

**MEETING OF THE MAYOR AND COUNCIL
MAY 6, 2014
7:30 P.M.**

A regular meeting of the Mayor and Council was held on May 6, 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

APPOINTMENTS

Franklin Lakes Volunteer Fire Department – Junior Fireman – Michael P. Jost

Councilperson Kahwaty made a motion to appoint Michael P. Jost as Junior Fireman in the Franklin Lakes Fire Department. Councilperson Kelly seconded the motion.

Roll Call Vote

Ayes: Cadicina, Kahwaty, Kelly, Lambrix, Ramsey, Swist
Nays: None
Abstain:
Absent:
Motion Approved

Mayor Bivona swore in Junior Fireman Jost.

Part Time Finance Clerk – Gloria Fugazy

Councilperson Cadicina made a motion to appoint Gloria Fugazy as Part Time Finance Clerk. Councilperson Kelly seconded the motion.

Roll Call Vote

Ayes: Cadicina, Kahwaty, Kelly, Lambrix, Ramsey, Swist
Nays: None
Abstain:
Absent:
Motion Approved

OPEN TIME FOR PUBLIC COMMENT

Motion to open the time for public comment was made by Councilperson Kahwaty, seconded by Councilperson Cadicina, all ayes.

No one from the public came forward at this time and Councilperson Cadicina made a motion to close the time for public comment, seconded by Councilperson Swist, all ayes.

PRESENTATION – McCOY ROAD REDEVELOPMENT PLAN

Mayor Bivona introduced Beth McManus, Borough Planner, and stated that the Borough had issued an RFP for the McCoy Road site. The Alpert Group was selected to provide special needs housing and they are under a deadline to apply for low income housing funding tax credits. This is a points based program and additional points are available if the location is in a redevelopment area. On the recommendation of Ms. McManus, the Planning Board determined that the site meets the criteria for an area in need of redevelopment and the Council will decide whether or not they support these conclusions. The next step is a redevelopment plan for the property which is owned by the Borough. The Borough will be able to write a redevelopment plan to include more specifics than a zoning ordinance would include. The Borough can offer financial incentives to a developer such as Payment In Lieu of Taxes or PILOT. Ms. McManus stated that a property must meet one of eight criteria to be designated as a property in need of redevelopment. The McCoy Road property meets the standard relating to substandard buildings in poor condition.

Ms. McManus pointed out that the Redevelopment Plan is a short document because the property will only be used for special needs and the affordable housing will be located on the property. It is only necessary for one manager to live and maintain this property as well as to provide services to the residents. The site will contain a community room for recreation and services along with walking trails and other outdoor gathering places. This housing must be eligible for affordable housing credit from COAH. Ms. McManus described the site design requirements which include a single driveway and minimized site disturbance. There is a limit of between 25 and 40 affordable special needs units which will be primarily one bedroom units. It is required that wooded buffers be provided and maintained particularly in the rear of the site which borders Route 208. The developer will be required to take action in order that sound levels do not exceed New Jersey standards. This could be accomplished with the addition of more trees and higher standard sound proof windows. Architectural design items are necessary to ensure that the site is aesthetically pleasing and in keeping with the residential character of the area. Ms. McManus stated that this Redevelopment Plan is consistent with the Master Plan as well as State planning and surrounding municipalities.

Councilperson Kelly asked whether there would be any preference for town employees or residents. Ms. McManus said there is no preference for residents; however, the development will be advertised locally first. She pointed out that the developer will be required to seek site plan approval from the Planning Board and this is the first step in a long process. Mr. Hart said that the goal is to schedule the Redevelopment Plan for introduction on May 20th. The plan will then be forwarded to the Planning Board for review and recommendation; then it will return to the Mayor and Council who will adopt the ordinance. The conforming site plan application will then be filed with the Planning Board. It is required that the developer have site plan approval before applying for the tax credit funding program in September. Ms. MacManus was questioned about COAH credits and she said that one unit equals one credit or in this case 39 COAH credits. She commented that there will be a significant amount of unused land after the site is developed. Mayor Bivona and Mr. Smith met with the developer and have achieved a good level of understanding regarding the funding and operation of the development.

Mr. Smith explained that PILOT is a payment option that the Borough has agreed to accept from the developer in lieu of taxes. The Borough has some discretion over the amount collected and they will try to reach an agreement with the developer relative to this payment. Mr. Hart indicated that there will be additional discussion at the next work session of the Mayor and Council.

BOROUGH ENGINEER'S REPORT

- **Status Report**

Kevin Boswell and Eileen Boland of Boswell Engineering were present. Ms. Boland pointed out that the North West Bergen Cooperative Pricing Program has selected D&L Paving Contractors which were the lowest bidders for the 2014 Road Program. Mayor Bivona asked about the road program as it pertains to Reservoir Drive in North Haledon. Mr. Boswell stated that at the moment there is no agreement with North Haledon; however, they are continuing to try to work something out. He recommended station to station or curb to curb paving at this time. Mr. Hart said that the shop drawings are ready for the accessible trail at the Nature Preserve and Mr. Boswell said he would check into this. Council President Ramsey questioned the culvert at High Mountain Road. Mr. Boswell stated that the County has to stabilize the soil in the vicinity of the headwall near the asphalt sidewalk before work can begin. He will follow up on this with the County. Mr. Hart reported that he has just learned that the County will be paving Pulis Avenue. Mayor Bivona announced that the Borough will be receiving a grant for \$149,000 from the DOT for the partial paving of Huron Road.

Mr. Boswell spoke about amending the sewer service area in a portion of the Borough. He explained that this means that sewerage is supposed to flow into the North West Bergen Utility Authority in Waldwick. An exception was created when the Market Basket Shopping Center, McBride Real Estate and the Indian Trail Club connected into a packaged treatment plan that existed on Pond Brook in the 1990s. When this was decommissioned, it was changed to a pump station and the waste water management plan was amended and the area connected into a sewage facility in North Haledon. There is now a viable means to service this area with sanitary sewers. North West Bergen Utility Authority is amending their regional waste water management plan and the owners of the Urban Farms Shopping Center have indicated that it would make financial sense to redirect their flow into the North West Bergen facility. This requires a revision of the Sewer Service area to include this area as well as the special needs section of McCoy Road. Mr. Boswell recommended preparing a brief summary of benefits to the areas involved and he will provide them with information on the benefits to the Borough. If the Council agrees, they would pass a resolution requesting North West Bergen Utilities to include this area as part of their service area. The timing is right to take advantage of savings and which means that the businesses who are interested will contribute to the cost of the infrastructure and hook-up. He commented that the Golf Course may be interested. After a long discussion, Councilperson Lambrix asked Mr. Boswell to submit a memo showing the benefits for everyone involved.

Mr. Hart mentioned that the North West Bergen Sewer System is accepting flow from businesses along Franklin Avenue and the Borough will be receiving charges from them. The Borough will, in turn, charges the businesses for these "flow charges" and Mr. Smith is drafting an ordinance which sets up the mechanism through the a separate utility budget to bill and pay the bills through the Borough's budget.

RESOLUTION 136-14 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 137-14	Accept Report of the Finance Committee
Resolution 138-14	Approve Change – Order D&L Paving
Resolution 139-14	Authorize Mayor and Clerk to sign Stipulation of Settlement – Pawnee LLC
Resolution 140-14	Refund of Taxes – Ghobadi
Resolution 141-14	Duplicate Tax Sale Certificate – 745 Colonial Road
Resolution 142-14	Award Contract – Lacrosse Trainers

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

Roll Call Vote

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

Nays:

Abstain:

Absent:

Motion Approved

MAYOR’S REPORT

Mayor Bivona reported that he has received complaints about noise from residents who border the south side of Route 287. In the past, the Borough had been successful in having a wall built on the other side of the road but the sound bounces off the wall making the situation worse for this group of residents. The Borough wrote a letter to the DOT last year in an attempt to have the State remediate this problem without success. They will write another letter on behalf of these residents and Mayor Bivona encouraged these residents to conduct a sound study. Councilperson Lambrix suggested including all the homes along the Route 287 corridor. Mayor Bivona has asked Mr. Boswell to research the cost of installing a wall and if the residents were interested, the Council could conduct a cost assessment.

Mayor Bivona announced several upcoming events including Clean-Up Day on May 17th at the Reservoir. There is a Drug Awareness Program scheduled for May 7th at Ramapo High School. A Wellness Basketball Tournament is set for Sunday, June 1st at the new basketball courts on Pulis Avenue. Mayor Bivona announced Paddle Day on the Sunday of Memorial Day weekend.

COMMITTEE/LIAISON REPORTS

ADMINISTRATION AND FINANCE

Councilperson Lambrix reported that the Committee met with Borough Auditor, Dieter Lerch, to review the Capital Budget and debt management plan. The goal is to reduce debt and review a multi-year capital plan. Mr. Lerch indicated that he will revise the document and Councilperson Lambrix thanked the Mayor for his leadership in this regard. Mr. Hart said that this will be discussed at the June work session.

- **Peddling and Soliciting Fee**

Mr. Hart stated that the Council had discussed increasing the licensing fee from \$75 to \$100. The Police Chief wants the background check to be paid directly to the third party vendor by the applicant in addition to the \$100 fee to be paid to the municipality. If agreed to by the Council, Mr. Hart said he would make the change and include it in the ordinance for adoption. Councilmembers agreed to this change.

PUBLIC WORKS

Councilperson Swist stated that there have been reports of clogged drains as a result of landscapers who blow leaves into the storm drains. Methods of communicating with the homeowners and landscapers relative to the ordinance were discussed. The ordinance includes fines for this behavior and it was suggested that these details should be included in an e-blast.

Councilperson Swist reported that the DPW has solicited summer help. Work continues on the bocce courts and should be completed by June 1st. There is a sculpture which is scheduled to be unveiled on Memorial Day at Memorial Park. Repairs to the fencing at the Nature Preserve are moving forward.

- **Award Bid for Road Program**

Mr. Hart said that this award will be scheduled for May 20th.

- **Award Contract Senior Center Doors**

Mr. Hart stated that one proposal was received for the doors for the Senior Center. The price was within budget and is being paid out of the Bergen County Community Development grant. This will be awarded on May 20th.

ENVIRONMENTAL & COMMUNITY AFFIARS

Councilperson Swist reported that the Shade Tree Committee planted two trees along Franklin Avenue for Arbor Day.

Councilperson Swist announced that Franklin Lakes, Wyckoff and Oakland are sponsoring a Green Film Festival on the four Thursdays in May. The next film in the series is called “Bagging” on plastic recycling. She spoke about Environmental Day and stated that the new school superintendent has indicated the she will be participating. Councilperson Swist stated that there have been several recent presentations on recycling which she pointed out is a revenue generator and not a drain. She noted that the Memorial Day Parade is scheduled for May 26th and she urged the Mayor and Council to march in the parade.

- **Tree Removal Permit – 785 Ewing Avenue**
- **Tree Removal Permit – 286 Indian Trail Drive**

Councilmembers indicated approval of the permits which will be added to the Consent Agenda.

PLANNING & DEVELOPMENT

- **McCoy Road Redevelopment Study**

Councilperson Kahwaty stated that the Borough is on a tight schedule for the McCoy Road Redevelopment and thanked Beth McManus for tonight’s compelling presentation.

- **Parking of Oversized Vehicles
Resident Complaint**

Mr. Hart has drafted an ordinance relative to oversized vehicles based on previous discussion by the Mayor and Council. He reviewed sample ordinances from the North West Bergen municipalities and he noted an interesting ordinance from Waldwick. The Waldwick ordinance does not limit the number of recreational vehicles permitted in residential zones and includes one recreational vehicle and one non-commercial light utility trailer not to exceed 15 feet. Commercial trailers are dealt with in a separate portion of the ordinance. There are screening requirements and the area devoted to the storage of the vehicles is limited to 5% of the lot area. Some towns do not allow any commercial or recreational vehicles. Mr. Hart recalled that the complaint received was about a trailer approximately 30 feet long and said that this ordinance would address this issue.

Councilperson Kelly suggested adding one line to the draft ordinance such as “for a total number of vehicles not to exceed blank”. Councilperson Lambrix suggested that the Council legislate gradually; however, Mayor Bivona said that there is some urgency here. Mr. Smith pointed out that someone with a large number of vehicles could be conducting a business.

After a lengthy discussion, the Council decided to adopt the ordinance and subsequently amend it in a step fashion, as needed. The ordinance will be introduced at the meeting of May 20th.

RECREATION AND PARKS

Councilperson Kelly spoke about the problem relative to the shortage of coaches. He decided to address the issue by sending a note to parents telling them that he needed their involvement and support in order for the program to be successful. It turned out that there were a number of parents who are very knowledgeable about lacrosse and the sport can now be offered to anyone who is interested.

- **Community Center Lease with Wyckoff YMCA**

Mayor Bivona presented some background information on the potential lease agreement with the Wyckoff YMCA pertaining to their leasing of the Franklin Lakes Community Center. He pointed out that the building has structural problems and the second floor is unusable. The gym equipment is old and somewhat limited. The septic system needs to be upgraded as well. The Center is limited by budgetary constraints and is losing money as a result of low membership. The money and staffing needed to revitalize the community center is not a priority in the Borough budget. Mayor Bivona hopes that the Wcykoff YMCA will be able to offer an increased variety of activities that will be of interest to residents of all ages. The Council has chosen the YMCA because it is a non-profit institution whose mission is to serve the local communities. The YMCA operates after school programs and summer camps, among other things, and therefore already has a presence in Franklin Lakes. There is significant revenue generated by the Wyckoff Y which goes directly into a trust fund to be used for recreation programs in the Borough. Mayor Bivona added that the Y provides community services for special needs individuals.

Mayor Bivona described some of the key elements in the draft agreement which is technically a ten year lease of the Community Center. At the end of the lease, there is no obligation for the lease to be renewed. The building will continue to be known as the Franklin Lakes Community Center and will not be a branch of the Wyckoff YMCA. Members of the Wyckoff YMCA will not have access to the facilities unless they join and membership is not restricted to Franklin Lakes residents. The building will be co-habited by Franklin Lakes recreation staff. This will free the staff from managing things like yoga classes and building maintenance and staff will be able to devote more time to the recreation sports. As a result, the center will be open longer hours and the building will be completely renovated with a second floor that is usable. There will be locker rooms on the second floor as well as workout facilities. The kitchen will remain with access during field events. A new building will be constructed next door to house recreation personnel and to store equipment. Mayor Bivona said that the Y will be investing \$925,000 in the project. The Y would be responsible for the cost of utilities, maintenance and the day to day running of the building. There would no longer be a need for the Borough to provide part time workers which will save \$50,000 per year. There will be no impact on the recreation programs which will continue to be run by the Recreation staff and committee. Any fee for use of fields by the Y will be waived; however, they would have to go through the same process as any other organization meaning approval by the Mayor and Council.

Councilperson Swist asked how much it costs the Borough to operate the Community Center at this time. Mayor Bivona said that the Borough loses \$50,000 on the Center annually. He added that the Wyckoff Y will be able to offer a wider range of classes and events for seniors and young adults that appeal to a broader range of people. The improvements are outlined in the lease agreement. The Y hopes to begin a year of renovations in September 2014. The storage building will be constructed first in order for the Borough to move equipment into their new space.

Council President Ramsey said that she supports the plan because it will not interfere with the Borough's recreation program. Councilperson Swist wondered why the YMCA would want to invest all this capital in Franklin Lakes. Mayor Bivona reiterated that the

Y is a non-profit entity and they see Franklin Lakes as a great place to expand their franchise. This is a public private partnership with a non-profit and this relationship will offer many opportunities for Franklin Lakes residents. Councilman Cadicina was concerned about cost overrun and Mr. Hart said that the Y would have to comply with the plans or they would be in breach of the contract. Mayor Bivona said that the Borough is going to receive \$925,000 up front and will benefit from cost savings. His hope is that the lease will be renewed at the end of ten years when the Borough could anticipate to receive market rate rents. Mr. Hart stated that this ordinance will be introduced on May 20th.

- **Playground at Old Mill Tennis Courts**

Mr. Hart said that there is a playground at the Old Mill tennis courts which is locked perhaps because it needs to be cleaned up and maintained. This is an under-utilized playground that needs to be maintained and Councilmembers agreed that it should be kept open. Mr. Hart will have the DPW clean the area and open the playground to the public.

- **Facilities Use Permits**

 - **Ramapo Youth Soccer Association – Wildcats**
 - **Ramapo High School Football Camp**

Mr. Hart said that local children participate in these two local programs. The Council agreed to list these programs on the May 20th agenda.

- **Criminal History Background Check**

Mayor Bivona stated that the State method of background checks used by Franklin Lakes does not weed out DUI's. The Recreation Committee has indicated that they want to screen for DWIs. Councilperson Kahwaty pointed out that a DWI charge, which is a Title 39 motor vehicle offense, cannot be expunged. Councilmembers discussed imposing a ten year limitation and if there have been no other offenses within ten years, the individual would be allowed to participate in a recreation program. Councilperson Kelly will bring this suggestion to the Recreation Committee and report back.

PUBLIC SAFETY

- **Dispatch Services**

Mayor Bivona said that the Borough had looked at centralizing dispatch services some time ago and area Mayors are again looking at opportunities to run these shared services in their municipalities. Municipalities such as Ridgewood and Wyckoff are trying to expand their services and incorporate other towns. Mayor Bivona suggested that they look at this again because it makes no sense to build and invest in more infrastructures when they could take advantage of these services offered by Mahwah.

Councilperson Lambrix suggested that they quantify the available options and he asked if a trial program is possible. Councilperson Kahwaty has toured the facility in Mahwah and he described it as underutilized. Mr. Hart will provide the information he had researched a year ago on costs for review by the Council.

- **Patrolman Hiring Process**

Councilperson Kahwaty recalled that the Council had discussed broadening the hiring process to make it more inclusive. The Police Chief has expanded the advertising for the position using more media outlets such as websites and newspapers and not solely considering police officers from the Academy. After the Police Chief completes his interviewing, he will present a list of ten candidates to the Hiring Committee which will include Mr. Hart. The Committee will then provide a list of several candidates to the Mayor and Council for consideration and final decision. The Police Chief will be

instructed to begin the process and there will be an application fee. Councilmembers were in agreement.

BOROUGH ADMINISTRATOR'S REPORT

There were no questions on the report submitted by Mr. Hart. Councilperson Swist questioned the status of the Synergy project. Mr. Hart said there will be a press release followed by the initial meeting.

Mr. Hart reported on remediation work required at Police Headquarters. They are getting proposals relative to the removal of ceiling tiles and insulation in the dispatch area. Due to the health concerns, they must move quickly and award an emergency contract which will be memorialized at the next meeting. Mr. Hart reported that he has spoken to the resident representative from Shirley Avenue concerning a development on Franklin Avenue.

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 May 6, 2014 which begins at 7:30 PM, in the Council Chambers at the Municipal Building to discuss the following:

Closed meeting issues:

- Contractual – Gregory Road Easement
- Contractual – Fibertech Networks
- Tax Appeal – Stipulation of Settlement – 962 Arapaho Trail
- Tax Appeal – Stipulation of Settlement – 124 Delaware Lane
- Anticipated Litigation – Affordable Housing Legislation Resolution
- Personnel – Tax Collector
- Litigation – Gaeta Recycling Co.
- 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 Kelly at 10:42 P.M. to enter into Closed Session.

Roll Call Vote

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

At 11:15 P.M. the Council returned from Closed Session. Council President will tour the Ambulance Building and several Councilmembers will tour the Police Academy. Mr.

Hart asked Councilmembers to complete a form indicating the Councilmembers would agree to medication at the time of a terrorist attack.

ADJOURNMENT

Motion by Councilperson Kelly to adjourn the meeting at 11:15 P.M. Councilperson Kahwaty seconded the motion.

Roll Call Vote

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

Resolution 137-14

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 \$7,011,048.06 as shown on the Claims Bill List; \$3,824.00 as shown on the Soil Account Bill List and \$45.00 as shown on the Developers Escrow List.

BE IT FURTHER RESOLVED, that the payroll of April 10, 2014 in the amount of \$196,542.71, the payroll of April 24, 2014 in the amount of \$196,505.67 be hereby ratified and approved.

Resolution 138-14

Change Order – Improvements to Recreation Center Parking Lot & Basketball Courts

WHEREAS, by Resolution #181-13 adopted on July 2, 2013, the Mayor and Council of the Borough of Franklin Lakes awarded a contract in the amount of \$176,790.00 to D&L Paving Contractors, 681 Franklin Avenue, Nutley, New Jersey, hereinafter referred to as “the Contractor”, for the Improvements to the Recreation Center Parking Lot & Basketball Courts; and,

WHEREAS, the Borough Engineer has submitted Change Order #1, which increases the amount of the contract by \$14,090.00 for an amended contract amount of \$190,880.00 which Change Order has been accepted by the Contractor;

NOW THEREFORE, BE IT RESOLVED that Change Order #1 is hereby authorized and approved for the Improvements to the Recreation Center Parking Lot and Basketball Courts, for a contract increase of \$14,090.00 for a revised contract amount of \$190,880.00; and,

BE IT FINALLY RESOLVED that a copy of this Resolution be forwarded to D&L Paving Contractors, Boswell Engineering, and the Chief Financial Officer.

Resolution 139-14

WHEREAS, a site plan was approved, and a building permit issued, for the construction of a single family home on the property at 650 Pawnee Lane; and

WHEREAS, said property has substantial drainage issues, necessitating that the owner of the property post a bond to ensure that all drainage improvements were installed in the amount of \$76,692; and

WHEREAS, certain of the drainage improvements were installed, but others were not installed or were not completed when the project ceased and the building permit was

withdrawn, at which time the owner of the property sought a refund of the cash bond, which was denied by the Borough; and

WHEREAS, if construction begins again a new bond will be posted but there is the possibility prior to this the Borough would need to take action to ensure that drainage from this property does not damage adjacent properties; and

WHEREAS, the property owner, Pawnee LLC, initiated litigation seeking the refund of its bond resulting in legal and engineering expenses; and

WHEREAS, said litigation has been resolved pursuant to a settlement which releases \$40,000 of the cash bond to the property owner, and allows the Borough to retain \$36,692 to compensate it for all legal and engineering fees with the remainder to be placed in its general fund for use by the Borough for any purpose; and therefore it is hereby

RESOLVED by the Mayor and Council of the Borough of Franklin Lakes that the Mayor and Clerk are hereby authorized to execute the Settlement Agreement authorizing a refund to the property owner of a portion of its cash bond in the amount of \$40,000, and the release of the remaining \$36,692 to the Borough for its legal and engineering expenses with the remainder available as the Borough sees fit.

Resolution 140-14

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 and 2013, on 310 Waterview Drive, homeowners Fereydoon & Manijeh Ghobadi

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. The law firm of Thomas L. Murphy, Esq., attorney for plaintiff, and

NOW, THEREFORE, BE IT RESOLVED that the Treasure 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>
3101.03	1.05	1,690,000	(2012)	\$ 585.61
		1,690,000	(2013)	\$ 594.77
			Total	\$1,180.38

Thomas L. Murphy, Esq.
113 W. White Horse Road, Suite 4
Voorhees, NJ 08043

Resolution 141-14

WHEREAS, the Tax Collector of this municipality has previously issued a tax sale certificate to DGP Capital, LLC which certificate is dated September 30, 2013 covering premises referred to as Block 1304, Lot 2 and commonly known as 745 Colonial Road, Franklin Lakes, New Jersey, which certificate bears number 13-00002.

WHEREAS, the purchaser of the aforesaid tax sale certificate has indicated to the Tax Collector that they have lost or otherwise misplaced the original tax sale certificate and have duly filed the appropriate Affidavit of Loss with the Tax Collector, a copy of which is attached hereto.

NOW, THEREFORE, be it resolved by the Mayor and Council of the Borough of Franklin Lakes that the Tax Collector of the municipality be and is hereby authorized, upon receipt of the appropriately executed and notarized Affidavit of Loss and the

payment of a fee of \$100 per certificate, to issue an appropriate duplicate tax sale certificate to the said purchaser covering the certificate lost as previously described all in accordance with the requirements of Chapter 99 of Public Laws of 1997.

BE IT FURTHER RESOLVED that a copy of this Resolution and the Affidavit of Loss be attached to the duplicate certificate to be issued to said purchaser and that said duplicate certificate shall be stamped or otherwise have imprinted upon it the word “Duplicate” as required by law.

Resolution 142-14
Award Contract – Lacrosse Trainers

WHEREAS, the Recreation and Parks Director received three proposals for lacrosse training; and,

WHEREAS, the Recreation and Parks Director recommends that the contract for lacrosse training be awarded to the contractor that submitted the lowest proposal, Musketeer Lacrosse, LLC, P. O. Box 286, Ridgewood, New Jersey 07450, for the proposal amount of \$5,400; and

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 recommendation of the Recreation and Parks Director be accepted and the contract for lacrosse training be and is hereby awarded to Musketeer Lacrosse, LLC, for the proposal amount of \$5,400; and,

BE IT FURTHER RESOLVED that a Certification of Funds has been prepared and authorized by the Chief Financial Officer for the said contract assuring that there is a sufficient appropriation to fund the purchase authorized in this resolution as an express and mandatory condition of the award of this contract

BE IT FINALLY RESOLVED that a copy of this resolution be forwarded to Musketeer Lacrosse, LLC, and the Recreation and Parks Director.

Resolution 143-14

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

WHEREAS, the Borough of Franklin Lakes has received a \$1,000.00 2013-14 Municipal Alliance Grant - Shattered Lives Program and wishes to amend its 2014 Budget to include said amount as a revenue;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Franklin Lakes, that permission be requested by the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the 2014 Budget in the sum of \$1,000.00 which will be available as a revenue from:

Miscellaneous Revenues:

Public and Private Programs Offset by Appropriations:

2013/2014 Municipal Alliance Grant – Shattered Lives Program \$1,000.00

BE IT FURTHER RESOLVED that a sum of \$1,000.00 and the same is hereby appropriated under the caption of:

General Appropriations:

- (a) Operations Excluded from "CAPS":
Public and Private Programs Offset by Revenues:
Solid Waste Administration -
2013/2014 Municipal Alliance Grant – Shattered Lives Program \$1,000.00

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, flowing style.

Sally T. Bleeker, Borough Clerk