

**MEETING OF THE MAYOR AND COUNCIL  
FEBRUARY 4, 2014  
7:30 P.M.**

A regular meeting of the Mayor and Council was held on February 4, 2014, in the Municipal Building.

**MEETING CALLED TO ORDER**

**ROLL CALL**

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

Mayor Bivona, Councilperson Cadicina, Councilperson Kahwaty, Councilperson Kelly, Councilperson Lambrix, Council President Ramsey and Councilperson Swist. 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**

**APPOINTMENT**

- **Brooke Majka – Recycling Coordinator**
- **Gregory Albert – Police Officer**

Mr. Hart stated provided some background on Brooke Majka who is being appointed as the Recycling Coordinator this evening.

Police Chief described the credentials and experience of Gregory Albert who is being appointed as a Police Officer.

Council President Ramsey made a motion to approve these appointments, seconded by Councilperson Kahwaty.

Roll Call Vote

Ayes: Cadicina, Kahwaty, Kelly, Lambrix, Ramsey, Swist

Nays:

Abstain:

Absent:

Motion Approved

Mayor Bivona swore in Gregory Albert as Police Officer and Brooke Majka as Recycling Coordinator in the Borough of Franklin Lakes.

**ORDINANCE FOR FINAL READING**

**ORDINANCE 1581  
AN ORDINANCE SUPPLEMENTING CHAPTER 373  
“PROPERTY MAINTENANCE” OF THE CODE OF  
OF THE BOROUGH OF FRANKLIN LAKES TO REQUIRE  
CLEARING OF SNOW AROUND HYDRANTS**

*Summary – This ordinance would require property owners to clear snow within five feet of fire hydrants.*

**WHEREAS**, an ordinance 1581 was introduced at a meeting of the Mayor and Council held on the 21<sup>st</sup> day of January 2014 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 1581 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 Councilperson Cadicina to take up Ordinance 1581 for consideration of adoption on second and final reading, and direct the Clerk to read by title, seconded by, Councilman Kahwaty. On voice vote, all in favor. Discussion – none.

The Borough Clerk read the ordinance by title.

Motion to open the public hearing for comments from the public was made by Councilperson Cadicina, seconded by Council President Ramsey. All ayes. Discussion – none.

No one from the public came forward.

Motion to close the time for public comment was made by Councilperson Cadicina, seconded by Councilperson Kelly. All ayes. Discussion – none.

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

#### Roll Call Vote

Ayes: Cadicina, Kahwaty, Kelly, Lambrix, Ramsey, Swist

Nays:

Abstain:

Absent:

Motion Approved.

#### **PRESENTATION**

- **Fire Department –Chief Ryan Dodd and President Tom Donch**

Mayor Bivona recalled that the Council agreed that it would be beneficial to have the various departments in the Borough make a presentation to the Council to describe their role in the community. Tom Donch, President of the Fire Department; Jim Webb, Vice President of the Fire Department; and, Fire Chief Ryan Dodd introduced themselves.

President Donch stated that the Department consists of two entities. The firematic branch of the department is run by Ryan Dodd and uses Borough funds to conduct business. The other entity of the Fire Department is administrative and concentrates on fund raising among other things. Chief Dodd presented an overview of the firematic which is responsible for fires, rescues and emergencies within the Borough. The Department meets every Monday night at both fire houses to train and drill as well as to ensure that all of the equipment is operational. He stressed the importance of keeping training up to date. The 38 week training session at the Fire Academy was outlined. The Borough has two firehouses but only one company. Information on existing equipment was outlined which included a new rescue truck. There are 35 members of the department and an individual can join at age 16 as a junior member who would become a regular member at age 18.

Jim Webb, Vice President of the Fire Department, commented that the demographics in the Borough have changed so that a young person who joins the department at age 18 will probably have moved out by age 24. Retention and membership is a big challenge facing the Department and they would ultimately like to recruit members who will be in town

for a long period of time. There is support from the Mutual Aid System which brings in manpower and equipment from surrounding towns. Councilperson Cadicina asked about recruiting high school seniors. Chief Dodd said that the Department runs a series of Community Days in the High School including a video presentation and they have been successful in recruiting several volunteers. Members who move out of town are allowed to continue as fire fighters in the Borough which is important in order for the department to survive. President Donch stated that the Fire Department is a great place for character building and to boost the morale of a young person because of the responsibility involved.

Vice President Webb stated that the Department has a strong civic and social side. They conduct fund drives and have three major social events during the year to build camaraderie. These fund drives cover the cost of social activities.

Mr. Smith recalled that recently the Council had been asked to approve the By-Laws of the Fire Department. There was some confusion over why the Council had been asked to do this. Vice President Webb stated that the constitution of the Fire Department states that the department operates under the guidance and approval of the Borough. In addition, the department is subject to the approval of the Borough Council.

Councilperson Kelly said it would be beneficial for Councilmembers to understand the delineation between Fire Department operating costs that are paid for through fund raisers and the those costs that fall under the Borough budget. This would assist the Council in formulating the operating budget. Mr. Webb explained that the Borough finances the firematic related items or what is essential to extinguish a fire. The cost of civic and social items is covered through fund raisers.

President Donch invited Councilmembers into the Firehouse on Monday nights after the drills have been conducted to visit with the members. Mr. Hart said that the Department could make use of resources in the Borough Hall such as the E-Blast to improve communications with the community. President Donch said that they will keep that in mind.

#### **OPEN TIME FOR PUBLIC COMMENT**

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

Laurie Burnette, 860 Woodfield Road, asked for an update on the McCoy Road project. Mr. Hart stated that they expect an updated plan from the developer in a couple of weeks. A key to their funding is a determination by the Planner that this is an area in need of redevelopment. The Planner has indicated that the plan should be completed this week. The deadline for grant funding has been postponed until September. Mayor Bivona stated that the intention is to move ahead as quickly as possible.

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

#### **BOROUGH ENGINEER'S REPORT**

- **Status Report**

Kevin Boswell of Boswell Engineering thanked the DPW for the wonderful job they have done clearing snow from Borough roadways during this severe winter. Mr. Boswell spoke about the Tanglewood Court drainage study and said they found that the original piping had been installed in either 1967 or 1974. Archived information shows that there is a bottle neck in the piping and he will come back with a two part recommendation. The first course of action is to get a better pipe coming across Franklin Avenue.

Council President Ramsey questioned the bids for the Accessible trail at the Reservoir. The bids will be received on February 19<sup>th</sup> or 20<sup>th</sup>.

Mayor Bivona asked about the lights at the Chase Bank. Eileen Boland of Boswell Engineering said that these lights were not shown on the plan and the bank has turned them off. There is a 24 hour sign by their ATM which the bank claims is covered by a federal law and is required for public safety. The bank has been asked for information on this requirement and Boswell Engineering is looking at the size of the light as well as the intensity.

Regarding the Nature Preserve, Mr. Hart reported that the Borough has been notified by the DEP (Department of Environment Protection) that it doesn't have to submit \$40,000.00 for an updated, remedial investigation/action report. The DEP could ask for something supplemental, however, the agency has indicated that the review will be completed within six weeks. This process is delaying \$178,000.00 in reimbursement for acquisition costs.

**RESOLUTION 64-14  
CONSENT AGENDA**

**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 65-14 | Accept Report of the Finance Committee |
| Resolution 66-14 | Mutual Aid – Fire Department           |
| Resolution 67-14 | Tax Lien Redemption – Lopis            |
| Resolution 68-14 | Tax Refund – Ordway (Year 2012)        |
| Resolution 69-14 | Tax Refund – Shtenburg (Year 2012)     |
| Resolution 70-14 | Tax Refund – Gross (Year 2012)         |
| Resolution 71-14 | Emergency Temporary Appropriations     |

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

Roll Call Vote

Ayes: Cadicina, Kahwaty, Kelly, Lambrix, Ramsey, Swist  
Nays:  
Abstain:  
Absent:  
Motion Approved

**MAYOR'S REPORT**

Mayor Bivona referred to his draft memo relative to the Goals of the Governing Body for 2014. He has outlined goals regarding property taxes, finance, services, affordable housing, sewers and other areas where the Council should concentrate their efforts. While he realizes that everyone will not agree with him, he felt it important to have a general document as a point of reference and this memo can serve as a foundation for budgeting and decision making.

Mayor Bivona was asked about the date when the budget would be introduced. Mr. Hart said that the budget will be introduced on March 4th. He asked for comments on the memo by mid-February. Councilperson Swist suggested that communications should be added as another goal.

**COMMITTEE/LIAISON REPORTS**

**PLANNING & Development**

Councilperson Kahwaty reported that the Sabbah soil moving application was denied by the Planning Board.

- **Location of Mechanical Equipment**

Mr. Smith said that the present zoning code prohibits structures in the rear yard. The Construction Official has been allowing emergency generators to be located in both rear and side yards with no complaints. Mr. Smith will have a proposed ordinance at the next meeting to exempt emergency generators and HVAC equipment so that they can be placed in side yards but will be subject to the 25 foot setback. The generators can be noisy but they would be subject to use in emergency situations only when the power is out.

- **Cell Tower Legislation**

Councilperson Kahwaty referred to an FCC resolution that would impinge on or preempt all local rules pertaining to cell towers. This would allow the use of small cells and temporary towers without local approval because the approval process is quite lengthy. Mr. Smith finds it problematic that the resolution restricts local government from prohibiting modifications or additions to already existing towers.

Mr. Hart approached the League of Municipalities to see if there was any type of resolution that could be used by a local municipality and he was given a resolution written by Ken Fellman. It is a general resolution that puts the feelings of the Mayor and Council on the record as objecting to the FCC proposal. This will be discussed further at the March 4<sup>th</sup> work session.

- **Spiked Fences**  
**PETA Email**

Councilperson Kahwaty referred to a letter from PETA urging that an ordinance be considered prohibiting the installation of spike fences and mandating that existing fences be retrofitted. He suggested that a compromise would be to require that anyone with a spiked fence would have to comply with this type of ordinance upon sale of the property; however, it should not apply to existing fences. Councilperson Kahwaty said that an E-Blast could be sent out encouraging but not requiring residents to cap the fence spikes.

Mr. Smith said that the governing body has an obligation to address the safety and well-being of residents and the sight of a deer hanging on a fence could be quite disturbing to some residents. Mayor Bivona said that he is concerned that a child could climb the fence and injure himself since there are spaces for feet. He suggested that the Council communicate to the fence owners about the public safety issues and how simple it is to cap a fence. After some discussion, Mayor Bivona recommended considering amending the existing ordinance to make it more specific in order to protect the health and safety of Borough residents. Mr. Hart referred to the ordinance from Waldwick which he will use as a guide for a prospective draft ordinance.

## **RECREATION AND PARKS**

- **Nature Preserve Boating**

Councilperson Kelly spoke about the survey that was conducted on the question of boating on the reservoir. The results show 80% support for this initiative. The negative comments centered on the liability of the Borough in the case of accidents; rowdiness; and, higher taxes as a result of the program. There are some residents who want to maintain the pristine condition of the reservoir area and feel that the boating will bring a carnival atmosphere to the area. Many people feel the reservoir is underutilized and several responses indicated that the boating would build a greater sense of community. Councilperson Kelly stated that this activity should be revenue neutral, therefore the revenue from boat tags should be designed to cover the initial clean-up of the lake. All music should be banned from the area and he thought that there might have to be some policing involved. Boats would be required to be brought to the reservoir on the tops of

cars and not towed. There would be a 12 foot maximum limit on the length of a boat. Some respondents to the survey felt that the activity should be restricted to Franklin Lake residents; however, Councilperson Kelly explained that the Borough used Green Acres money to develop the project, therefore the reservoir cannot be restricted to Borough residents. Parental supervision would be required for boaters under 18; no swimming would be allowed from boats and motors would be prohibited. Bottles and cans will not be allowed and there will only be a maximum allowed in each boat.

In conclusion, Councilperson Kelly proposed signage that would clearly indicate the prohibitions as well as the requirement for a registration tag or permit in order to use the facility. He recommended an amended ordinance and a proposed tag. Mayor Bivona said that he wouldn't be in favor of getting a permit if it means Borough policing of the area. He doesn't want to spend any money on this with the exception of the printing of tags. Councilperson Kelly said that the cost of any permits required should only cover the cost of the printing of the tags and a copy of the rules and regulations governing the reservoir which would be presented to the person who obtains the tag.

Regarding liability, Mayor Bivona recalled that they had already checked on this and there is no added liability to the Borough. He pointed out that someone could drown at the reservoir today when boating is not allowed. Councilperson Swist stated that a penalty should be enforced if rules are violated and it should be noted that boaters are using the reservoir "at their own risk". She added that signs must be posted as a deterrent. Mayor Bivona commented that he would be against this proposal if it meant the hiring of an additional police officer.

Mr. Hart spoke about the administrative process of obtaining a boating permit and suggested that perhaps a permit is not necessary, at least initially. Prominent and proper signage should make people aware of the rules and regulations. He noted that there is always a penalty involved in violating any Borough ordinance. Mayor Bivona asked for a consensus from Councilmembers. Council President Ramsey indicated her opposition but other Councilmembers support the proposal.

Councilperson Lambrix referred to some residents' concerns about the transfer of aquatic organisms from one waterway to the next. Mr. Hart said he will get input from the expert who had raised this issue. After more discussion, the Council decided against allowing paddle boards on the reservoir. Councilperson Kelly said that he would like to have the ordinance amended, signs up and this activity in place by April through November. Mr. Hart will speak to the Risk Manager regarding the issuance of tags and the signing of a waiver relative to the rules and regulations governing boating at the reservoir. Councilperson Ramsey asked who would be responsible for the cost of the signs and Mr. Hart said it could be the Recreation Department and he will clarify this for the next meeting.

Regarding the Recreation Program, Councilperson Kelly said that they are delighted to have Dina Robinson on the Mayor's Wellness Campaign. He added that the new Director of the Lacrosse Program, Mitch Grayson, seems very committed to this sport.

- **Facilities Use Permit – X-Treme LAX Factory**

Mr. Hart recalled that the Council had requested further information on the benefit of X-Treme LAX Factory to the Franklin Lakes community. X-Treme LAX Factory has submitted a letter stating that they offer a camp to residents of Franklin Lakes at a discounted fee and they will be donating \$250 to the Recreation Department.

- **Facilities Use Permit – Triathlon**

Mayor Bivona said he would like to rename this event as the "Franklin Lakes Triathlon". He added that the Triathlon is looking for alternate parking facilities.

These items will be listed for approval on the next agenda.

- **Gate at Pulis Avenue Field**

Rick Meir, football coach and treasurer of the Recreation Committee, is requesting that a gate be installed at the back end of Pulis Field at no cost to the Borough. A gate would prevent children from jumping the fence to retrieve balls that land on the Simms property. Councilmembers agreed that Mr. Simms be consulted for his approval and a resolution is not necessary.

## **PUBLIC SAFETY**

Council President Ramsey stated that Robert Smith has retired and a proclamation will be read at the next meeting.

Council President Ramsey spoke about an educational program that is scheduled in the spring concerning drugs and society today. She said that there is a real and serious drug problem in the suburbs and she will let everyone know the date when it becomes available. Council President Ramsey stated that there will be another drug take back by the Franklin Lakes Police Department in April. She is not sure of the date but asked everyone to save their drugs for that date which will be announced shortly. Councilperson Swist reported on a prescription drug abuse program presented by Valley Hospital.

## **ADMINISTRATION AND FINANCE**

- **Interest Arbitration Extension**

Mr. Hart explained that this refers to the beneficial 2% cap which the Borough has been working under relative to interest arbitration awards. This legislation is helpful when negotiating with the PBA and ASCME unions because it limits interest arbitration awards to no more than 2% and includes base salary. This legislation is set to expire on April 1<sup>st</sup> when the municipality would have to go back to the old system which has no caps. Mr. Hart isn't sure how this expiring law will impact arbitration awards going forward and the legislature is considering an extension of or making the 2% cap permanent. The resolution for consideration would support the legislation to make this a permanent cap. Mr. Smith suggested that this resolution be adopted to avoid overly generous salary increases and Councilmembers were in agreement on this resolution which would avoid a negative impact to the municipal budget.

Councilperson Lambrix reported that each department has submitted their budget for 2014. A thorough review of these budgets has been conducted and a preliminary, proposed budget has been developed. Key issues include maintaining the tax levy below 2%, the continued reduction of long term debt, and to how to maintain and build surplus. The operating portion of the budget addresses the Mayor's goal of trying to find as many projects as possible that can be financed through the operating budget. Councilperson Lambrix recommended that this be done on a large and continuing basis. He noted that tough choices must be made relative to the substantial capital requests.

Councilperson Lambrix recommended that several meetings be scheduled with the Council to discuss the budget. Mr. Hart reiterated that the budget will be introduced on March 4<sup>th</sup> and he suggested early morning or late afternoon meetings. Mr. Hart will email proposed dates to Councilmembers.

## **PUBLIC WORKS**

Councilperson Cadicina reported on a recent meeting with the DPW. The main issues discussed were vehicle and equipment breakdowns due to the significant snow and ice issues as well as the usual wear and tear. Budget issues were addressed as well as the cost and availability of salt. The "I" Works program will begin shortly and this system monitors projects that are being worked on, and the amount of manpower involved for each task. Councilperson Cadicina stated that the cost of repair to the frozen lines at the DPW building was also addressed.

Councilperson Kelly questioned the cost and availability of salt. Mr. Hart said that salt is being used at a rapid rate and he can't answer the question specifically. Mayor Bivona said they need to make sure they aren't doing too much salting. A great amount of salt is used when roads are treated two and three times a day.

- **Certified Recycling Professional Agreement**

Mr. Hart said that the Borough is now required to have a certified Recycling Professional to sign off on the recycling tonnage report. Because the Borough does not have a certified Recycling Professional, they have been contracting with Bergen County who provides this service at no cost. A resolution by the Council is required for this service. Mr. Hart added that the newly appointed Recycling Coordinator is on a waiting list for the necessary classes to become a Recycling Professional.

## **ENVIRONMENTAL & COMMUNITY AFFAIRS**

Councilperson Swist stated that she attended a meeting with the Environmental Committee which included Brooke Majka, who is also a member of the Green Team. There are always openings for volunteers with the Green Team. The 2014 grant proposal for Sustainable New Jersey was discussed relative to a solar energy study; however, it was decided not to go forward at this time. There was information regarding the new Recycling Mascot which will be introduced to schools. Councilperson Swist suggested that the new Recycling Coordinator visit different clubs and associations in the community to help them to understand the importance of recycling. She also suggested better enforcement of the Borough recycling ordinance. Mr. Hart said he would have the Environmental Commission distribute information concerning the impact of recent recycling improvements in the community.

Councilperson Swist stated that she attended a Board of Education meeting on January 28<sup>th</sup> and heard a presentation on the Laptop 101 Initiative. The program would give computers to students in the sixth, seventh and eighth grade at a cost of \$500,000.00. Councilperson Swist attended a meeting of the Franklin Lakes Seniors and reported that Linda Allen is president for another year.

Mayor Bivona spoke about shared services within the Borough. There may be a number of services that could be collectively and effectively shared between the Library, the Borough, the Recreation Department and the schools. He suggested that Mr. Hart draft a resolution to encourage exploring of opportunities together on a quarterly basis.

## **BOROUGH ADMINISTRATOR'S REPORT**

Mr. Hart reported that a police vehicle had been involved in an accident and totaled today. The police officer is fine but the vehicle will have to be replaced as soon as possible. Mr. Hart is looking into the insurance aspect of this vehicle loss.

## **OLD BUSINESS**

There was no old business this evening.

## **NEW BUSINESS**

Councilperson Cadicina said that he is happy that the Borough is participating in the National "Go Red Day for Women" on Friday, February 7th.

## **RESOLUTION FOR CLOSED SESSION**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Franklin Lakes, County of Bergen and State of New Jersey that a Closed Meeting be held on Tuesday, February 4, 2014 which begins at 7:30 PM, in the Council Chamber at the Municipal Building to discuss the following:

Closed meeting issues:

- Anticipated Litigation – Mount Laurel Litigation
- Pending Litigation – ABJC Investments

**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 Cadicina at 10:40 P.M. to enter into Closed Session. On voice vote, all in favor.

Roll Call Vote

Ayes: Cadicina, Kahwaty, Kelly, Lambrix, Ramsey, Swist  
 Nays:  
 Abstain:  
 Absent  
 Motion Approved

**ADJOURNMENT**

Motion by Councilperson Kahwaty to adjourn the meeting at 11:10 P.M. Councilperson Kelly seconded the motion. On voice vote, all in favor.

**Resolution 65-14**

**RESOLVED**, by the Mayor and Council of the Borough of Franklin Lakes that the report of the Finance Committee be accepted and recommendations adopted; that the report be made part of the record of this meeting; and the proper Borough Officials are hereby authorized and directed to issue warrants in the amount of \$6,696,799.02 as shown on the Claims Bill List; \$14,163.50 as shown on the Soil Account Bill List and \$2,477.00 as shown on the Developers Escrow List.

**BE IT FURTHER RESOLVED**, that the payroll of January 2, 2014 in the amount of \$251,877.35, the payroll of January 16, 2014 in the amount of \$236,308.35, the payroll of January 30, 2014 in the amount of \$227,093.42 be hereby ratified and approved.

**Resolution 66-14**

**Mutual Aid – Fire Department**

**WHEREAS**, the Mayor and Council of the Borough of Franklin Lakes has considered the bylaws of the Northwest Bergen Mutual Aid Association relating to mutual assistance between communities in the event of fire, disaster, or other emergencies; and,

**WHEREAS**, mutual aid agreements and relationships with the Northwest Bergen Mutual Aid Association and other Bergen County and Passaic County municipalities will enhance the Borough’s ability to provide fire protection and emergency service to the Franklin Lakes community and other area municipalities; and,

**WHEREAS**, the State of New Jersey considers reciprocal assistance with area municipalities for emergency services a best practice; and,

**WHEREAS**, the Fire Chief recommends that the Mayor and Council renew mutual aid agreements and relationships with the Northwest Bergen Mutual Aid Association and other Bergen County and Passaic County municipalities;

**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 renews its participation in the Northwest Bergen Mutual Aid Association; and,

**BE IT FURTHER RESOLVED** that the Borough of Franklin Lakes renews its mutual aid relationship with other Bergen County and Passaic County municipalities; and,

**BE IT FURTHER RESOLVED** that the adoption of this resolution shall serve as the formal written mutual aid agreement for all emergency response units and said emergency responses shall be conducted pursuant to State law and in accordance with standard emergency operating practices.

**BE IT FINALLY RESOLVED** that a copy of this resolution shall be provided to all municipalities in Bergen County and Passaic County.

**Resolution 67-14**

**WHEREAS**, at the Tax Sale held on December 1, 2011, the Borough of Franklin Lakes sold a tax lien on Block 2101.12, Lot 5, also known as 892 Scioto Drive, for delinquent 2010 taxes, owned by John and Stacy Lopis and;

**WHEREAS**, this Tax Lien Certificate #11-00001 was sold to Robert Rothman, 411 Grand Avenue, Englewood, NJ 07631 at zero percent interest rate and a premium of \$36,500.00:

**WHEREAS**, Wells Fargo will redeem of Certificate#11-00001 in the amount of \$92,324.55, and

**NOW, THEREFORE, BE IT RESOLVED**, that the Treasurer is authorized to issue check in the amount of \$92,324.55 to Robert Rothman, 411 Grand Avenue, Englewood, NJ 07631. A return of the \$36,500.00 premium is to be refunded to Robert Rothman from the Trust Account.

Tax Lien	\$ 6,901.86	<b>1099:</b>	
4% Redemption Penalty	276.07		
Subsequent Payment	67,349.91	Subsequent Interest	\$ 17,741.71
Subsequent Interest	17,741.71	4% Penalty:	276.07
Recording Fee	43.00	<b>Total 1099:</b>	<b>\$ 18,017.78</b>
Search Fee	12.00		
<b>Total:</b>	<b>\$ 92,324.55</b>		

**Resolution 68-14**

**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(s) 2012

**WHEREAS**, under 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.

**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 Reductions</u>	<u>Refund</u>
1311	7.07	1,580,000 (2012)	\$ 306.60

Thomas L. Murphy, Esq.  
 113 W. White Horse Road  
 Voorhees, NJ 08043

**Resolution 69-14**

**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(s) 2012

**WHEREAS**, under 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.

**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 Reductions</u>	<u>Refund</u>
1311.04	1	1,065,000 (2012)	\$ 838.55

**Resolution 70-14**

**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(s) 2013

**WHEREAS**, under 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.

**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 Reductions</u>	<u>Refund</u>
2304.06	8	1,981,300 (2012)	\$ 1533.00

McKirdy & Riskin, P.A.  
Thomas Olson, Esq.  
136 South Street  
Morristown, NJ 07962-2379

**Resolution Number 71-14  
EMERGENCY TEMPORARY**

**WHEREAS**, the CY 2014 budget has not been adopted, and adequate provisions could not be made in the CY 2014 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 2014 pursuant to the provisions of N.J.S.A. 40A:4-20 including this resolution totals \$101,000.00;

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

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

Other Expenses: Finance	1,000.00
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2. That said emergency temporary appropriations be provided for in the CY 2014 adopted budget.

3. That one certified copy of this resolution be filed with 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