

**MEETING OF THE MAYOR AND COUNCIL
SEPTEMBER 3, 2013
6:30 P.M.**

A regular meeting of the Mayor and Council was held on September 3, 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 Lambrix, Council President Lota (7:30 PM) and Councilperson Ramsey (6:40 PM). Also present were Borough Administrator Greg Hart, Borough Attorney Smith and Borough Clerk Sally Bleeker. Councilperson Pedone was absent this evening.

SUNSHINE LAW STATEMENT

Borough Clerk Bleeker read the Sunshine Law Statement.

FLAG SALUTE

MOMENT OF SILENT REFLECTION

RESOLUTION FOR CLOSED SESSION

Motion by Councilperson Kahwaty, seconded by Councilperson Kelly at 6:30 p.m., On voice vote, all in favor.

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, September 3, 2013 which begins at 6:30 PM, in the Conference Room at the Municipal Building to discuss the following:

Closed meeting issues:

- Contractual – Special Needs Housing

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.

The Regular Meeting resumed at 7:30 p.m.

OKTOBERFEST/PUBLIC SAFETY TRUST FUND

Mary Ellen Mara was present to give an overview of Oktoberfest scheduled for Saturday, October 19th from 7 P.M. to 10 P.M. All money raised will go to the Public Safety Trust Fund to aid the emergency services in the Borough. She is working to get the liquor license at the moment. The Market Basket will provide the food and there will be seating for 600 people. Ms. Mara distributed information on sponsorship in addition to several packets for each Councilperson. Invitations containing sponsorship forms will be going out at the end of the week. Ms. Mara said that they also need help with live auction items and she noted that unique experiences and more personal items usually do best in these cases. They have some live entertainment lined up but would welcome suggestions from Councilpersons.

Mr. Smith advised against asking for sponsorship from people who are already doing business for the Borough. Ms. Mara said that in this type of a circumstance or any other questionable circumstances, it would be better to have her approach the potential sponsor.

PUBLIC HEARING

BERGEN COUNTY MUNICIPAL PARK IMPROVEMENT GRANT - ACCESSIBLE TRAIL AT THE FRANKLIN LAKES NATURE PRESERVE

Mr. Hart explained that one of the requirements of the grant process is to hold a Public Hearing followed by the adoption of a resolution. The application by the Borough for \$54,625 falls under the Municipal Park Improvements Program for Bergen County Open Space application. This is a matching grant for the Franklin Lakes Nature Preserve Accessible Trail which is a trail located along the edge of the water requiring a public hearing.

Motion to open the hearing to the public was made by Councilperson Kahwaty, seconded by Councilperson Kelly. Discussion:

Veronica Gringeri – Horizons Apartments, Franklin Lakes, said that the police have told her about three carjackings that took place in this area. Mayor Bivona said that he will check on this but is not aware of any significant crimes.

No one else from the public came forward and Councilperson Lambrix made a motion to close the public portion of the meeting. Seconded by Councilperson Kahwaty. Discussion – none.

Resolution 227-13

Application for Bergen County Municipal Park Improvements Grant

WHEREAS, the Bergen County Open Space, Recreation, Farmland & Historic Preservation

Trust Fund (“County Trust Fund”), provides matching grants to municipal governments and to nonprofit organizations for assistance in the development or redevelopment of municipal recreation facilities; and,

WHEREAS, the Borough of Franklin Lakes desires to further the public interest by obtaining a matching grant of \$54,625 from the County Trust Fund to fund the following project: Franklin Lakes Nature Preserve Accessible Trail; and,

WHEREAS, the Mayor and Council has reviewed the County Trust Fund Program Statement, and the Trust Fund Municipal Program Park Improvement application and instructions and desires to make an application for such a matching grant and provide application information and furnish such documents as may be required; and,

WHEREAS, as part of the application process, the Mayor and Council has held a public hearing on September 3, 2013 to receive comments prior to the submission of said application; and,

WHEREAS, the County of Bergen shall determine whether the application is complete and in conformance with the scope and intent of the County Trust Fund; and,

WHEREAS, the applicant is willing to use the County Trust Fund in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the County of Bergen for the above named project;

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

1. That it is hereby authorized to submit the above completed project application to the County by the deadline of August 30, 2013, as established by the County; and,

2. That, in the event of a County Trust Fund award that may be less than the grant amount requested above, the Mayor and Council has, or will secure, the balance of funding necessary to complete the project, or modify the project as necessary; and,
3. That the Mayor and Council is committed to providing a dollar for dollar cash match for the project; and,
4. That the Mayor and Council agree to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and,
5. That this resolution shall take effect immediately,

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

Roll Call Vote

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

MOTION TO TABLE ORDINANCE 1571 IN FAVOR OF ORDINANCE 1571-R

Motion to table ordinance 1571 was made by Councilperson Ramsey. Seconded by Council President Lota. Discussion – none.

Roll Call Vote

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

APPOINTMENT

- **School Crossing Guard – Ernest Fugazy**

Mr. Hart stated that this recommendation has been made by the Police Chief. Councilperson Kahwaty made a motion to appoint Ernest Fugazy as School Crossing Guard. Councilmember Kelly seconded the motion. Discussion – none.

Roll Call Vote

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

OPEN TIME FOR PUBLIC COMMENT

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

Nancy Kidd, 804 Tequesta Drive, stated that she is the parent of a special needs child and she congratulated Mayor Bivona and the Council for their support of United Way Special Housing. She added that special needs parents want to continue to be involved even after the Council selects a developer.

Mayor Bivona thanked Ms. Kidd and said that he appreciates the feedback and efforts of her group. He explained that this is a lengthy process that will have to go before the Planning Board as well as the Mayor and Council.

Mayor Bivona said that they have the information on rents from Horizon Housing Complex dating back to 2010 and 2012. There will be more information later in the meeting.

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 Kelly. Discussion – none.

Mayor Bivona asked that the discussion on the Rent Control Ordinance be moved to this part of the meeting. Mr. Smith has submitted information including a recent article about rent control from the Wall Street Journal. The article cited the detriments of rent control policies in New Jersey. The Council would have to pass an ordinance declaring that whatever units are to be included in the rent control ordinance are substandard and the failure to control the rent in those residences would affect the health, safety and welfare of the residents that are there. In other words, the ordinance would indicate that the units are substandard multiple dwellings. This standard cannot be imposed on buildings constructed after 1987. Mr. Smith concluded that if any one of these standards is missing it cannot be applied.

The Mayor and Council will continue to have direct discussions with Horizon concerning the rent increase issues that were raised.

BOROUGH ENGINEER'S REPORT

- **Status Report**

Kevin Boswell of Boswell Engineering said that everyone is frustrated because the floating bridges for the Nature Preserve have yet to arrive. The delay is due to the change of contractors and the fact that the factory producing the docks has been shut for several weeks. The order is expected to be shipped from Minnesota on September 6th and the dock should be in place by September 23rd. He expects confirmation of shipping on Friday and he will confirm this with Councilmembers.

Mr. Boswell reported that the County Road Program and the ADS ramp program have been completed on Franklin Avenue. They are working with the County to patch and maintain Pulis Avenue which is a separate obligation to be done by the sewer contractor working in Mahwah to remove and relay some pipes. Mr. Boswell reviewed the sequence of the work that is involved for this project.

Mr. Boswell described the culvert work behind the municipal path and noted that there is a resolution awarding the job at tonight's meeting. This is a three week job with three crossings involved, each scheduled to begin on three consecutive Mondays.

Mr. Boswell reported that he has reviewed shop drawings for the specified equipment and is scheduling the commencement of construction with excavation work to begin by September 25th. He stated that a pre-construction meeting has been scheduled for Wednesday, September 4th regarding the 2013 DOT Municipal Aid Grant Application. Mr. Boswell is following up with the Traffic Office regarding the "S" turn on Summit Avenue. Councilperson Ramsey announced that the lights at the United Water well building on Wyandotte have been fixed.

Councilperson Ramsey questioned Mr. Boswell as to his estimate of when monitoring of the wells on Bender Court can be stopped. Mr. Boswell said that he had hoped the monitoring could have stopped by now but the latest test results show an unexpectedly high reading. Readings will continue to be monitored until there are better results.

CONSENT AGENDA RESOLUTION

Mr. Hart asked that Chapter 159 which is the resolution for the appropriation for the County curb cut project for \$104,000 be added to the consent agenda resolution.

Resolution 228-13

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 229-13 Accept Report of Finance Committee
- Resolution 230-13 Facilities Use Permit – English Pro Soccer
- Resolution 231-13 State Contract Award – Fire Department Equipment
- Resolution 232-13 Tax Refund – Karle
- Resolution 233-13 Tax Refund – O’Brien
- Resolution 234-13 Chapter 159 – ADA Ramps

Resolution introduced by Councilperson Kahwaty. Seconded by Councilperson Kelly. Discussion – Mr. Hart pointed out that several significant items had been added to the report of the Finance Committee including \$2 million for the purchase of property on McCoy Road and \$3,000 for closing costs.

Roll Call Vote

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

RESOLUTIONS

**Resolution 235-13
Emergency Culvert Repair**

WHEREAS, Administrative Order No. 2013-06 issued by the New Jersey Department of Environmental Protection (NJDEP) permits State, County and Municipal agencies to act on an emergency basis to take measures necessary to repair or replace damaged public infrastructure;

WHEREAS, the Borough Engineer, Boswell McClave Engineering, has determined the failed culverts located on Borough property behind the Borough Hall require emergency repair;

WHEREAS, the Borough Engineer, Boswell McClave Engineering, has received three informal bids for the necessary repair;

WHEREAS, Borough Engineer Representative Kevin J. Boswell, P.E., has reviewed the bids and recommends award of contract to the apparent low bidder RFC Enterprises of Franklin Lakes, New Jersey with a quoted price of \$52,550;

WHEREAS, this work can be awarded without public bidding; and,

WHEREAS, this project is in the best interest of the health, safety and welfare of the general public in the Borough of Franklin Lakes; and,

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Franklin Lakes, Bergen County, New Jersey that a contract is hereby awarded to RFC Enterprises of Franklin Lakes, New Jersey in the amount of \$52,550 for the replacement

of three (3) culvert crossings located on Borough property behind the Borough Hall associated with the Franklin Lakes Footpath/Walking Trail.

Mr. Hart said that there had been three proposals solicited by Boswell Engineering. This is an emergency repair and the Borough is working under a DEP program. The lowest proposal was in the amount of \$52,550 from RFC Enterprises who did the work on the Lower Dam. The work involves the replacement of three culvert crossings.

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: Pedone

Motion Approved

Resolution 236-13

Field Use Agreement – English Pro Soccer

WHEREAS, English Pro Soccer, PO Box 923 Franklin Lakes, NJ 07417 has requested the use of Borough facilities, Pulis Turf Field, for a Women’s Soccer Team practice to be held Thursday Nights starting September, 2013 through November 2013 during the hours of 8:30 PM till 9:30 PM;

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 English Pro Soccer is hereby granted permission to use Borough facilities, for Women’s Soccer Team practice to be held Thursday Nights starting September, 2013 through November 2013 during the hours of 8:30 PM till 9:30 PM;

BE IT FINALLY RESOLVED that a copy of this resolution be forwarded to English Pro Soccer and the Recreation and Parks Director.

Mayor Bivona explained that this is a request for the use of Borough Fields by the English Pro Soccer which is a private group. Mr. Hart noted that this request had come in within the past few days and the request should have been made 30 days before the event. The Borough is trying to accommodate this group which is made up primarily of Franklin Lakes' residents and the request has been reviewed by the Recreation Director. The events will take place Thursday nights between 8:30 p.m. and 9:30 p.m.

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

Roll Call Vote

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

Nays:

Abstain:

Absent: Pedone

Motion Approved

MAYOR’S REPORT

Mayor Bivona reported that the schools have conducted a demographic study which shows a decline of the number of children in the schools. This decline affects the

Borough's recreation facilities and programs and the Recreation Department has been told to plan accordingly for the future.

Mayor Bivona reminded everyone of Paddle Day on September 15th at the Franklin Lakes Nature Preserve. Ramsey Outdoor Store will demonstrate various paddle activities. Mayor Bivona stated that there will be a meeting concerning the traffic circle with Gary Ascolese, County Engineer that will include information on signage and visibility improvements. Mayor Bivona said that the Police Department and Detective Sergeant Jost continue to work closely with the schools relative to school safety.

COMMITTEE/LIAISON REPORTS

ENVIRONMENTAL & COMMUNITY AFFAIRS

Councilperson Ramsey asked about maintenance of the ramp areas and Mr. Hart said that the Adopt a Highway program was discussed with the DPW. This is a litter control program and would not apply to landscapers. Councilperson Ramsey described an area of overgrowth on the Ewing Avenue ramp that needs to be cut back. She said that the borough can cut the shrubbery back but the State needs to maintain this area.

PLANNING AND DEVELOPMENT

Councilmember Kahwaty reported on the subdivision application for Indian Trail Club. Mayor Bivona stated that John Spizziri, the Planning Board Attorney, recently underwent back surgery and is slowly recovering. There is a Planning Board meeting scheduled for tomorrow night. On the agenda is further discussion of the Downtown Study and Mayor Bivona commented that some of the suggestions contained in the study do not appear to be practical in his opinion. Mr. Smith advised that when the Planning Board has concluded their discussion on the study they will make recommendations to the Mayor and Council who will ultimately determine whether or not to adopt the findings.

RECREATION AND PARKS

Councilperson Kelly stated that they are working to integrate the recreation updates that are currently on the recreation website with the Franklin Lakes website. He recently learned that the cheerleading fees do not cover the cost of uniforms and the fee will be changed to include the cost of uniforms. The Department is looking for a Wellness Liaison.

Councilperson Kelly said that there remains a misunderstanding surrounding background checks for coaches. Some coaches thought there was a 30 day grace period for these checks, however, that is only the case with the Rutgers Certification. The rule is that no coach is allowed on the field without a background check and there are no exceptions.

He said that the Biathlon is scheduled for September 21st and the Half Marathon is scheduled for September 29th.

Mr. Hart stressed the importance of consistency in the ordinance regarding the background check policy. Some minor amendments might be necessary and may appear on the September 17th agenda.

Councilperson Kelly said that everyone seems to agree that Cheerleading should support more activities and they are going to begin with soccer.

PUBLIC SAFETY

Council President Lota stated that there is no report on Public Safety this evening.

ADMINISTRATION AND FINANCE

There was no report on Administration and Finance this evening.

PUBLIC WORKS

Councilmember Ramsey stated that a roller is needed for paving but they have no price as of yet.

- **Holiday Display Request
Borough Attorney's Opinion**

Mr. Hart stated that there has been a request to place a Menorah in front of the Borough Hall during the Hanukkah season. Mr. Smith stated that the more there is on the display the less likely it would be to have the Menorah challenged. Religious symbols could be mixed in with an assortment of other holiday or secular related items. Councilperson Kahwaty asked if other congregations would object if Rabbi Kaplan, as an individual, put up a Menorah on Borough property. Mayor Bivona said that they don't want to restrict this to certain groups since this is Borough property and all groups should be given the same opportunity to display their symbols without Borough involvement in the ceremony.

Mayor Bivona said he thought that allowing the Menorah would be more inclusive and he agreed with Mr. Smith that there should be an assortment of holiday symbols. Mr. Smith said that a decision has to be made relative to details such as the size of the symbols and the period of time they would be on display. He suggested that a committee be formed to review these requests. Other groups or congregations in the Borough should be notified of these displays.

Mayor Bivona suggested that the Borough accept donations of symbols of an acceptable size. He added that a ceremony on public space is allowed and should not be discouraged but the Borough shouldn't get involved other than the traditional tree lighting. The Borough has to be inclusive and has to find the best way of supporting all groups. Councilmembers agreed and Mr. Hart will let Rabbi Kaplan know that the Borough will work with him regarding size restrictions. Rabbi Kaplan should advise the other congregations of the ceremony.

BOROUGH ADMINISTRATOR'S REPORT

Mr. Hart reported that Horizon's adult community has committed to provide emergency generators at their building. He stated that he is meeting with the low bidder relative to cleaning services. The bid was quite low and he wants to ensure that this company can comply with the bid specifications.

OLD BUSINESS

There was no old business for discussion this evening.

NEW BUSINESS

No one had any new business to discuss this evening.

INTRODUCTION OF ORDINANCES ON FIRST READING

Move to take up consideration of Ordinance 1571R for Introduction, and direct the Clerk to read by title was made by councilmember Kahwaty, seconded by Councilmember Kelly. On voice vote, all in favor.

The Borough Clerk read Ordinance 1571-R by title only.

ORDINANCE 1571-R

AN ORDINANCE SUPPLEMENTING CHAPTER 356 "PARKS AND PUBLIC LANDS" OF THE CODE OF THE BOROUGH OF FRANKLIN LAKES TO INCLUDE

POLICIES ON USE OF BOROUGH BUILDINGS

Summary – This ordinance will establish regulations for use by groups of the Borough Hall, ambulance Corps and Firehouses.

WHEREAS, Ordinance 1571-R was introduced at a meeting of the Mayor and Council held on the 3rd day of September, 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 1571-R be and the same is hereby introduced on First Reading; and,

BE IT FURTHER RESOLVED that said Ordinance 1571-R will be further considered for final passage at a meeting of the said Mayor and Council to be held on the 17th day of September 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 1571-R; 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 Councilperson Kahwaty, seconded by Councilperson Kelly. Discussion – Mr. Hart explained that at the last meeting there was a request that an exemption be put into place for charitable organizations and those organizations that qualify under Internal Revenue Code 501-C-3. Mr. Smith reviewed the request and felt that these organizations met the criteria to be exempt.

Roll Call Vote

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

SELECTION OF A DEVELOPER FOR SPECIAL NEEDS HOUSING

Council President Lota recused herself from the discussion and vote. Mayor Bivona stated that earlier this evening in Closed Session the Council had discussed the selection of a developer to work with the Council on a plan for special needs housing on McCoy Road. There are two well qualified candidates. One of the candidates lacks certainty of funding and the other is limited in terms of flexibility.

Councilperson Kahwaty made a motion to select the Alpert Group, LLC as the approved developer and Housing Development Group Corporation of Bergen County subject to contract approval. Councilperson Kelly seconded the motion. Discussion – Councilperson Lambrix stated that the two proposals were excellent which made the selection process difficult, however, he would support Councilperson Kahwaty’s motion.

Roll Call Vote

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

Mayor Bivona thanked the Council for all of the work they did relative to meetings with potential developers and site visits. This decision is based on a wealth of knowledge, diligence and much effort. Mayor Bivona said that they need to move forward quickly

and he will notify the developers of the selection. They now need to focus on specifics of the plan.

Frank McMahon, reporter for the Villadom Times, told the Council that he recalls the issue on religious symbols in the early 1990s in Wyckoff. Wyckoff was challenged in District Court regarding the crèche and the conclusion was that because the program was expanded to include multiple symbols it was, therefore, legal.

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, September 3, 2013 which begins at 6:30 PM, in the Conference Room at the Municipal Building to discuss the following:

Closed meeting issues:

- Contractual – Community Center Lease
- Tax Appeal – Garrambone
- Tax Appeal – Holloschutz
- Personnel – Recreation Director

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

Roll Call Vote

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

ADJOURNMENT

Motion by Councilperson Lambrix to adjourn the meeting at 9:45 P.M. Councilmember Kahwaty seconded the motion.

Roll Call Vote

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

Resolution 229-13

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 \$4,144,424.15 as shown on the Claims Bill List; \$12,746.75 as shown on the Soil Account Bill List and \$3,495.81 as shown on the Developers Escrow List.

BE IT FURTHER RESOLVED, that the payroll of August 1, 2013 in the amount of \$246,097.23, the payroll of August 15, 2013 in the amount of \$250,796.36, the payroll of August 29, 2013 in the amount of \$248,391.71 be hereby ratified and approved.

Resolution 230-13
Field Use Agreement – English Pro Soccer

WHEREAS, English Pro Soccer, PO Box 923 Franklin Lakes, NJ 07417 has requested the use of Borough facilities, field to be determined, for Soccer Clinic for 3-6 year old children to be held Mondays and Wednesdays starting September 9, 2013 for 8 weeks during the hours of 9:00-11:00 AM and 1:00-3:00 PM;

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 English Pro Soccer is hereby granted permission to use Borough facilities, Mondays and Wednesdays starting September 9, 2013 for 8 weeks during the hours of 9:00-11:00 AM and 1:00-3:00 PM;

BE IT FINALLY RESOLVED that a copy of this resolution be forwarded to English Pro Soccer and the Recreation and Parks Director.

Resolution 231-13
Resolution to Award Contract for Fire Department Equipment

WHEREAS, the Borough of Franklin Lakes wishes to purchase SCBA Bottles, Masks and Amplifiers to be used by the Franklin Lakes Volunteer Fire Department from an authorized vendor under the State of New Jersey Cooperative Purchasing Program 1-NJCP; and

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

WHEREAS, AAA Emergency Supply, 635 North Broadway, White Plains, NY 10603 has been awarded New Jersey State Contract number A80961 for SCBA Bottles, Masks and Amplifiers; and

WHEREAS, the Fire Chief and Borough Administrator recommend the utilization of this contract on the grounds that it represents the best price available; and

WHEREAS, the actual cost for the purchase of SCBA Bottles, Masks and Amplifiers is \$54,890.40; and

WHEREAS, the Chief Financial Officer has certified the availability of funds for this purchase,

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Franklin Lakes that SCBA Bottles, Masks and Amplifiers be purchased from AAA Emergency Supply, 635 North Broadway, White Plains, NY 10603.

Resolution 232-13

WHEREAS, the property listed below filed an assessment appeal with the Bergen County Tax Board and,

WHEREAS, the Bergen County Tax Board reduced their assessment therefore reducing the property taxes previously paid for the year 2013,

WHEREAS, under the N.J.S.A. 54:3-27.2, in the event a taxpayer is successful in an appeal from a reduced assessment, the taxing district shall refund any excess taxes paid within 60 days of judgment and,

NOW, THEREFORE, BE IT RESOLVED that the Treasurer is authorized to issue a check in the amount listed below and to be charged against Tax Appeals.

<u>Block</u>	<u>Lot</u>	<u>Assessment Reduction</u>	<u>Refund</u>
2406	7	420,000	\$ 362.26

Corelogic RTS
One Corelogic Drive
Attention: Tax Refunds (DFW 1-3)
Westlake, TX 76262

Resolution 233-13

WHEREAS, the property listed below filed an assessment appeal with the Tax Court of New Jersey and,

WHEREAS, the Tax Court reduced their assessment therefore reducing the property taxes previously paid for the year 2011,

WHEREAS, under the N.J.S.A. 54:3-27.2, in the event a taxpayer is successful in an appeal from a reduced assessment, the taxing district shall refund any excess taxes paid within 60 days of judgment. Thomas Olson is attorney for plaintiff, and

NOW, THEREFORE, BE IT RESOLVED that the Treasurer is authorized to issue a check in the amount listed below and to be charged against Tax Appeals.

<u>Block</u>	<u>Lot</u>	<u>Assessment Reduction</u>	<u>Refund</u>
3103.01	6	1,095,800.00	\$1,468.80

Thomas Olson, Esq., McKirdy and Riskin, P.C.
P.O. 2379
Morristown, NJ 07962-2379

Resolution 234-13

Chapter 159 – ADA Curb Ramp Improvements

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Franklin Lakes hereby requests the Director of the Division of Local Government Services to approve the insertion of the following item of revenue in the budget of the year 2013 in the sum of \$104,000 which is now available as a revenue from:

Miscellaneous Revenues
Special Items of General Revenue Anticipated with Prior
Written Consent of the Director of Local Government Services
Public and Private Revenues Offset with Appropriations
County of Bergen – ADA Curb Ramp Improvements \$104,000.00

BE IT FURTHER RESOLVED, that a like sum of \$104,000.00 be and the same is hereby appropriated under the caption of:

General Appropriations
(a) Operations Excluded from Caps
Public and Private Programs Offset with Revenues
County of Bergen – ADA Curb Ramp Improvements \$104,000.00

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

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