

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

A regular meeting of the Mayor and Council was held on March 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 and Council President Ramsey. Also present were Borough Administrator Greg Hart, Borough Attorney Smith and Borough Clerk Sally Bleeker. Councilperson Swist was absent this evening.

SUNSHINE LAW STATEMENT

Borough Clerk Bleeker read the Sunshine Law Statement.

FLAG SALUTE

MOMENT OF SILENT REFLECTION

PRESENTATION

- **Eagle Scout – Franklin Lakes Nature Preserve Project**
- **Eagle Scout – Mini Field Bocce Court**

These presentations will take place at an upcoming meeting.

- **Shade Tree – Chairman Mike Tulp and Kris Hasbrouck**

Mayor Bivona introduced Mike Tulp and Kris Hasbrouck of the Shade Tree Committee which is part of the ongoing presentations by volunteers of the various committees in the Borough. Mr. Tulp said that he has been Chairman of the Shade Tree Committee for five years and Kris Hasbrouck is the Borough's Tree Specialist. Mr. Tulp thanked last year's Council for adding some restrictions to the existing tree ordinance. The tree farm is up but not yet running and he anticipates approximately 500 trees by the end of the spring. The trees are being potted and will be used on Borough property. He hopes to get residents involved in a tree sharing program.

As a result of complaints from Brian Peterson, DPW Superintendent, as well as the Fire Department, Mr. Tulp said that a Limbs in the Roadway Program has been developed to identify trees that are blocking the roadways which includes low hanging tree branches. Mr. Hasbrouck has identified 200 to 250 properties where there are limbs growing into the roadways. Mayor Bivona suggested finding vendors who would remove these limbs at a reduced rate because there are so many property owners who need these services. Mr. Hart said that he has met with Mr. Hasbrouck about this and they discussed making the tree companies aware of the problem in the hopes that they would market to these residents. Councilperson Kelly suggested a list of acceptable trees be made available to the public via e-blast and on the website. Mr. Tulp said that the owners of properties with these issues will be notified and given three or four weeks to address the problem. Mayor Bivona noted that the goal is to fix the issue over time and not to issue summonses. Mr. Hart pointed out that the Shade Tree Commission has enforcement authority relative to shade trees. Councilperson Lambrix suggested extending the time period to eight weeks to give residents more time to take care of tree issues on their properties. Several Council Members commented that a time limit wasn't necessary and the Borough should work with homeowners.

Mr. Hasbrouck reported that 20 trees were planted on the east side of McBride Field and they are planning to plant an additional 20 trees along the wood line in the spring. The goal is to repopulate the entire field along Franklin Lakes Road. Regarding the tree bond escrow account, Mr. Hasbrouck reported that a volunteer is working on identifying the parties who have posted tree bond money and refunding those monies. At this time there is \$54,560 that cannot be refunded because they haven't been able to identify who posted the money.

Mr. Tulp recognized the members of the Shade Tree Committee and said they are always looking for new members. They have completed work on the Community Forestry Management Plan and Mr. Hasbrouck spoke about the process of identifying hazardous trees that are dead or dying. Mayor Bivona thanked Mr. Tulp and Mr. Hasbrouck for their report this evening as well as all the work they do for the Borough.

OPEN TIME FOR PUBLIC COMMENT

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

No one from the public came forward at this time and Councilperson Kelly made a motion to close the time for public comment, seconded by Councilperson Lambrix, all ayes. Discussion – none.

BOROUGH ENGINEER'S REPORT

- **Status Report**

Kevin Boswell and Eileen Boland of Boswell Engineering were present. Mayor Bivona noted that the NJDEP has indicated that they need additional information in order for the Borough to meet current requirements relative to the Nature Preserve and it might be a good idea to renew the Borough's request to meet with the Commissioner. Mr. Boswell said that they will have a written response to NJDEP within 48 hours. Regarding the drainage issues at Tanglewood Court, Mr. Boswell has reviewed information from 1967, 1974 and 1993 regarding the evolution of the subdivision. He explained that piping and drainage are normally based on the model of the 25 year storm. He looked at the downstream sections starting at Franklin Avenue which is an area owned by the County. Mr. Boswell suggested sharing the results of these findings with the County and he will ask them to make improvements to the culvert that crosses Franklin Avenue to adequately convey the 25 year storm. This should result in a wide pipe being installed to cross Franklin Avenue. He recommended that the report be used as a basis for a request for grant money in order to undertake the necessary improvements in the Borough. These improvements will result in a notable improvement and Mr. Boswell will follow up with the County Engineer.

Councilperson Lambrix questioned the sewer installation at the Municipal Building. Mr. Boswell stated that the design has been completed and he is waiting for a response from the Borough as to whether they want to submit the design in order to secure permits. There is a section which would provide service for the Recreation Complex that could be submitted along with an agreement with Mountain Shadows. Mayor Bivona said that this is a large capital expenditure which should be discussed in connection with the budget. Mr. Hart said that this will be considered at the Sewer Oversight Committee Meeting tomorrow. Mr. Boswell said that the permit is good for five years and Mayor Bivona commented that this is a capital expenditure which must be prioritized.

INTRODUCTION OF ORDINANCE ON FIRST READING

Move to take up consideration of Ordinance 1584 for Introduction, and direct the Borough Clerk to read by title was made by Councilmember Kahwaty, seconded by Councilmember Cadicina. On voice vote, all in favor.

The Borough Clerk read the Ordinance by title only.

ORDINANCE 1584

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

WHEREAS, Ordinance 1584 was introduced at a meeting of the Mayor and Council held on the 4th day of March 2014;

NOWHEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Franklin Lakes, County of Bergen, State of New Jersey, that Ordinance 1584 be and the same is hereby introduced on First Reading; and;

BE IT FURTHER RESOLVED that said Ordinance 1584 will be further considered for final passage at a meeting of the said Mayor and Council to be held on the 1st day of April 2014 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 1584; 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 by Councilmember Kahwaty, seconded by Council President Ramsey. Discussion – Mr. Hart explained that this ordinance is adopted each year in order to take advantage of the availability of the CAP bank which has approximately \$1.4 million at this time. This allows for maximum flexibility under the appropriations CAP including the ability to increase taxes.

Roll Call Vote

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

**Resolution 86-14
CONSENT AGENDA RESOLUTION**

BE IT RESOLVED that the following resolutions, placed on this agenda by consent, require no discussion and the same having been previously reviewed by each Governing Body member, be and are hereby adopted in their entirety by the Mayor and Council of the Borough of Franklin Lakes. Full text of all consent agenda resolution can be found after the Adjournment.

Resolution 87-14	Accept Report of the Finance Committee
Resolution 88-14	Tax Refund – Raineri
Resolution 89-14	Budget Transfer
Resolution 90-14	Emergency Temporary Appropriation
Resolution 91-14	Tax Refund – 943 Scioto Drive
Resolution 92-14	Amendment to Housing Element and Fair Share Plan

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

Roll Call Vote

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

Motion Approved

MAYOR'S REPORT

Mayor Bivona thanked Councilmembers for their hard work relative to the budget. Mr. Hart said that he will release some of the highlights of the budget shortly.

Mayor Bivona referred to the Synergy project which Mr. Hart and Councilperson Swist have been working on with the schools and the library. He hopes both the School Board and the Library Board will embrace this project to promote efficiency which will be beneficial to the taxpayers. Mayor Bivona recognized the Borough's Wellness Coordinator, Dina Robinson, who put on a yoga class for moms and daughters.

COMMITTEE/LIAISON REPORTS

ENVIRONMENTAL & COMMUNITY AFFAIRS

- **Tree Removal Permit Appeal – 806 Phelps Road**

Mr. Hart stated that this will appear on the consent agenda resolution unless there are questions.

- **School Funding Formula**

Mr. Hart stated that the State is allowing Woodcliff Lake to withdraw from the Pascack Valley Regional High School District. It is anticipated that voters will turn down this proposal. Mr. Smith advised that the Borough watch to see what happens over the course of the next two years to see if Franklin Lakes would want to explore a similar option.

PLANNING & DEVELOPMENT

Mr. Hart reported that the \$20,000 grant for Sustainable New Jersey was denied.

Councilperson Kahwaty reported that the Sabbah resolution for a variance for total coverage was approved by the Planning Board and he spoke about other items at the recent Planning Board meeting.

- **McCoy Road Redevelopment Study**

Councilperson Kahwaty referred to a recent report by the Borough Planner who concluded that the McCoy Road area is in need of rehabilitation. This determination is required in order to go forward with a resolution by the Mayor and Council.

- **Franklin Lakes Realty Resolution of Need**

Mr. Smith reiterated that this determination is required in order to go forward with a resolution by the Mayor and Council relative to funding. It must also be approved by the Planning Board. This resolution will be on the agenda for March 18th, 2014.

- **Mechanical Equipment Ordinance**

Councilperson Kahwaty explained that this has been discussed in the past in connection with the restriction that emergency generators be placed in the side yard. Mayor Bivona was concerned about delays that result from the procedure that requires reviews of ordinances by the Planning Board after they have been introduced at the Council level. He suggested that the ordinances be sent to the Planning Board prior to their introduction and Mr. Hart suggested doing this on a case by case basis.

- **Spikes Fence Ordinance
Planning Board Recommendation**

The Planning Board suggested two changes to the language of the proposed ordinance. After consideration the Council decided not to accept the changes. Mr. Smith recommended that it be noted in the resolution that the Mayor and Council did not accept the changes suggested by the Planning Board.

- **Sale of Paper Street – Oldwoods Road**

Councilperson Kahwaty stated that a resident would like to acquire an adjoining property which is a paper street from the Borough. Mr. Hart said that there is a letter from both adjacent property owners and he showed Councilmembers a map of the original subdivision in 1962 which contemplated this type of scenario. The adjoining property owners introduced themselves and confirmed that they would like to split this Borough owned property and clear the title to their properties. Mr. Smith stated that this would have to be discussed in Closed Session.

- **Horizon Generator Agreement**

Mr. Smith reported that they are continuing to negotiate an agreement.

- **Split Zone Ordinance Amendment**

Councilperson Kahwaty stated that Stop & Shop is located in a split zone with one zone retail and the other zone commercial. Stop & Shop is asking that the area be zoned as retail only. Mr. Smith said that it is not a good idea to have a lot in two zones. He added that this is a time consuming process and he wondered if this would be beneficial for the Borough, or would it solve problems for Stop & Shop. Mr. Hart said that there might be issues and he recommended that they find out more about the request as well as the opinion of the property owner.

- **Sport Court Ordinance Amendment**

Ray Dressler, the Zoning Official, has asked the Council to consider the same zoning regulations for sports courts as pertains to tennis courts. Mr. Smith advised against this and said that a property owner could apply for a variance if necessary.

Resolution 85-14

INTRODUCTION OF THE 2014 MUNICIPAL BUDGET

BE IT RESOLVED, that the following statements of Revenue and Appropriations shall constitute the local budget for the year 2014, and

BE IT FURTHER RESOLVED, that the said budget be published in the March 14, 2014 issue of The Ridgewood News, together with a notice to the public that the public hearing will be held in the Municipal Building on April 1, 2014 at 7:30 PM or as soon thereafter as the matter can be reached by the Governing Body of the Borough of Franklin Lakes, and does hereby appropriate the following as the budget for year 2014:

Appropriations	
Municipal Purposes in Cap	\$11,986,959.00
Municipal Purposes out Cap	3,470,395.00
Reserve for Uncollected Taxes	<u>\$ 885,000.00</u>
Total General Appropriations	<u>\$16,342,354.00</u>
Revenues	
Anticipated Revenues Other Than	
Current Property Taxes	\$ 5,108,940.00
Amount to be raised by taxation:	
Municipal Purposes	\$ 9,819,867.00
Library Tax	<u>\$ 1,413,547.00</u>
Total General Revenues	<u>\$16,342,354.00</u>

The budget was read by Mayor Bivona.

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

Roll Call Vote

Ayes: Cadicina, Kahwaty, Kelly, Lambrix, Ramsey

Nays:

Abstain:

Absent: Swist

Motion Approved

RECREATION AND PARKS

Councilperson Kelly said that they are trying to better organize the various programs that are offered by the Recreation Department. A group was formed consisting of parents and members of the recreation committee who agree that they need to recruit people who are knowledgeable in lacrosse and soccer for training purposes. The equipment inventory sheets have been updated for improved tracking and a replacement fee is being enforced. Councilperson Kelly reported that Booster Clubs are being formed for every sport for the purpose of fund raising. Mayor Bivona said that it must be stressed that the Borough is not involved and has no connection with these clubs. Councilperson Kelly reported that the Recreation website is being updated so that all of the forms are downloadable and enrollment is tracked.

- **Boating Rules Sign**

A sign was presented to the Council for their comments and Mr. Hart said he would like to place the order tomorrow. Mayor Bivona asked if the sign could be broken up into panels in case it needed to be altered. Mr. Hart will look into this. Council President Ramsey suggested that the sign indicate that floatation devices must be Coast Guard Approved.

- **Town Fair Agreement**

Mr. Hart noted that the Town Fair Agreement is proposed to be with the same vendor as last year and at the same price. Councilperson Cadicina suggested extending the fair to include rides on Sunday afternoon. After some discussion, Mayor Bivona suggested that Councilperson Cadicina research his proposal. Due to the large volume of sporting events, Mayor Bivona said that they would have to determine what would bring more families out if the fair were to include Sunday. Councilperson Cadicina indicated that he would develop some ideas and report back to the Council. Council President Ramsey said that they had fireworks in the past which resulted in a good turnout but they stopped doing this due to the expense.

- **Facilities Use Request**

- **Teel Baseball and Softball Camps**
- **English Pro Soccer**

Mr. Hart stated that these applications are complete and have been approved by the Recreation Director.

- **Triple Crown Baseball Tournament**
- **Crusader Baseball Camp**

Mr. Hart reported that these applications are incomplete and there is no recommendation from the Recreation Department.

Mr. Hart said that all of these organizations are required to pay fees and must demonstrate how the Franklin Lakes community will benefit from the specific activity. Mayor Bivona said that they are trying to maintain and preserve their fields; however, the benefit does not have to be monetary. After a lengthy discussion, Mr. Smith suggested changing the wording of the ordinance as it pertains to Group 5 because it seems to be

problematic. He suggested that the Mayor and Council consider each application on a case by case basis. Mr. Hart said that he would review sections of the ordinance with the Recreation Director so that he understands that some of these uses, as proposed, may not be permitted. The Mayor and Council will review this ordinance to determine whether changes need to be made.

PUBLIC SAFETY

- **Fire Sirens**
Fire Chief Report

Mr. Hart stated that a move to wireless sirens was discussed during the budget meetings. At the present time, the sirens are wired and the Borough pays approximately \$600 per month for a phone line to administer the sirens. The wireless system would consist of a one-time payment of \$13,000. Council President Ramsey recalled that several years ago the use of sirens was restricted during night time hours except in the case of a house fire. Mayor Bivona said that the Fire Department wants sirens but technology will render them useless in the near future. He pointed out that many of the sirens don't work and half of the firemen live in other towns but they learn about fires in the Borough through pagers and are very responsive. The Ambulance Corp and Police Department work without sirens.

Council President Ramsey said that she support sirens because it alerts citizens to be cautious especially if they are driving. Mayor Bivona disagreed and stated that the sirens she may be referring to are located on fire engines.

Mr. Hart surveyed Northwest Bergen towns regarding the use of sirens and four of the seven towns that responded no longer use them. The sirens have been replaced by pagers and or text messaging. After a lengthy discussion, the Mayor and Council agreed to leave the procedure as is for now. Mayor Bivona commented again that most of the sirens in Franklin Lakes are inoperable.

ADMINISTRATION AND FINANCE

Council President Ramsey referred to information that had been distributed relative to the Borough of Rutherford. Rutherford is using a new approach to appointing professionals. Rutherford has several other engineering firms available because they don't want to get involved in the time consuming process of going out to bid for certain projects. Mayor Bivona said they could consider this for next year.

- **Proposals from Professionals**

Mr. Hart referred to his memo concerning the annual review of fees which include an increase of commercial liquor licenses. Council President Ramsey suggested raising the cost of Peddler's Fee to \$100 in order to discourage this practice particularly since the fee is quite low compared to other municipalities. Mr. Hart will look into the fees in other towns to find out if the fees in Franklin Lakes are comparable or on the low end.

Regarding the Recreation Department, the football program is losing money because participation has decreased. Mr. Hart pointed out that players have to pay a separate and additional fee for uniforms which combined with an increase in activity fees would double the cost versus last year. The Recreation Director has recommended a slight increase for football which could be raised over time. Mr. Hart has adjusted the fees modestly for other sports so that each sport is self-sufficient. The Recreation Director has recommended a more moderate increase for football from \$190 to \$210 and from \$65 to \$105 for flag football.

Mr. Hart pointed out that Wyckoff charges police candidates an application fee to cover processing costs. He will survey the Northwest Bergen towns to find out if other towns follow this practice. There are also questions relative to construction fees and Mr. Hart suggested putting fee proposals back on the agenda for next month because there are several open issues.

- **Civil Rights Resolution**

Mr. Hart explained that in order to benefit from reduced insurance rates, a resolution must be passed every other year relative to amendments concerning the Personnel Policy. A Civil Rights Policy resolution is also required which must be distributed to all employees. These amendments to the Personnel Policy have to be reviewed and approved by the Personnel Committee and a resolution will be adopted at the April meeting.

PUBLIC WORKS

- **Resident Energy Aggregation**

Mr. Hart explained that this is the concept of aggregating the purchase of the supply of natural gas and electricity on behalf of residents. There have been recent changes in the law that would facilitate the process. A consultant would be retained to prepare a bid for an auction process for the supply of these commodities. As a member of SIN, the Borough is already involved in this type of process but this law allows the municipality to provide this service on behalf of residents. Mr. Hart said that there may be an opportunity for the Borough to join with some, or all, of the Northwest Bergen towns to combine purchasing power and participate in cost sharing. The consultant acts as a go between and makes money from the energy supplier.

Mayor Bivona said that it is clear that money could be saved using this program which guarantees the lowest price. However, he doesn't feel it is the municipality's role to tell residents where to buy their electric power. Councilperson Lambrix didn't like the idea of being an energy provider and taking the choice of utilities away from residents. Mayor Bivona said that this is a complicated issue and he would be interested in a program that would educate residents on how to buy their own energy at reduced rates. After more discussion, Councilmembers indicated they were not interested in hearing any presentations and are not interested in this subject.

- **Brine Agreement with the Borough of Oakland**

Mr. Hart stated that the Borough has been purchasing brine from Oakland for three years and the agreement needs to be approved by resolution.

BOROUGH ADMINISTRATOR'S REPORT

There were no questions on the report submitted by Mr. Hart. Mr. Hart asked that any comments on the revisions relative to the Guiding Principles be directed to Mr. Smith before the next meeting on March 18th.

OLD BUSINESS

There was no old business this evening.

NEW BUSINESS

There was no new business this evening.

RESOLUTION FOR CLOSED SESSION

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

Closed meeting issues:

- Tax Appeal – First Real Estate Investment Trust

- Personnel – Recreation Criminal History Background Check
- Contractual – Oldwoods Easement
- Litigation – DeBore Tree Service
- Litigation – ABJC Investments
- Contractual – Franklin Lake Realty Officer of Payment in Lieu of Taxes

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 Lambrix at 10:00 P.M. to enter into closed session. On voice vote, all in favor.

Roll Call Vote

Ayes: Cadicina, Kahwaty, Kelly, Lambrix and Ramsey

Nays:

Abstain:

Absent Swist

Motion Approved

ADJOURNMENT

Motion by Councilperson Lambrix to adjourn the meeting at 10:30 P.M. Councilperson Kahwaty seconded the motion.

Roll Call Vote

Ayes: Cadicina, Kahwaty, Kelly, Lambrix and Ramsey

Nays:

Abstain:

Absent Swist

Motion Approved

Resolution 87-14

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 \$3,989,302.90 as shown on the Claims Bill List; \$1,455.25 as shown on the Soil Account Bill List and \$150.00 as shown on the Developers Escrow List.

BE IT FURTHER RESOLVED, that the payroll of February 13, 2014 in the amount of \$223,112.66, the payroll of February 27, 2014 in the amount of \$226,412.63 be hereby ratified and approved.

Resolution 88-14

WHEREAS, overpayment was received during 1st quarter 2014 from lender and attorney and,

WHEREAS, Martin D. Eagan, LLC, attorney for a real estate closing on 270 Stevens Lane is seeking a refund in order to credit the appropriate owner (new owners John Raineri and Nicole DeBiase) and,

NOW, THEREFORE, BE IT RESOLVED that the Treasurer is authorized to issue a check in the amount listed below and to be current year's taxes.

<u>Block</u>	<u>Lot</u>	<u>Duplicate Payment</u>	<u>Refund</u>
2410	2.03	\$2,803.00	\$2,803.00

Former homeowner: John Dennis

Martin D. Eagan, LLC
52 Maple Avenue
Morristown, NJ 07960

Resolution 89-14

BE IT RESOLVED, by the Mayor and Council of the Borough of Franklin Lakes that the following 2013 Budget Transfers be made for the following accounts:

<u>From</u>	<u>From</u>	<u>To</u>
Electrical Inspector S&W	5,000	
To		
		Public Buildings & Grounds OE 2,100
		Road Repairs & Maintenance OE 1,700
		Engineering Services OE 1,200
	5,000	5,000

Resolution Number 90-14

EMERGENCY TEMPORARY APPROPRIATIONS FOR CY 2014

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 \$218,220.00;

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:	911 System	\$5,720.00
	Gasoline	100.00

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.

Resolution 91-14

WHEREAS, overpayment was received during 1st quarter 2014 from lender and Title Company and,

WHEREAS, Victorian Title Company, agency for a real estate closing on 943 Scioto Drive is seeking refund a in order to credit Andrew Ward, owner of parcel and,

NOW, THEREFORE, BE IT RESOLVED that the Treasurer is authorized to issue a check in the amount listed below and to be current year's taxes.

<u>Block</u>	<u>Lot</u>	<u>Duplicate Payment</u>	<u>Refund</u>
2101.08	18	\$9,753.00	\$9,753.00

Victorian Title Agency, Inc.
 2 White Horse Pike, Carriage House
 Haddon Heights, NJ 08035

**RESOLUTION 92-14
 ENDORSING AMENDMENT TO HOUSING ELEMENT AND FAIR
 SHARE PLAN AND PETITIONING COAH FOR APPROVAL**

WHEREAS, the Planning Board of Borough of Franklin Lakes, County of Bergen, State of New Jersey, adopted an Amendment to the Borough’s Housing Element and Fair Share Plan on December 18, 2013; and

WHEREAS, a true copy of the resolution of the Planning Board adopting the Amendment to the Borough’s Housing Element and Fair Share Plan is attached pursuant to N.J.A.C. 5:96-2.2(a)2; and

NOW THEREFORE BE IT RESOLVED that the Governing Body of the Borough of Franklin Lakes, County of Bergen, State of New Jersey, hereby endorses the Amendment to the Housing Element and Fair Share Plan as adopted by the Borough of Franklin Lakes Planning Board; and

BE IT FURTHER RESOLVED that the Governing Body of the Borough of Franklin Lakes, submits this petition for substantive certification of the Borough’s Housing Element and Fair Share Plan, as amended, to the Council on Affordable Housing for review and certification; and

BE IT FURTHER RESOLVED that a list of names and addresses for all owners of sites in the Amendment to the Borough’s Housing Element and Fair Share Plan have been included with the petition; and

BE IT FURTHER RESOLVED that notice of this petition for substantive certification shall be published in a newspaper of countywide circulation within seven days of issuance of the notification letter from the Council on Affordable Housing’s Executive Director indicating that the submission is complete and that a copy of this resolution, the adopted Amendment to the Borough’s Housing Element and Fair Share Plan and all supporting documentation shall be made available for public inspection at the Borough of Franklin Lakes’ municipal clerk’s office located at 480 DeKorte Drive, Franklin Lakes, New Jersey, during normal business hours, Monday through Friday for a period of 45 days following the date of publication of the legal notice.

Respectfully submitted,



Sally T. Bleeker, Borough Clerk