

**MEETING OF THE MAYOR AND COUNCIL
APRIL 16, 2013
7:30 P.M.**

A regular meeting of the Mayor and Council was held on Tuesday, April 16, 2013 in the Municipal Building.

MEETING CALLED TO ORDER

ROLL CALL

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

SUNSHINE LAW STATEMENT

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

FLAG SALUTE

MOMENT OF SILENT REFLECTION

Moment of silence in recognition of those who lost their lives and were injured during the Boston Marathon Bombing.

APPOINTMENT

Michael DeLiso – Department of Public Works Part-Time Position

Motion to appoint Michael DeLiso to a part-time position in the Department of Public Works was made by Councilmember Kahwaty, seconded by Councilmember Kelly.

Roll Call Vote:

Ayes: Kahwaty, Kelly, Lambrix, Lota, Pedone

Nays:

Abstain:

Absent: Ramsey

Motion Approved.

PROCLAMATIONS

NATIONAL PUBLIC WORKS WEEK

WHEREAS, public works services provided in our community are an integral part of our citizens' everyday lives; and

WHEREAS, the support of an understanding and informed citizenry is vital to the efficient operation of public works systems and programs such as water, sewers, streets and highways, public buildings, and solid waste collection; and

WHEREAS, the health, safety and comfort of this community greatly depends on the facilities and services; and

WHEREAS, the quality and effectiveness of these facilities, as well as their planning, design, and construction, is vitally dependent upon the efforts and skill of public works officials; and

WHEREAS, the efficiency of the qualified and dedicated personnel who staff public works departments is materially influenced by the people's attitude and understanding of the importance of the work they perform,

NOW, THEREFORE, I Frank Bivona, Mayor of the Borough of Franklin Lakes, do hereby proclaim the week of May 19-25, 2013 as

“NATIONAL PUBLIC WORKS WEEK”

in the Borough of Franklin Lakes, and I call upon all citizens and civic organizations to acquaint themselves with the issues involved in providing our public works and to recognize the contributions which public works officials make every day to our health, safety, comfort, and quality of life.

IN WITNESS HEREOF, I have hereunto set my Hand and caused the Seal of the Borough of Franklin Lakes to be affixed this 16th day of April, 2013.

MUNICIPAL CLERKS WEEK

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

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

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

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

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

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

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

NOW, THEREFORE, I Frank Bivona, Mayor of the Borough of Franklin Lakes, do recognize the week of May 5 through May 11, 2013, as Municipal Clerks Week, and further extend appreciation to our Municipal Clerk, Sally Bleeker, Deputy Clerk Jennifer Crespo and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

ARBOR DAY

WHEREAS, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and,

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and it is now observed throughout the nation and the world; and,

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife; and,

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products; and,

WHEREAS, trees in our Borough increase property values, enhance the economic vitality of business areas, and beautify our community, and, wherever they are planted, are a source of joy and spiritual renewal, and,

WHEREAS, the Franklin Lakes Shade Tree Commission will plant three trees behind Borough Hall in commemoration of Arbor Day;

NOW THEREFORE, I, FRANK BIVONA, Mayor of the Borough of Franklin Lakes, County of Bergen, and State of New Jersey, do hereby proclaim April 26, 2013, as Arbor Day in the Borough of Franklin Lakes, and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands; and I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

IN WITNESS HEREOF, I have hereunto set my Hand and caused the Seal of the Borough of Franklin Lakes to be affixed this 16th day of April, 2013.

CHILD ABUSE PREVENTION MONTH

WHEREAS, we all have a responsibility, as individuals; neighbors, community members and citizens of FRANKLIN LAKES to help create healthy, safe and nurturing experiences for children; and

WHEREAS, safe and healthy childhoods help produce confident and successful adults; and

WHEREAS, child abuse and neglect often occurs when people find themselves in stressful situations, without community resources, and don't know how to cope; and

WHEREAS, the majority of child abuse cases stem from situations and conditions that are preventable in an engaged and supportive community; and

WHEREAS, child abuse and neglect can be reduced by making sure every family has the support they need and deserve to raise their children in a healthy environment; and

WHEREAS, it is recognized that no one person can do everything, but that everyone can do something, and together we can create change for the better; and

WHEREAS, effective prevention programs succeed because of partnerships among agencies, schools, religious organizations, law enforcement agencies, and the business community; and

WHEREAS, displaying a pinwheel or planting a pinwheel garden in April will serve as a positive reminder that together, we can prevent child abuse and keep children safe;

NOW, THEREFORE, I Frank Bivona, Mayor of the Borough of Franklin Lakes, do hereby proclaim April 2013 as Child Abuse Prevention Month in FRANKLIN LAKES, and we urge all citizens to engage in activities that strengthen families and communities to provide the optimal environment for children to learn, grow and thrive so that all children have the benefit of happy, healthy and safe childhoods.

ORDINANCES FOR FINAL READING AND ADOPTION

- **Motion by Council Member**

Move to take up Ordinance 1560 for consideration of adoption on second and final reading, and direct the Clerk to read by title. Second and voice vote.

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

Summary: Establishes comprehensive rules and regulations for sanitary sewers including requirements for accessing and charging property owners for the use of the sewers.

Mayor suggested that Ordinance 1560 be tabled to the May 7, 2013 Mayor and Council meeting since a formal agreement still has not been made.

Motion made by Councilmember Kahwaty to table Ordinance No. 1560 to the May 7, 2013 Mayor and Council meeting, seconded by Councilmember Pedone.

Roll Call Vote:

Ayes: Kahwaty, Kelly, Lambrix, Lota, Pedone

Nays:

Abstain:

Absent: Ramsey

Motion Approved.

**ORDINANCE 1565
AN ORDINANCE SUPPLEMENTING CHAPTER 470
“VEHICLES AND TRAFFIC” OF THE CODE OF THE
BOROUGH OF FRANKLIN LAKES TO PROHIBIT
PARKING ON A PORTION OF ACKERMAN STREET**

Summary – This ordinance will prohibit parking on the north side of Ackerman Street from the intersection with Colonial Road to the end of the cul de sac.

WHEREAS, an ordinance 1565 was introduced at a meeting of the Mayor and Council held on the 19th day of March, 2013 and duly published by law;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Franklin Lakes, County of Bergen, State of New Jersey, that Ordinance 1565 be and the same is hereby adopted on second and final reading; and,

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

Motion made by Councilmember Lambrix to take up Ordinance No. 1565 for consideration of adoption on second and final reading, and direct the Clerk to read by title, seconded by Council President Lota. On voice vote, all in favor.

The Borough Clerk read the Ordinance by title only.

Motion to open the hearing to the public was made by Councilmember Kahwaty, seconded by Councilmember Lambrix. On voice vote, all in favor.

Robert Scanlon – 701 Ackerman Street. Mr. Scanlon came forward to say that when cars park on both sides of Ackerman Street it is virtually impossible for ambulances and fire trucks cannot get through.

Motion to close the hearing to the public was made by Councilmember Pedone, seconded by Councilmember Kahwaty. On voice vote, all in favor.

Resolution read and introduced by Councilmember Kahwaty, seconded by Councilmember Pedone. Discussion – none.

Roll Call Vote:

Ayes: Kahwaty, Kelly, Lambrix, Lota, Pedone

Nays:

Abstain:

Absent: Ramsey

Motion Approved.

ORDINANCE 1566
AN ORDINANCE RELATING TO SALARIES AND OTHER COMPENSATION
OF OFFICERS, MANAGERIAL STAFF, CONFIDENTIAL EMPLOYEES,
AND EMPLOYEES OF THE BOROUGH OF FRANKLIN LAKES,
COUNTY OF BERGEN, STATE OF NEW JERSEY FOR THE YEAR 2013

Summary – This ordinance establishes the 2013 salaries for all Borough employees.

WHEREAS, an ordinance 1566 was introduced at a meeting of the Mayor and Council held on the 19th day of March, 2013 and duly published by law;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Franklin Lakes, County of Bergen, State of New Jersey, that Ordinance 1566 be and the same is hereby adopted on second and final reading; and,

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

Motion made by Council President Lota to take up Ordinance No. 1566 for consideration of adoption on second and final reading, and direct the Clerk to read by title, seconded by Councilmember Kelly. On voice vote, all in favor.

The Borough Clerk read the Ordinance by title only.

Motion to open the hearing to the public was made by Councilmember Lambrix, seconded by Council President Lota. On voice vote, all in favor.

No one from the public came forward at this time.

Motion to close the hearing to the public was made by Councilmember Kahwaty, seconded by Councilmember Kelly. On voice vote, all in favor.

Resolution read and introduced by Councilmember Kahwaty, seconded by Councilmember Pedone. Discussion – none.

Roll Call Vote:

Ayes: Kahwaty, Kelly, Lambrix, Lota, Pedone

Nays:

Abstain:

Absent: Ramsey

Motion Approved.

PUBLIC HEARING ON THE 2013 MUNICIPAL BUDGET

Budget Presentation

Borough Administrator, Greg Hart, came forward and presented a power point presentation of the 2013 Municipal Budget.

Public Hearing of 2013 Municipal Budget

Motion to open the hearing to the public was made by Councilmember Pedone, seconded by Councilmember Lambrix. On voice vote, all in favor.

No one from the public came forward at this time.

Motion to close the hearing to the public was made by Councilmember Pedone, seconded by Councilmember Kahwaty. On voice vote, all in favor.

Resolution 115-13 Adopt the 2013 Municipal Budget

Please see attached spreadsheet.

Resolution read and introduced by Councilmember Kahwaty, seconded by Councilmember Pedone. Discussion – none.

Roll Call Vote:

Ayes: Kahwaty, Kelly, Lambrix, Lota, Pedone

Nays:

Abstain:

Absent: Ramsey

Motion Approved.

CONSENT RESOLUTION 116-13

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 resolutions can be found after the Adjournment.

- Resolution 117-13 Accept Report of the Finance Committee
- Resolution 118-13 Authorize Borough Engineer for Engineering Services for Recreation Center Improvements
- Resolution 119-13 Facilities Use – Oktoberfest
- Resolution 120-13 Facilities Use – Lacrosse Tournament
- Resolution 121-13 Bergen County Open Space Trust Fund Contract Extension – Primitive Trail
- Resolution 122-13 Bergen County Open Space Trust Fund Contract Extension – Nature Preserve
- Resolution 123-13 Capital Budget Amendment
- Resolution 124-13 Budget Self Examination

Resolution read and introduced by Councilmember Kahwaty, seconded by Councilmember Pedone.

Roll Call Vote:

Ayes: Kahwaty, Kelly, Lambrix, Lota, Pedone

Nays:

Abstain:

Absent: Ramsey

Motion Approved.

OPEN THE TIME FOR PUBLIC COMMENT

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

No one from the public came forward at this time.

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

RESOLUTIONS

Resolution 125-13

Authorize Community Development Application – Firehouse Doors

WHEREAS, a Bergen County Community Development grant has been proposed by the Borough of Franklin Lakes for the installation of a barrier-free entrance to the Bender Court Firehouse in the Borough of Franklin Lakes; and,

WHEREAS, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the Governing Body; and,

WHEREAS, the aforesaid project is in the best interest of the people of the Borough of Franklin Lakes; and,

WHEREAS, this resolution does not obligate the financial resources of the Borough and is intended solely to expedite expenditure of the aforesaid CD funds.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Franklin Lakes, County of Bergen, and State of New Jersey, hereby confirms endorsement of the aforesaid project; and,

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

Resolution read and introduced by Council President Lota, seconded by Councilmember Kelly. Discussion – Borough Administrator, Greg Hart, explained that this is an opportunity for the Borough to receive funding from the Bergen County Community Development. The doors at the Bender Court firehouse will be expanded.

Roll Call Vote:

Ayes: Kahwaty, Kelly, Lambrix, Lota, Pedone

Nays:

Abstain:

Absent: Ramsey

Motion Approved.

Resolution 126-13

Award Contract – Water Line Tree Farm

WHEREAS, the Superintendent of Public Works solicited and received three proposals for the installation of a water pipe, water meter pit, yard hydrant, backflow preventer and enclosure at the Franklin Lakes Nature Preserve to provide water service to the tree farm; and,

WHEREAS, the Mayor and Council wish to award this contract to the contractor that submitted the lowest 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 contract for the installation of a water line and related improvements at the Franklin Lakes Nature Preserve be and is hereby awarded to the contractor that submitted the lowest proposal, Drewes Plumbing & Heating, Inc., 37 Elbert Court, Ramsey, New Jersey 07446, for a proposal price of \$10,250; 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 the Chief Financial Officer be and is hereby authorized and directed to issue payment upon receipt of an approved voucher.

Resolution read and introduced by Councilmember Kahwaty, seconded by Councilmember Kelly. Discussion – Borough Administrator, Greg Hart, explained that the DPW will dig and back fill the trench. This reflects the price of the installation of the water line and pick. Half of

this will be paid out of the Nature Preserve Phase II funding and then the other half from the County Open Space Grant.

Roll Call Vote:

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

**Resolution 127-13
Tax Title Lien Redemption/Outside Lien Holder**

WHEREAS, the owner of the property located at 747 Lawlins Rd., also known as Block 2515 lot 6, came to the tax office on April 16, 2013, with a check to redeem Tax Title Certificate 09-00006 dated November 18, 2009

WHEREAS, the payment was issued to the Borough of Franklin Lakes, and same was deposited in the current account

NOW, THEREFORE, BE IT RESOLVED that the Treasurer be and she is hereby authorized to issue checks to the following:

BLOCK 2515 LOT 6	Redemption	\$35,122.81
	Premium	\$ 3,000.00

U.S. Bank-Cust/Sass Muni VI DTR
Corp Trust Services Tax Lien
2 Liberty Pl.
50 S. 16th St 1950
Philadelphia, PA 19102

Resolution read and introduced by Councilmember Kahwaty, seconded by Councilmember Lambrix. Discussion – none.

Roll Call Vote:

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

ACTION ON MINUTES

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

- February 19, 2013 Special Budget Meeting
- February 26, 2013 Special Budget Meeting
- February 28, 2013 Special Budget Meeting
- March 05, 2013 Worksession Meeting
- March 19, 2013 Regular Meeting

Roll Call Vote:

Ayes: Kahwaty, Kelly, Lambrix (with exceptions), Lota (with exceptions), Pedone
Nays:
Abstain: Lambrix - February 19, 2013 Special Budget Meeting; Lota and Pedone – February 26, 2013 and February 28, 2013 Special Budget Meetings.

Absent: Ramsey
Motion Approved.

OLD BUSINESS

Police Promotion Policy

Borough Attorney Smith reported that the Police were satisfied with the new proposal he sent them. The policy will be added to the May 7, 2013 Mayor and Council meeting for approval.

NEW BUSINESS

There was no New Business to discuss at this time.

INTRODUCTION OF ORDINANCES ON FIRST READING

Move to take up consideration of Ordinance 1567 for Introduction, and direct the Clerk to read by title was made by Councilmember Kahwaty, seconded by Councilmember Pedone. On voice vote, all in favor.

The Borough Clerk read the Ordinance by title only.

ORDINANCE 1567

A BOND ORDINANCE AUTHORIZING VARIOUS IMPROVEMENTS BY AND FOR THE BOROUGH OF FRANKLIN LAKES, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING AN AGGREGATE AMOUNT OF \$1,410,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$910,000 IN AGGREGATE PRINCIPAL AMOUNT OF BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF.

Summary – This ordinance appropriates a total of \$1,410,000 for the following capital projects and purchases: 2013 Road Program, cab and chassis for salt spreader, Groundskeeper mower and snowplow, SCBA bottles for Fire Department, Geographic Information Systems project, Recreation Center parking lot and basketball court improvements (funded with grants and donations), and tables and playground equipment. Of the \$1,410,000, \$500,000 will be funded through the Operating Budget and \$910,000 will be funded with bond anticipation notes.

WHEREAS, Ordinance 1567 was introduced at a meeting of the Mayor and Council held on the 16th day of April, 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 1567 be and the same is hereby introduced on First Reading; and,

BE IT FURTHER RESOLVED that said Ordinance 1567 will be further considered for final passage at a meeting of the said Mayor and Council to be held on the 7th day of May 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 1567; 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 read and introduced by Councilmember Kahwaty, seconded by Council President Lota. Discussion – none.

Roll Call Vote:

Ayes: Kahwaty, Kelly, Lambrix, Lota, Pedone
Nays:

Abstain:
Absent: Ramsey
Motion Approved.

CLOSED SESSION

BE IT RESOLVED, by the Mayor and Council of the Borough of Franklin Lakes, County of Bergen and State of New Jersey that a Closed Meeting be held on Tuesday, April 16, 2013 which begins at 7:30 PM, in the Council Chambers at the Municipal Building to discuss the following:
Closed meeting issues:

- Contract negotiation - Cell tower on MUA easement

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 Kahwaty, seconded by Councilmember Pedone. On voice vote, all in favor.

ADJOURNMENT

Motion to adjourn the meeting was made at 8:30 P.M. by Councilmember Pedone, seconded by Councilmember Lambrix. On voice vote, all in favor.

Resolution 117-13 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 \$186,949.82 as shown on the Claims Bill List and \$121.00 as shown on the Soil Account Bill List.

Resolution 118-13 Authorize Borough Engineer for Engineering Services for Recreation Center Improvements

WHEREAS, the Borough Engineer, Boswell McClave Engineering, has submitted a proposal dates on September 4, 2012, based on rates established in the Borough Engineer's retainer agreement, for engineering and surveying services in connection with the expansion of the existing Recreation Center parking lot and construction of a new basketball court;

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 Boswell McClave Engineering is hereby authorized and directed to perform the engineering and surveying services as detailed in its September 4, 2012 proposal, for an amount not to exceed \$17,000; and,

BE IT FINALLY RESOLVED that a copy of this Resolution be forwarded to Boswell McClave Engineering and the Chief Financial Officer.

Resolution 119-13 Facilities Use – Oktoberfest

WHEREAS, The Market Basket, 813 Franklin Lake Road, Franklin Lakes, NJ 07417 has requested the use of Borough facilities, McBride Field, for its Annual Oktoberfest to be held on October, 17th, 18th and 19th of 2013;

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

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Franklin Lakes, County of Bergen and State of New Jersey that The Market Basket is hereby

granted permission to use Borough facilities, McBride Field, for its Annual Oktoberfest to be held on October 17th, 18th and 19th of 2013; and,

BE IT FINALLY RESOLVED that a copy of this resolution be forwarded to The Market Basket and the Recreation and Parks Director.

Resolution 120-13 Facilities Use – Lacrosse Tournament

WHEREAS, the Franklin Lakes Boys Lacrosse, 296 Crest Place, Franklin Lakes, NJ 07417 has requested the use of Borough facilities, Municipal Field, for its Lacrosse Tournament to be held on weekend of May 18th and 19th 2013;

WHEREAS, the Mayor and Council are satisfied that the proposal for use of Borough facilities 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 Franklin Lakes Boys Lacrosse is hereby granted permission to use Borough facilities, Municipal Field, for its Lacrosse Tournament to be held on May 18th and 19th 2013; and,

BE IT FINALLY RESOLVED that a copy of this resolution be forwarded to Franklin Lakes Boys Lacrosse and the Recreation and Parks Director.

Resolution 121-13 Bergen County Open Space Trust Fund Contract Extension – Primitive Trail

WHEREAS, on August 5, 2010, the Borough of Franklin Lakes and the County of Bergen executed Open Space Trust Fund Contract OSTFMP-FLK-09-30 (“Contract”); and,

WHEREAS, the purpose of said Contract was for the Borough to complete the following park improvement project entitled: Borough Hall Primitive Trail Network in order to receive a County of Bergen Open Space Trust Fund Grant; and,

WHEREAS, the Borough has indicated proposed park improvements to include primitive trails, plank walkways, bridge and picnic area, and the anticipated grant reimbursement has been revised to not exceed \$16,000.00, in accordance with the Borough’s letter dated November 16, 2012; and,

WHEREAS, the said Contract and its initial Extension expired on April 21, 2012 and the County and the Borough desire to extend and continue said Contract;

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 are hereby authorized and directed to execute a Contract Extension Agreement with the County of Bergen for the Borough Hall Primitive Trail Network project; and,

BE IT FINALLY RESOLVED that a copy of this Resolution be forwarded to Robert A. Abbatomarco, Executive Director of the Bergen County Open Space Trust Fund.

Resolution 122-13 Bergen County Open Space Trust Fund Contract Extension – Nature Preserve

WHEREAS, on August 5, 2010, the Borough of Franklin Lakes and the County of Bergen executed Open Space Trust Fund Contract OSTFMP-FLK-09-30 (“Contract”); and,

WHEREAS, the purpose of said Contract was for the Borough to complete the following park improvement project entitled: Franklin Lakes Nature Preserve in order to receive a County of Bergen Open Space Trust Fund Grant; and,

WHEREAS, the Borough has indicated proposed park improvements to include trail and access improvements, and construction of two (2) bridges, and the anticipated total grant reimbursement has been reduced in accordance with the Borough’s letter dated November 16, 2012; and,

WHEREAS, the said Contract and its initial Extension expired on April 21, 2012 and the County and the Borough desire to extend and continue said Contract;

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 are hereby authorized and directed to execute a Contract Extension Agreement with the County of Bergen for the Franklin Lakes Nature Preserve project; and,

BE IT FINALLY RESOLVED that a copy of this Resolution be forwarded to Robert A. Abbatomarco, Executive Director of the Bergen County Open Space Trust Fund.

Resolution 123-13 Capital Budget Amendment

Please see attached spreadsheet.

Resolution 124-13 Budget Self Examination

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, if any, 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 style with a large, looping 'S' and a distinct 'T'.

Sally T. Bleeker, Borough Clerk

SECTION 2 - UPON ADOPTION FOR YEAR 2013

**RESOLUTION
115-13**

Be It Resolved by the Governing Body of the Borough of Franklin Lakes, County of Bergen that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

- (a) \$ 9,572,786 (Item 2 below) for municipal purposes, and
- (b) \$ _____ (Item 3 below) for school purposes in Type I School Districts only (N.J.S. 18A:9-2) to be raised by taxation and,
- (c) \$ _____ (Item 4 below) to be added to the certificate of amount to be raised by taxation for local school purposes in Type II School Districts only (N.J.S. 18A:9-3) and certification to the County Board of Taxation of the following summary of general revenues and appropriations.
- (d) \$ _____ (Sheet 43) Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy
- (e) \$ 1,446,213 (Item 5 below) Minimum Library Levy

RECORDED VOTE (Insert last name)	Ayes	Kahwaty	Nays		Abstained	
		Kelly				
		Lambrix				
		Lota				
		Pedone				
						Absent

SUMMARY OF REVENUES

1. General Revenues		
Surplus Anticipated	08-100	\$ 750,000
Miscellaneous Revenues Anticipated	13-099	\$ 4,071,013
Receipts from Delinquent Taxes	15-499	\$ 690,000
2. AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES (Item 6(a), Sheet 11)	07-190	\$ 9,572,786
3. AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY:		
Item 6, Sheet 42	07-195	\$
Item 6(b), Sheet 11 (N.J.S. 40A:4-14)	07-191	\$
Total Amount to be Raised by Taxation for Schools in Type I School Districts Only		
4. To Be Added TO THE CERTIFICATE FOR AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE II SCHOOL DISTRICTS ONLY:		
Item 6(b), Sheet 11 (N.J.S. 40A:4-14)	07-191	\$
5. AMOUNT TO BE RAISED BY TAXATION MINIMUM LIBRARY LEVY	07-192	\$ 1,446,213
Total Revenues	13-299	\$ 16,530,012

SUMMARY OF APPROPRIATIONS

5. GENERAL APPROPRIATIONS	XXXXXXX	XXXXXXXXXX
Within "CAPS"	XXXXXXX	XXXXXXXXXX
(a&b) Operations Including Contingent	34-201	\$ 10,656,124
(e) Deferred Charges and Statutory Expenditures - Municipal	34-209	\$ 1,130,953
(g) Cash Deficit	46-885	\$
Excluded from "CAPS"	XXXXXXX	XXXXXXXXXX
(a) Operations - Total Operations Excluded from "CAPS"	34-305	\$ 1,472,589
(c) Capital Improvements	44-999	\$ 552,700
(d) Municipal Debt Service	45-999	\$ 1,662,646
(e) Deferred Charges - Municipal	46-999	\$ 20,000
(f) Judgements	37-480	\$ -
(n) Transferred to Board of Education for Use of Local Schools (N.J.S. 40:48-17.1 & 17.3)	29-405	\$
(g) Cash Deficit	46-885	\$
(k) For Local District School Purposes	29-410	\$
(m) Reserve for Uncollected Taxes (Include Other Reserves if Any)	50-899	\$ 1,035,000
6. SCHOOL APPROPRIATIONS - TYPE I SCHOOL DISTRICTS ONLY (N.J.S. 40A:4-13)	07-195	
Total Appropriations	34-499	\$ 16,530,012

It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution of the Governing Body on the 16th day of April, 2013.

It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as

appeared in the 2013 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

Certified by me this 16th day of April, 2013,

Sally T. Bleeker

Sally T. Bleeker
Municipal Clerk

6 YEAR CAPITAL PROGRAM 2013-2018
 SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS

PROJECT	2 Estimated TOTAL COST	3 Budget Appropriations		4 Capital Improvement Fund	5 Capital Surplus	6 Grants in Aid And Other Funds	7 BONDS AND NOTES			
		Current 2013	Future Years				General	Self Liquidating	Assessment	School
DPW - Cab & Chassis for Salt Spreaders (2 Dump)	\$ 280,000			\$ 14,000			\$ 266,000			
DPW - Grounds Master Mower/Snow Plow	50,000			2,500			47,500			
Engineering/Miscellaneous Projects- Road Program	3,700,000			185,000			3,515,000			
TOTAL ALL PROJECTS	\$ 4,030,000			\$ 201,500			\$ 3,828,500			

TO
 CAPITAL BUDGET (Current Year Action)
 2013

PROJECT	2 Project Number	3 Estimated Total Cost	4 Amounts Reserved in Prior Years	5a 2012 Budget Appro- priations	PLANNED FUNDING SERVICES FOR CURRENT YEAR 2013					
					5b Capital Improvement Fund	5c Capital Surplus	5d Grants in Aid and Other Funds	5e Debt Authorized	6 To Be Funded in Future Years	
DPW - Cab & Chassis for Salt Spreaders (2 Dump)		\$ 230,000			\$ 18,000			\$ 32,000	180,000	
DPW - Grounds Master Mower/Snow Plow		42,000			15,100			26,900	-	
Engineering/Miscellaneous Projects- Road Improvements		3,600,000			397,000			703,000	2,500,000	
Engineering/Miscellaneous Projects- Geographic Information System		20,000			7,000			13,000	-	
Fire - SCBA Equipment		55,000			19,800			35,200		
Recreation Center - Parking Lot & Basketball Court Improvements		133,000			39,500			93,500		
Recreation Center- Tables/Playground Equipment		10,000			3,600			6,400		
TOTALS ALL PROJECTS		\$ 4,090,000			\$ 500,000			\$ 910,000	\$ 2,680,000	

6 YEAR CAPITAL PROGRAM 2013-2018
Anticipated PROJECT Schedule and Funding Requirement

PROJECT	PROJECT NUMBER	ESTIMATED TOTAL COST	ESTIMATED COMPLETION TIME	5 FUNDING AMOUNTS PER YEAR					
				2013	2014	2015	2016	2017	2018
DPW - Cab & Chassis for Salt Spreaders (2 Dump)		\$ 230,000		\$ 50,000	\$ -	\$ 100,000	\$ -	\$ -	\$ 80,000
DPW - Grounds Master Mower/Snow Plow		42,000		42,000					
Engineering/Miscellaneous Projects- Road Improvements		3,600,000		1,100,000	500,000	500,000	500,000	500,000	500,000
Engineering/Miscellaneous Projects- Geographic Information System		20,000		20,000					
Fire - SCBA Equipment		55,000		55,000					
Recreation Center- Parking Lot & Basketball Court Improvements		133,000		133,000					
Recreation Center- Tables/Playground Equipment		10,000		10,000					
TOTALS ALL PROJECTS		\$ 4,090,000		\$ 1,410,000	\$ 500,000	\$ 600,000	\$ 500,000	\$ 500,000	\$ 580,000

6 YEAR CAPITAL PROGRAM
SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS

PROJECT	2 Estimated TOTAL COST	3 Budget Appropriations		4 Capital Improvement Fund	5 Capital Surplus	6 Grants in Aid and Other Funds	7 BONDS AND NOTES			
		Current 2013	Future Years				General	Self Liquidating	Assessment	School
DPW - Cab & Chassis for Salt Spreaders (2 Dump)	\$ 230,000			\$ 27,000		\$ 203,000				
DPW - Grounds Master Mower/Snow Plow	42,000			15,100		26,900				
Engineering/Miscellaneous Projects- Road Improvements	3,600,000			522,000		3,078,000				
Engineering/Miscellaneous Projects- Geographic Information System	20,000			7,000		13,000				
Fire - SCBA Equipment	55,000			19,800		35,200				
Recreation Center- Parking Lot & Basketball Court Improvements	133,000			39,500		93,500				
Recreation Center- Tables/Playground Equipment	10,000			3,600		6,400				
TOTALS ALL PROJECTS	\$ 4,090,000			\$ 634,000		\$ 3,456,000				

Be It Further Resolved that two certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services.

It is hereby certified that this is a true copy of a resolution amending the capital budget section adopted by the governing body on the 16th day of April, 2013

Certified by me

16-16-13
(DATE)
TRENTON, NEW JERSEY

TRENTON, NEW JERSEY
APPROVED _____, 2013

ATTEST:

Sally T. Sheehan
BOROUGH CLERK

APPROVED:

[Signature]
MAYOR

DIRECTOR OF LOCAL GOVERNMENT SERVICES