employment practices liability and are receiving the lowest deductibles and co-insurance that is offered. JIF is providing cyber liability coverage which is third party coverage with media communications network, security and privacy coverages. This is a more formal way to provide coverage for employees against identity theft among other exposures. There is a grant through e-JIF for up to \$400 to provide testing of underground piping associated with underground or above ground storage tanks. Enhancements online OSHA training has been implemented for Borough employees along with a Fast Track to Safety program for DEP employees.

Mr. Covelli outlined the JIF coverage for all building and contents including flood coverage which is subject to the deductible limits on properties outside of the flood zone. Coverage is provided for the automobile fleet including fire apparatus, first aid cars and the DPW. Physical damage reimbursement coverage is provided for emergency service volunteers. He described the auto liability coverages and pointed out that the insurance is layered so that the system is protected in the event of a catastrophic loss such as Hurricane Sandy. Terrorism coverage is also provided.

Mr. Covelli recommended increasing the limit of liability from \$10 million to \$20 million for general claims. This is the top level of insurance and Mr. Covelli said that there is a minimal additional cost of \$3,500 to receive these maximum benefits. JIF provides all requirements relative to workers compensation coverages afforded through the New Jersey Workers Compensation Statute. This covers all employees and emergency service volunteers. Mr. Covelli stated that some policies that are not available through JIF have been secured such as the accident and health policy for the Fire Department, the Recreation Department and volunteer workers. JIF continues to provide broader coverage than is provided through the conventional market at substantial savings to the municipality.

Mr. Covelli remarked that the Bergen County JIF has \$8.6 million on hand and a surplus of \$28,599,000 in the form of dividends. All of the funds are financially sound and he

noted that dividends exceeding \$275,000 have been returned to the Borough through the end of 2012. In addition, there is a safety incentive award.

Councilmembers discussed whether or not to increase the liability coverage. Mr. Covelli stated that about twenty five of the thirty municipalities covered by JIF in Bergen County have the additional coverage. Councilperson Kahwaty made a motion to increase the general liability coverage from \$10 million to \$20 million. Councilperson Kelly seconded the motion.

Roll Call Vote

Ayes: Kahwaty, Kelly, Lambrix, Lota, Pedone and Ramsey

Nays:

Abstain:

Absent:

Motion Approved

APPOINTMENT

- Carol Frederick – Part-Time Accounts Payable Clerk

Mr. Hart stated that Ms. Frederick has extensive experience in the accounts payable department at Pfizer. She will work every day from 8:30 A.M. to 2:30 P.M. at the rate of \$18.96 per hour.

Councilperson Lambrix made a motion to appoint Ms. Frederick for the position of Part-Time Accounts Payable Clerk. Councilperson Pedone seconded the motion. Discussion – none.

Roll Call Vote

Ayes: Kahwaty, Kelly, Lambrix, Lota, Pedone and Ramsey

Nays:

Abstain:

Absent:

Motion Approved

ORDINANCES FOR FINAL READING

ORDINANCE 1560

AN ORDINANCE INCORPORATING RULES AND REGULATIONS APPLICABLE TO THE MUNICIPAL SEWER SYSTEM IN CHAPTER 390, ARTICLE I OF THE CODE OF THE BOROUGH OF FRANKLIN LAKES

Mayor Bivona suggested that this ordinance relative to the sewer system be carried. He indicated that he returned a two page agreement to the North West Bergen Sewer Authority (NWBSA) a month ago. A response is needed from NWBSA relative to the running a line under the railroad tracks and a payment from the Borough to NWBSA concerning sewer connection. As of this meeting, he has received no response and therefore is suggesting that this would not be the appropriate time to approve an ordinance regarding the sewer system.

Mr. Hart suggested carrying consideration of this ordinance until March 19th so that the ordinance doesn't have to be re-advertised. Councilperson Ramsey made a motion to carry the ordinance until March 19th. Councilperson Pedone seconded the motion.

Roll Call Vote

Ayes: Kahwaty, Kelly, Lambrix, Lota, Pedone and Ramsey

Nays:

Abstain:

Absent:
Motion Approved

OPEN TIME FOR PUBLIC COMMENT

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

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

INTRODUCTION OF ORDINANCES ON FIRST READING

Motion to take up consideration of ordinance 1564 for introduction, and direct the Clerk to read each by title was made by Councilmember Kahwaty, seconded by Councilmember Kelly. On voice vote, all in favor.

The borough Clerk read the Ordinance by title only.

ORDINANCE 1564

CALENDAR YEAR 2013

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

WHEREAS, Ordinance 1564 was introduced at a meeting of the Mayor and Council held on the 5th day of March, 2013;

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 1564 be and the same is hereby introduced on First Reading; and,

BE IT FURTHER RESOLVED that said Ordinance 1564 will be further considered for final passage at a meeting of the said Mayor and Council to be held on the 2nd day of April 2013 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 1564; 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.

Resolution introduced by Councilperson Kelly, seconded by Councilperson Ramsey. Discussion –Mr. Hart stated that this is an annual ordinance. He explained that by State Law the municipality can only extend appropriations by 2% over the prior year. This is separate from the tax levy CAP and State law allows the municipality to bank additional monies for the next two succeeding years so that these additional funds can be spent if there is a needed. This gives some flexibility in subsequent years if needed.

Roll Call Vote

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

BOROUGH ENGINEER'S REPORT

- **Status Report**

Mr. Boswell recalled that on October 19, 2013, a contract was awarded to Master Dock Builder to fabricate and install the crossings at two locations on the reservoir. At this time, the specifications are being changed from a wooden dock to an aluminum dock with a non-skid surface. The charge for the deck was \$33,900 but a new proposal has been submitted for \$1,000 less. Mr. Boswell suggested that a change be made in the technical part of the proposal and the Council agreed to this non skid surface which is less maintenance and a quicker turn around. The permits are expected this month and the 90 day clock expires on April 18th.

Ms. Boland asked if there were any questions relative to the Engineering Status Report. Councilperson Lambrix questioned the doors on the kiosk at the reservoir. Mr. Boswell said that this was a case of poor workmanship and these doors are being replaced.

Mayor Bivona mentioned the cost for the water line for emergency services at the Wyandotte Well. He said that the Borough has asked United Water for a water line that would help them take care of watering shrubs, etc. They have also been asked to do more work on the road in this location. Mr. Boswell said that United Water has agreed to pave the road from Franklin Lake Road to Indian Trail Drive entranceway and they will be asked to assist with the remaining section near Scioto Drive that remains in disrepair. United Water will also be asked to provide a spicket or seasonal meter to aid with the watering of the plants.

Mr. Hart mentioned the proposal for the repairs to the culvert behind the Recreation Center. Councilperson Ramsey spoke about the landscaper who is encroaching on Green Acres property. She was told that the Borough would not be erecting a fence but may consider a marker of some sort. Initially this individual will be asked to vacate Borough property.

Mayor Bivona reported that he and Mr. Hart received a call from a resident who has a funding source for certain environmental projects. These projects, including costs, have been outlined and have been submitted to the DEP for approval. If approved, the Borough may have a funding source for capital projects. Mr. Hart said that one of these projects could be the repair of the culverts which could free up resources to devote to another project.

Councilperson Ramsey referred to her email to Mr. Boswell relative to the testing and monitoring of the underground storage wells at the Ambulance Building site. Ms. Boland said that new wells were installed last week. There is one well in the far corner that came up as contaminated; however, the wells closer to the Ambulance Building were clean. If, after two weeks, the well continues to show contamination it will be necessary to conduct a review to find the source of the contamination. After some discussion, Mr. Boswell said that he is optimistic that the contamination is coming from a neighboring property but they won't know until the appropriate testing is conducted.

CONSENT RESOLUTION 77-13

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 78-13 Accept Report of the Finance Committee
- Resolution 79-13 Consent to Assignment of Garbage and Recycling Collection Contract
- Resolution 80-13 Delete Taxes 2012 3rd & 4th quarter Block 1109 Lot 1
- Resolution 81-13 Emergency Temporary Appropriation
- Resolution 82-13 Budget Transfer
- Resolution 83-13 Board of Health Change Fund
- Resolution 84-13 Budget Self Examination

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

Roll Call Vote

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

**Resolution 85-13
INTRODUCTION OF THE 2013 MUNICIPAL BUDGET**

BE IT RESOLVED, that the following statements of Revenue and Appropriations shall constitute the local budget for the year 2013, and

BE IT FURTHER RESOLVED, that the said budget be published in the March 8, 2013 issue of The Ridgewood News, together with a notice to the public that the public hearing will be held in the Municipal Building on April 2, 2013 at 7:30 PM or as soon thereafter as the matter can be reached by the Governing Body of the Borough of Franklin Lakes, and does hereby appropriate the following as the budget for year 2013:

Appropriations	
Municipal Purposes in Cap	\$11,787,077.00
Municipal Purposes out Cap	3,707,935.00
Reserve for Uncollected Taxes	<u>\$ 1,035,000.00</u>
Total General Appropriations	<u>\$16,530,012.00</u>
Revenues	
Anticipated Revenues Other Than	
Current Property Taxes	\$ 5,511,013.00
Amount to be raised by taxation:	
Municipal Purposes	\$ 9,572,786.00
Library Tax	<u>\$ 1,446,213.00</u>
Total General Revenues	<u>\$16,530,012.00</u>

Resolution introduced by Councilperson Kelly. Seconded by Councilperson Lambrix.
Discussion – none.

Roll Call Vote

Ayes: Councilmembers Kahwaty, Kelly, Lambrix, Lota, Pedone and Ramsey
Nays: None

Mayor Bivona thanked everyone for their diligent work on this budget and was pleased to announce that the tax increase is actually 1.88% which is well under 2% limit. This percentage reflects good decision making and hard choices. Mr. Hart said that there will be a brief press release relative to the budget tomorrow.

RESOLUTION

- **Authorize Advertisement for Bid – Repair of Culvert**

Mayor Bivona stated that they will not go out to bid on this item and Mr. Boswell will obtain proposals.

MAYOR’S REPORT

Mayor Bivona reminded everyone about the Capital Budget Meeting that has been scheduled. Although the Council is doing a good job addressing the various items, time

still has to be spent on prioritizing and finalizing exactly what items will be addressed in the near future.

Mayor Bivona reported that the Borough has achieved bronze status for Sustainable New Jersey. He thanked Councilman Lambrix for his leadership and contributions to the Environmental Committee over the years.

Mayor Bivona stated that the installation of railroad gates on Pulis Avenue is now complete. He is hoping for other road improvements from the County on Summit Avenue. Mayor Bivona reported that he met today with a group who is making a proposal for special needs housing on McCoy Road. A plan has been submitted to the State but to date no approval has been forthcoming. The source of funding will determine the options for this project. A meeting is scheduled for Monday night and the Mayor is looking for more input from the community which will help the Borough to make the correct decisions. The Borough Planner is preparing an analysis of the issues as well as a summary of meetings that have been held.

COMMITTEE/LIAISON REPORTS

PUBLIC SAFETY

- **Police Proposed Promotional Standards**

Council President Lota said that a policy statement has been received from the Police Chief relative to departmental promotion process. There was a letter attached from Bill Smith, Borough Attorney, noting his comments. Mr. Hart explained that the Police Chief is seeking approval of the policy by the Mayor and Council which would be memorialized in the form of a resolution. Mr. Smith explained that this proposal would place exclusive decision making relative to promotions into the hands of the police rather than the Council. It removes the majority of the control for promotions from the Council and he would advise against adoption of this policy.

Council President Lota recalled that this issue has been before the Council previously when a specific promotion was being considered. Councilperson Kahwaty suggested that they find out the procedure followed in other towns. After more discussion, Councilmembers agreed that it was probably prudent to have some sort of policy in place. Mr. Smith recommended that the Council maintain the majority of the power in this process. Council President Lota suggested that she and Councilperson Ramsey discuss this further with the Police Chief in order to work out the details. Mr. Hart stated that it is helpful to be able to refer to a policy and process in the event of litigation but departing from policy could be detrimental also. The Council agreed to have Council President Lota and Councilperson Ramsey discuss this further with the Police Chief.

- **Amendment to Parking Ordinance – Ackerman Street**

Council President Lota said that Ackerman Street is a very narrow, dead end street off of Colonial Road and Officer Lyons is suggesting that parking be allowed on one side of the street only. Mr. Hart said that this ordinance could be listed for introduction on March 19th.

- **Bergen County Mutual Aid**

Mr. Hart explained that this is an approval of the Mutual Aid Plan. He said that this should be an annual approval of the Agreement which involves the police. There could be potential liability if the department is responding in a different town and the Police Chief as well as the risk manager recommends a formalized agreement. He will get additional information as to whether all towns are adopting this agreement.

- **Award Contract – Fire Department Specialty Utility Vehicle**

Mr. Hart said that \$150,000 was appropriated in the 2012 capital budget for this vehicle. One bid was received in the amount of \$149,341.00 which is within budget and the Fire Chief is recommending that this contract be awarded to the sole bidder.

PUBLIC WORKS

- **Borough Sign Policy**

Mr. Hart reviewed his memo of February 25th, concerning prohibited signs within the Borough's rights of way. The idea is to have some regulation on signs distributed by Borough departments. Mayor Bivona asked Councilmembers to get their comments to Mr. Hart who will discuss the findings with the Public Works Committee.

ENVIRONMENTAL AND COMMUNITY AFFAIRS

Councilperson Pedone questioned Ms. Bleeker about the dog licenses. She said that the Board of Health is now in charge of dog licenses. Councilperson Pedone was concerned about the fact that three people have been bitten by dogs over the past three weeks.

Councilperson Pedone referred to the Library report and noted that the total expense is just in excess of \$1 million for salaries alone and very little of the budget remains for the operation of the Library itself. Mayor Bivona reported that he met with the Library representative who agreed that these salaries are a big percentage of the budget.

PLANNING AND DEVELOPMENT

Councilperson Kahwaty reported that both the Tree Ordinance and Wind Ordinance are on the agenda for discussion at tomorrow's Planning Board meeting. The Sabbagh soil moving application is also on the agenda.

- **Verizon Antenna at Police Headquarters**

Councilperson Kahwaty stated that Verizon and Sprint are looking for approval to increase the height of the cell tower at Police Headquarters from 138 feet to 148 feet. Mr. Smith said that he has received a communication from the Planning Board which led him to believe that they wanted the Council to approve or disapprove this request before they render a decision. These two companies did not state to the Borough that as part of their lease they wanted to increase the height of the antennae. This came up after they were awarded the lease. The Borough owns the property which means the Council could deny the request even if the Planning Board were to approve it.

Councilperson Pedone asked if this was a typical height and Mr. Smith said that the height of each antenna is different depending on things such as topography. Mayor Bivona pointed out that the tower has to be higher to accommodate the maximum number of carriers. The antenna was originally approved at 128 ft. and later received a variance to go as high as 138 ft.

Upon questioning, Mr. Hart stated that the Borough went out to bid for cell phone companies to locate on this tower and Franklin Lakes will receive \$22,000 annually from the carriers. There was nothing in the bid that precluded them from asking for a height increase and they will not enter into a lease agreement unless they are allowed to increase the height of the tower at this location. After further discussion, the Council agreed to have the Planning Board render their decision.

RECREATION AND PARKS

Councilperson Kelly remarked that he is impressed at how much more smoothly recent meetings have been running.

- **Town Fair Event Co-coordinator**

Mr. Hart spoke about the proposal from Premiere Productions who has run the Town Fair for the last two years. This year's bid is under the threshold and does not require formal Mayor and Council approval by resolution. The Public Events Committee is recommending the proposal. Mayor Bivona stated that the Recreation Committee is working on wellness events and there will be more information on this in the future.

ADMINISTRATION AND FINANCE

- **Agreement for Employee Assistance Program**

Councilperson Lambrix stated that the agreement for Employee Assistance Program is related to the prior proposal that was in effect with West Bergen Mental Health. Mr. Hart explained that in the past, the Borough has provided an employee assistance program offering a range of counseling services. The Borough pays a fee of \$6,000 to West Bergen Mental Health. A proposal has been received from the Bergen County Department of Health Services offering a cost of \$19 per employee which would total \$1,200. He has contacted other municipalities and found that some are switching to the County's plan and some are not. They have budgeted based on the County's proposal which has to be approved by the Council at the March 19th meeting. Councilmembers agreed and commented that the services are virtually identical.

- **Approval of B-Med Plan Document**

Mr. Hart recalled that there was a switch to B Med on July 1, 2012. B Med has finally assembled a plan document describing the scope of services for each plan. The Risk Manager has reviewed the plan and recommends approval by the Mayor and Council. This will be included in the Consent Resolution at the March 19th meeting.

- **On-Line Auction – Miscellaneous Equipment**

Mr. Hart said that there are a number of vehicles for sale that will be listed using the Gov Deals online auction site. Ebay is used for other electronic equipment. The law requires that a resolution be passed listing those items for online auction and this will be listed for March 19th.

- **Borough Logo Competition**

Mr. Hart confirmed a logo competition which had been discussed in the past. Initially, the new logo would be used on letterhead and business cards and ideas will be solicited through the Borough website. Councilperson Lambrix asked if there have ever been objections to the present logo. Mayor Bivona said he realizes that change is not an easy thing and the new logo would be phased in over time. Mr. Hart said that he likes the idea of tapping into the creativity of the residents and he encouraged the Mayor and Council to support this idea which will engage the community. Mayor Bivona asked Councilmembers to communicate their ideas relative to the process to Mr. Hart.

BOROUGH ADMINISTRATOR'S REPORT

Mr. Hart reminded everyone about the Capital Budget meeting next Tuesday at 8 A.M.

Mr. Hart stated that correspondence has been received from Monmouth University describing an eGovernment project which was recently completed. Five hundred and forty municipal websites in New Jersey were analyzed for availability of content and ease of use. The Franklin Lakes website was found to be one of the ten best municipal websites in New Jersey. The Council is invited to a ceremony along with the Web Team on March 21st. Mayor Bivona asked that the team be recognized for this accomplishment.

Mr. Hart spoke about a resolution opposing early voting legislation which has been drafted by the League of Municipalities. This is an extraordinary proposal and would require early voting starting fifteen days before an election. The early polling locations must be open Monday through Saturday, 10 A.M. to 8 P.M. and on Sunday from 10 A.M.

to 6 P.M. This would mean that the Municipal Building in most towns would have to be opened and staffed by poll workers during this early voting time.

Ms. Bleeker said that there is a question of how the voting machines will be secured overnight. Would the tallies go to the county every night? Councilperson Kahwaty indicated his support for the League of Municipalities' resolution opposing this early voting legislation.

Mr. Hart said that he will have the salary ordinance ready for introduction on March 19th. It will be consistent with collective bargaining agreements and the budget which includes a 2% increase for non-contractual employees.

OLD BUSINESS

There was no old business this evening.

NEW BUSINESS

Councilperson Lambrix recalled an email that was sent relative to training for municipal officials to be held in Midland Park Municipal Building at 6 P.M. on March 14th. Councilperson Lambrix said that he intends to attend and Mr. Hart will circulate the information to the full Mayor and Council. This training fulfills the requirement for annual training.

Councilperson Lambrix stated that the correspondence packet included a notice from the State Forester that the Borough's Forestry Management Plan has expired. Mr. Hart said that Chris Hasbrouck is working on this.

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

Closed meeting issues:

- Pending Litigation – Newark Bay

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 Ramsey at 9:40 P.M. to enter into Closed Session, Discussion – none.

Roll Call Vote

Ayes: Kahwaty, Kelly, Lambrix, Lota, Pedone and Ramsey

Nays: None

Abstain: None

Absent: None

Motion Approved

ADJOURNMENT

Motion by Councilperson Lambrix to adjourn the meeting at 9:50 P.M. Councilperson Ramsey seconded the motion. Discussion – none. On voice vote, all in favor.

Resolution 78-13

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 \$3,749,177.80 as shown on the Claims Bill List; \$4,066.50 as shown on the Soil Account Bill List and \$958.50 as shown on the Developers Escrow List.

BE IT FURTHER RESOLVED, that the payroll of February 14, 2013 in the amount of \$251,241.01 and the payroll of February 28, 2013 in the amount of \$237,651.33 be hereby ratified and approved.

Resolution 79-13

Consent to Assignment of Garbage and Recycling Contract

WHEREAS, by letter dated January 15, 2013, the attorney for Advanced Waste Systems, Inc. (hereinafter “Advanced Waste”), advised the Borough that Advanced Waste Systems, Inc., had entered into a contract to sell certain assets, including the municipal solid waste and recycling contract with the Borough of Franklin Lakes, to Action Carting Environmental Services, Inc. (hereinafter “Action Carting”); and,

WHEREAS, in said letter, the attorney for Advanced Waste is requesting a resolution from the Borough consenting to the assignment of the Borough’s contract with Advanced Waste to Action Carting; and,

WHEREAS, at the Borough’s request, Action Carting has provided all documentation that would have been required in the bid specifications had Action Carting submitted a bid 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 Borough of Franklin Lakes hereby consents to the assignment of the Borough’s contract for municipal solid waste and recycling with Advanced Waste Systems, Inc., to Action Carting Environmental Services, Inc., provided Action Carting Environmental Services, Inc., complies with all the requirements of the bid specifications; and,

BE IT FINALLY RESOLVED that a copy of this resolution be provided to Advanced Waste Systems, Inc., and Action Carting Environmental Services, Inc.

Resolution 80-13

WHEREAS, the homeowner was billed for the 3rd and 4th quarter of 2012 and,

WHEREAS, the property became exempt as of April 24, 2012 and,

WHEREAS, they should not have been billed for 3rd and 4th quarter,

NOW, THEREFORE, BE IT RESOLVED, that the tax collector can delete the taxes for the 3rd and 4th quarter 2012.

Block 1109	Lot 1	\$3819.69	3 rd quarter
Omaha Way-	County of Bergen	\$3818.00	4 th quarter

Resolution 81-13

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 \$465,425.00;

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:

Salaries & Wages:	Administration	17,550.00	
	Municipal Clerk	3,700.00	
	Finance Admin.	4,800.00	
	Tax Collection	2,000.00	
	Tax Assessment	1,300.00	
	Engineering	3,400.00	
	Planning	100.00	
	Zoning Board	300.00	
	Construction Dept.	7,100.00	
	Electrical Inspector	3,500.00	
	Plumbing Inspector	1,200.00	
	Fire Protection	1,700.00	
	Zoning Official	600.00	
	Police	150,000.00	
	Uniform Fire Safety	1,000.00	
	Road Repairs& Maint.	60,000.00	
	Shade Tree	1,200.00	
	Board of Health	2,500.00	
	Recreation Dept.	200.00	
	Municipal Court	5,000.00	
	Other Expenses:	Municipal Prosecutor	100.00
		Public Defender	375.00
		Social Security	10,000.00
Road Repairs& Maint.		40,000.00	
Group Ins. Employees		45,000.00	
Gasoline		7,000.00	
Finance		600.00	
Tax Collection		200.00	
Maint. Public Library		92,000.00	

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.

Resolution 82-13

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	500	
To		
Vehicle Maintenance OE		500
	<hr/>	<hr/>
	500	500

Resolution 83-13
Change Fund for Board of Health

WHEREAS, by resolutions adopted on May 15, 2012, the Mayor and Council cancelled the \$100 change fund that had been maintained by the Board of Health and increased the change fund for the Tax Department from \$200 to \$300; and,

WHEREAS, the Board of Health now administers the dog and cat licensing programs for the Borough and a change fund is necessary for the efficient administration of these programs; and

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Franklin Lakes, that a \$100 change fund for the Board of Health be and is hereby re-established; and,

BE IT FURTHER RESOLVED that the change fund for the Tax Department be and is hereby reduced from \$300 to \$200; and,

BE IT FINALLY RESOLVED that a copy of this resolution be forwarded to the Tax Collector, the Board of Health and the Chief Financial Officer.

RESOLUTION 84-13

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

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

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

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

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

- b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

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

Respectfully submitted,

A handwritten signature in black ink that reads "Sally T. Bleeker". The signature is written in a cursive, flowing style.

Sally T. Bleeker, Borough Clerk