

**MEETING OF THE MAYOR AND COUNCIL**

**August 19, 2014**

**7:30 P.M.**

A regular meeting of the Mayor and Council was held on Tuesday, August 19, 2014 in the Municipal Building.

**MEETING CALLED TO ORDER**

**ROLL CALL**

The following Council Members and Professional Staff responded to the roll call: Mayor Bivona, Councilmember Kahwaty - via phone, Councilmember Kelly, Councilmember Lambrix, Councilmember Swist and Council President Ramsey. Also present were Borough Administrator Greg Hart, Borough Clerk Sally Bleeker and Borough Attorney William T. Smith. Absent was Councilmember Cadicina.

**SUNSHINE LAW STATEMENT**

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

**FLAG SALUTE**

**MOMENT OF SILENT REFLECTION**

**PROCLAMATION**

**DRIVE SOBER OR GET PULLED OVER**

**WHEREAS**, impaired drivers on our nation's roads kill someone every 30 minutes, 50 people per day, and almost 18,000 people each year; and

**WHEREAS**, 19% of motor vehicle fatalities in New Jersey in 2012 were alcohol-related; and

**WHEREAS**, an enforcement crackdown is planned to combat impaired driving; and

**WHEREAS**, the summer season and the Labor Day holiday in particular are traditionally times of social gatherings which include alcohol; and

**WHEREAS**, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the state to participate in the *Drive Sober or Get Pulled Over 2014 Statewide Crackdown*; and

**WHEREAS**, the project will involve increased impaired driving enforcement from August 15 through September 1, 2014; and

**WHEREAS**, an increase in impaired driving enforcement and a reduction in impaired driving will save lives on our roadways;

**THEREFORE**, be is resolved that the Mayor and Council of the Borough of Franklin Lakes declares its support for the *Drive Sober or Get Pulled Over 2014 Statewide Crackdown* from August 15 through September 1, 2014 and pledges to increase awareness of the dangers of drinking and driving.

**HONORING EMERGENCY MANAGEMENT VOLUNTEERS**

**WHEREAS**, the Borough of Franklin Lakes is extremely fortunate to have a dedicated group of volunteer residents that are committed to assisting the Borough and its residents during emergencies; and

**WHEREAS**, the Borough's Local Emergency Planning Council, the Certified Emergency Response Team (CERT) members, and the Emergency Management Auxiliary (EMA) members,

all under the guidance and direction of Emergency Management Coordinator, Craig Goldman, have been instrumental in assisting Borough residents during emergencies, such as Hurricane Sandy, the 2011 October snowstorm, the 2011 December storm, and other emergencies, lending a helpful hand to the Franklin Lakes community when residents have been most in need; and,

**WHEREAS**, between disasters this group of over 100 volunteers assists with Borough functions and events, providing invaluable support to the Borough; and,

**WHEREAS**, these volunteers have undergone extensive training in order to be able to carry out their roles as emergency management volunteers;

**NOW THEREFORE, I, MAYOR FRANK BIVONA**, Mayor of the Borough of Franklin Lakes, on behalf of the Mayor and Council and the residents of the Borough, do hereby recognize, thank and extend our deepest appreciation to all of these emergency management volunteers that selflessly donate their invaluable services, time, and efforts to their fellow citizens;

**IN WITNESS HEREOF**, I have hereunto set my Hand and caused the Seal of the Borough of Franklin Lakes to be affixed this 19<sup>th</sup> day of August, 2014.

## **PRESENTATIONS**

### **Dr. Lydia Furnari – Franklin Lakes Superintendent of Schools**

Dr. Furnari came forward to introduce herself as the Superintendent of Schools. She has been working in education for 31 years and is excited to be working in Franklin Lakes. She has been meeting with staff, parents and teachers. Dr. Furnari is in full support of the Synergy program in Franklin Lakes.

Mayor Bivona asked Dr. Furnari what the biggest challenges will be for her this year. Dr. Furnari said that the new state mandates and initiatives will be one of the biggest challenges.

Councilmember Kelly asked about the enrollment rate in the schools and wanted to know if she has given any thought to this and if it is affecting her planning in any way. Dr. Furnari said she monitors enrollment closely and gives reports to her board monthly. Short term enrollment numbers are down, but she is aware of building projects within the town that will affect enrollment. She anticipates that enrollment will fluctuate.

## **ORDINANCES FOR FINAL READING AND ADOPTION**

### **ORDINANCE 1586-R**

#### **AN ORDINANCE SUPPLEMENTING CHAPTER 107 “RECREATION AND PARKS DEPARTMENT” OF THE CODE OF THE BOROUGH OF FRANKLIN LAKES TO REQUIRE DISQUALIFICATION FOR FAILING TO PASS CRIMINAL HISTORY BACKGROUND CHECK AND ADDING DWI AS DISQUALIFYING OFFENSE**

*Summary – This ordinance will require disqualification from coaching for certain offenses shown in a criminal history background check, including DWI conviction within past five years.*

**WHEREAS**, Ordinance 1586-R was introduced at a meeting of the Mayor and Council held on the 15<sup>th</sup> day of July, 2014 and duly published by law; and,

**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 1586-R be and the same is hereby adopted on second and final reading; and,

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

Motion made by Councilmember Kelly to take up Ordinance No. 1586-R for consideration of adoption on second and final reading, and direct the Clerk to read by title, seconded by Councilmember Swist. On voice vote, all in favor.

The Borough Clerk read the Ordinance by title only.

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

No one from the public came forward at this time.

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

Resolution read by Mayor Bivona and introduced by Councilmember Kelly, seconded by Councilmember Lambrix. Discussion – none.

Roll Call Vote:

Ayes: Kahwaty, Kelly, Lambrix, Ramsey, Swist

Nays:

Abstain:

Absent: Cadicina

Motion Approved.

**ORDINANCE 1593-R**

**AN ORDINANCE AMENDING PROVISIONS OF CHAPTER 300  
“LAND USE AND DEVELOPMENT” OF THE CODE OF THE BOROUGH  
OF FRANKLIN LAKES PERTAINING TO OVERNIGHT PARKING OF VEHICLES**

*Summary – This ordinance amends the existing ordinance restricting the type of vehicles that may be parked in driveways in residential districts.*

**WHEREAS**, an ordinance 1593-R was introduced at a meeting of the Mayor and Council held on the 15<sup>th</sup> day of July, 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 1593-R be and the same is hereby adopted on second and final reading; and,

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

Motion made by Councilmember Kelly to take up Ordinance No. 1593-R for consideration of adoption on second and final reading, and direct the Clerk to read by title, seconded by Councilmember Swist. On voice vote, all in favor.

The Borough Clerk read the Ordinance by title only.

At this time, Borough Administrator, Greg Hart, explained the changes to the ordinance as recommended by the Planning Board.

Motion to amend Ordinance 1593-R as recommended by the Planning Board was made by Councilmember Kelly, seconded by Councilmember Lambrix. On voice vote, all in favor.

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

Julie DeGillio – 573 Colonial Road. Ms. DeGillio wanted to be sure that there was no limit on the number of cars in the drive way. Greg Hart said there is no limit on cars in driveways.

Joe Basralian – 710 Oneida Trail. He wanted to know how Ordinance 1593-R came about. Mayor Bivona advised it came from a property complaint which the existing Ordinance did not address.

Mr. Basralian suggested that we limit the size of the RV's since we are limiting the size of the trailers. Mayor Bivona did not agree with doing that right now. Borough Administrator, Greg Hart, added that the Ordinance is more restrictive. Mr. Basralian also suggested limiting what landscaper vehicles carry.

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

Resolution read by Mayor Bivona and introduced by Council President Ramsey, seconded by Councilmember Kelly. Discussion – Councilmember Lambrix said in the future he would be open to Mr. Basralian's suggestions, but now is not the time. Mayor Bivona added that the Ordinance could be amended in the future. Further discussion ensued regarding how you would enforce grandfathered in RV's and trailers.

Roll Call Vote:

Ayes: Kahwaty, Kelly, Lambrix, Ramsey, Swist

Nays:

Abstain:

Absent: Cadicina

Motion Approved.

**ORDINANCE 1602**

**AN ORDINANCE REPEALING PROVISIONS OF CHAPTER 71  
“OFFICERS AND EMPLOYEES” OF THE CODE OF THE BOROUGH OF  
FRANKLIN LAKES PERTAINING TO THE POSITION OF TAX ASSESSOR**

*Summary – This ordinance will repeal certain ordinance provisions pertaining to the position of Tax Assessor that are outdated or inconsistent with the current responsibilities of the position.*

**WHEREAS**, an ordinance 1602 was introduced at a meeting of the Mayor and Council held on the 15<sup>th</sup> day of July, 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 1602 be and the same is hereby adopted on second and final reading; and,

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

Motion made by Councilmember Kahwaty to take up Ordinance No. 1602 for consideration of adoption on second and final reading, and direct the Clerk to read by title, seconded by Councilmember Kelly. On voice vote, all in favor.

The Borough Clerk read the Ordinance by title only.

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

No one from the public came forward at this time.

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

Resolution read by Mayor Bivona and introduced by Councilmember Swist, seconded by Council President Ramsey. Discussion – none.

Roll Call Vote:

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

**ORDINANCE 1603**

**A BOND ORDINANCE AUTHORIZING CAPITAL IMPROVEMENTS TO POLICE HEADQUARTERS BY AND FOR THE BOROUGH OF FRANKLIN LAKES, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING AN AGGREGATE AMOUNT OF \$652,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$552,000 IN AGGREGATE PRINCIPAL AMOUNT OF BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF**

*Summary – This bond ordinance appropriates funds for the construction of an addition to Police Headquarters and replacement of the HVAC system in the existing building. The Borough will be reimbursed \$300,000 for this project from a private donation.*

**WHEREAS**, an ordinance 1603 was introduced at a meeting of the Mayor and Council held on the 15<sup>th</sup> day of July, 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 1603 be and the same is hereby adopted on second and final reading; and,

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

Motion made by Councilmember Kelly to take up Ordinance No. 1586-R for consideration of adoption on second and final reading, and direct the Clerk to read by title, seconded by Council President Ramsey. On voice vote, all in favor.

The Borough Clerk read the Ordinance by title only.

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

No one from the public came forward at this time.

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

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

Roll Call Vote:

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

**OPEN THE TIME FOR PUBLIC COMMENT**

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

Mr. Basralian – 710 Oneida Trail. He would like the council to consider deer fences to preserve the natural under growth of the woods. He would like them to consider deer fences that can be 6 to 7 feet high.

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

**Resolution 225-14**  
**CONSENT 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 resolutions can be found after the Adjournment.

- Resolution 226-14     Accept Report of the Finance Committee
- Resolution 227-14     Award State Contract – Hurst Pump
- Resolution 228-14     Award Contract – Turf Repairs
- Resolution 229-14     POD Agreement
- Resolution 230-14     Appointment – Chief of Police
- Resolution 231-14     Change Order No. 2 – Improvements to Recreation Center Parking Lot & Basketball Courts
- Resolution 232-14     Gift of Service Weapons
- Resolution 233-14     Award Contract – Architect Police Department Addition
- Resolution 234-14     Community Development Cooperative Agreement
- Resolution 235-14     Release Letter of Credit – FL Storage

Resolution read by Greg Hart and introduced by Councilmember Kahwaty, seconded by Councilmember Kelly.

Roll Call Vote:

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

**RESOLUTIONS**

**Resolution 236-14   Award Contract – Concussion Testing**

**WHEREAS**, the Borough of Franklin Lakes has a need to acquire IMPACT testing (concussion testing) as a professional service pursuant to the provisions of N.J.S.A. 40A:11-5, and,

**WHEREAS**, the term of this proposed contract is one year; and,

**WHEREAS**, the cost of these services shall not exceed \$17,500 and therefore “Pay to Play” requirements do not apply; and,

**WHEREAS**, New Jersey Pediatric Neuroscience Institute (NJPNI) 131 Madison Avenue, Suite 140 Morristown, New Jersey 07960 has submitted a proposal indicating they will provide concussion testing for \$20 per test, for a total estimated amount of \$4,600, and,

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

**NOW THEREFORE BE IT RESOLVED**, that the Mayor and Council of the Borough of Franklin Lakes authorizes the Borough Administrator to enter into a contract with New Jersey Pediatric Neuroscience Institute for concussion testing for \$20 per test, for a total estimated amount of \$4,600; and,

**BE IT FURTHER RESOLVED**, that the Borough Clerk shall cause a notice of the adoption of this resolution be printed in a qualified newspaper within 10 days after passage hereof.

Resolution read by Mayor Bivona and introduced by Councilmember Kelly, seconded by Councilmember Swist. Discussion – Greg Hart further explained the resolution and our purchasing policy.

Roll Call Vote:

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

**ACTION ON MINUTES**

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

- July 1, 2014 Work Session Meeting
- July 1, 2014 Closed
- July 15, 2014 Regular Meeting
- July 15, 2014 Closed
- August 5, 2014 Work Session
- August 5, 2014 Closed

At this time, Councilmember Kahwaty just wanted to note a correction to the July 1, 2014 Work Session meeting on page 5.

Roll Call Vote:

Ayes: Kahwaty, Kelly, Lambrix (with exceptions), Ramsey, Swist  
Nays:  
Abstain: Lambrix – July 1, 2014 Work Session; July 1, 2014 – Closed Session; August 5, 2014 Work Session and August 5, 2014 – Closed Session.  
Absent: Cadicina  
Motion Approved.

**OLD BUSINESS**

At this time, there was no Old Business to discuss.

**NEW BUSINESS**

**One Day Liquor License – Oasis - A Haven for Women and Children**

Borough Clerk, Sally Bleeker, reported that Oasis – A Haven for Women and Children had applied for a One Day Liquor License for the Oktoberfest.

**INTRODUCTION OF ORDINANCES ON FIRST READING**

Move to take up consideration of Ordinance 1604 for Introduction, and direct the Borough Clerk to read by title was made by Councilmember Kelly, seconded by Councilmember Swist. On voice vote, all in favor.

The Borough Clerk read the Ordinance by title only.

**ORDINANCE 1604**

**AN ORDINANCE AUTHORIZING THE EXECUTION OF A DEED IN FAVOR OF THE NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY RESTRICTING THE FUTURE USE OF THE FRANKLIN LAKES NATURE PRESERVE TO RECREATION PURPOSES**

**WHEREAS**, Ordinance 1604 was introduced at a meeting of the Mayor and Council held on the 19<sup>th</sup> day of August 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 1604 be and the same is hereby introduced on First Reading; and,

**BE IT FURTHER RESOLVED** that said Ordinance 1604 will be further considered for final passage at a meeting of the said Mayor and Council to be held on the 16<sup>th</sup> day of September 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 1604; 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 Mayor Bivona and introduced by Councilmember Kahwaty, seconded by Council President Ramsey. Discussion – Greg Hart gave an explanation of the Ordinance.

Roll Call Vote

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

**CLOSED SESSION**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Franklin Lakes, County of Bergen and State of New Jersey that a Closed Meeting be held on Tuesday, August 19, 2014 which begins at 7:30 PM, in the Council Chamber at the Municipal Building to discuss the following:

Closed meeting issues:

- Personnel – Patrol Officer Hiring

**BE IT FURTHER RESOLVED**, that the discussion conducted in closed session shall be disclosed to the public once the matter involving the confidentiality of the above no longer requires that confidentiality, then the minutes can be made public.

**NOW, THEREFORE BE IT RESOLVED**, that the public be excluded from this meeting.

Motion to go into Closed Session at 8:45 p.m. was made by Council President Ramsey, seconded by Councilmember Swist. On voice vote, all in favor.

Upon return from Closed Session, Councilmember Kahwaty made a motion to offer conditional employment to Michael Pellegrino., seconded by Council President Ramsey.

Roll Call Vote

Ayes: Kahwaty, Kelly, Lambrix, Ramsey, Swist

Nays:  
Abstain:  
Absent: Cadicina  
Motion Approved

Greg Hart advised that Sergeant interviews will be scheduled for September 4, 2014.

## **ADJOURNMENT**

Motion to adjourn the meeting at 9:05 p.m. was made by Council President Ramsey, seconded by Councilmember Swist. On voice vote, all in favor.

### **Resolution 226-14 Accept Report of the Finance Committee**

**RESOLVED**, by the Mayor and Council of the Borough of Franklin Lakes that the report of the Finance Committee be accepted and recommendations adopted; that the report be made part of the record of this meeting; and the proper Borough Officials are hereby authorized and directed to issue warrants in the amount of \$398,479.48 as shown on the Claims Bill List; \$5,390.00 as shown on the Soil Account Bill List and \$1,676.00 as shown on the Developers Escrow List.

### **Resolution 227-14 Award State Contract – Hurst Pump**

**WHEREAS**, the Borough of Franklin Lakes wishes to purchase a Hurst Pump for the Fire Department from an authorized vendor under the State of New Jersey Cooperative Purchasing Program 1-NJCP; and

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

**WHEREAS**, State Line Fire & Safety, Inc. 50 Park Avenue, Park Ridge, NJ 07656 has been awarded New Jersey State Contract number A80968 for Hurst JL-SG-ES Simo Gas Power Unit w/Turbo electric start; and

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

**WHEREAS**, the actual cost for the purchase of the Hurst JL-SG-ES Simo Gas Power Unit w/Turbo is \$8,478.75 and the cost of 2 gallons of Hurst Hydraulic Fluid is \$228.00 and the cost for one Hurst (M) Streamline Coupling w. adapter is \$204.25 for a total purchase cost of \$8,911.00; and

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

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Franklin Lakes that the Hurst JL-SG-ES Simo Gas Power Unit w/Turbo, 2 gallons of Hurst Hydraulic Fluid and one Hurst (M) Streamline Coupling w. adapter be purchased from State Line Fire & Safety, Inc. 50 Park Avenue, Park Ridge, NJ 07656.

### **Resolution 228-14 Award Contract – Turf Repairs**

**WHEREAS**, the Borough of Franklin Lakes received three (3) quotes for repair of the turf baseball fields located at the Pulis Avenue field; and

**WHEREAS**, the Mayor and Council wish to award this contract to the contractor that submitted the lowest proposal; and

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Franklin Lakes that:

1. Field Turf, 7445 Cote-de-liesse Road Suite 200, Montreal Quebec H4T 1G2 is hereby awarded a contract in the amount of \$7,490
2. 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 FURTHER RESOLVED**, that the Treasurer be and is hereby authorized and directed to issue payment upon receipt of an approved voucher.

**Resolution 229-14 POD Agreement**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Franklin Lakes that the Mayor and Borough Clerk are hereby authorized to execute an agreement for the purpose of staging a Point of Distribution Operation (POD) in the event of a State of Emergency as defined in the agreement dated May 2014.

**Resolution 230-14 Appointment – Chief of Police**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Franklin Lakes, County of Bergen, State of New Jersey that Sergeant Carmine Pezzuti be and is hereby promoted to the rank of Chief of Police of the Franklin Lakes Police Department effective August 1, 2014 in accordance with a Terms of Employment letter prepared by Gregory C. Hart, Borough Administrator, dated July 24, 2014.

**Resolution 231-14 Change Order No. 2 – 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**, by Resolution #138-14 adopted on May 6, 2014, the Mayor and Council approved Change Order #1, which increased 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;

**WHEREAS**, the Borough Engineer has submitted Change Order #2 & Final, which decreases the amount of the contract by \$8,845.00 for an amended contract amount of \$182,035.00 which Change Order has been accepted by the Contractor;

**NOW THEREFORE, BE IT RESOLVED** that Change Order #2 is hereby authorized and approved for the Improvements to the Recreation Center Parking Lot and Basketball Courts, for a contract decrease of \$8,845.00 for an amended contract amount of \$182,035.00; 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 232-14 Gift of Service Weapons**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Franklin Lakes, County of Bergen, State of New Jersey that, in recognition of their many years of service, the Mayor and Council hereby authorize the transfer from the Borough to retired Police Chief Joseph Seltenrich and retired Detective Sergeant Anthony Pacelli their service weapons; and,

**BE IT FURTHER RESOLVED** that the Borough Administrator is hereby authorized and directed to execute such documents as may be necessary to effectuate such transfer.

**Resolution 233-14 Award Contract – Architect Police Department Addition**

**WHEREAS**, the Borough of Franklin Lakes has a need for Architectural services for an addition to the Franklin Lakes Police Building in the Borough of Franklin Lakes as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and,

**WHEREAS**, Arcari & Iovino Architects, P.C. One Katherine Street Little Ferry, NJ 07643 has agreed to provide architectural and engineering services for a new addition to the police department building in accordance with their proposal dated July 2014 for the amount of \$59,500.00; and

**WHEREAS**, the Chief Financial Officer has certified the availability of funds for this award according to N.J.A.C. 5:30-5.4;

**NOW THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of Franklin Lakes authorizes Mayor Frank Bivona to enter into a contract with Arcari & Iovino Architects, P.C. One Katherine Street Little Ferry, NJ 07643 as described herein; and,

**BE IT FURTHER RESOLVED** that a copy of this resolution shall be published as required by law within ten days of its passage.

**Resolution 234-14 Community Development Cooperative Agreement**

**WHEREAS**, certain Federal funds are potentially available to the County of Bergen under Title I of the Housing and Community Development Act of 1974, as amended and HOME Investment Partnership Act of 1990, as amended; and Emergency Solutions Grant Act of 2012, and

**WHEREAS**, it is necessary to supersede an existing interlocal services cooperative agreement for the County and its people to benefit from this program; and

**WHEREAS**, an agreement has been proposed under which the Borough of Franklin Lakes and the County of Bergen in cooperation with other municipalities, will modify an Interlocal Services Program pursuant to N.J.S.A. 40:8A-1 et.seq.; and

**WHEREAS**, it is in the best interest of the Borough of Franklin Lakes to enter into such an agreement,

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Franklin Lakes that the agreement entitled “Three Year Cooperative Agreement”: An Agreement Superseding the Cooperative Agreement dated July 1, 2000 – June 30, 2003, to clarify the planning and implementation procedures, and to enable the Municipality to make a Three Year irrevocable commitment to participate in the Community Development Program, the HOME Investment Partnership Act Program and the Emergency Solutions Grant program for the Program Years: 2015, 2016, 2017 (July 1, 2015 – June 30, 2018) to be executed by the Mayor and Municipal Clerk in accordance with the provisions of law; and

**BE IT FURTHER RESOLVED**, that this resolution shall take effect immediately in accordance with law.

**Resolution 235-14 Release Letter of Credit – FL Storage**

**WHEREAS**, FL Storage LLC Block 1404, Lot 11.07 in the Borough of Franklin Lakes has requested the release of Maintenance Bond No. (Letter of Credit) #095192080010 in the amount of \$69,615.30 posted for outstanding improvements at the time of the Certificate of Occupancy inspection, and

**WHEREAS**, the Borough Engineer has made the required inspections, and

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Franklin Lakes that Performance Bond #095192080010 in the amount of \$69,615.30 posted for Block 1404, Lot 11.07 be released on the recommendation of the Borough Engineer.

Respectfully submitted,



Sally T. Bleeker, Borough Clerk