

MEETING OF THE MAYOR AND COUNCIL
January 20, 2015
7:30 P.M.

A regular meeting of the Mayor and Council was held on Tuesday, January 20, 2015 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, Councilmember Cadicina, Council President Kelly, Councilmember Lambrix, Councilmember Swist and Councilmember Ramsey. Also present were Borough Administrator Greg Hart, Borough Clerk Sally Bleeker and Borough Attorney William T. Smith.

SUNSHINE LAW STATEMENT

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

FLAG SALUTE

MOMENT OF SILENT REFLECTION

APPOINTMENTS

Motion to appoint the following individuals was made by Councilmember Ramsey, seconded by Councilmember Cadicina.

- Douglas Norkett – Franklin Lakes Volunteer Fire Department
- Brett Devenney – Lieutenant Franklin Lakes Volunteer Fire Department

Roll Call Vote:

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

Nays:

Abstain:

Absent:

Motion Approved.

PRESENTATION

Ramapo Indian Hills High School Board Member John Butto and Ramapo-Indian Hills High School Superintendent Dr. Beverly MacKay attended the Mayor and Council meeting. Mr. Butto came forward to introduce Dr. MacKay as the new superintendent of schools. Dr. MacKay came forward and introduced herself. She has been in the school district for 12 years and was also in the Wyckoff public school district. She has been a lifelong resident of Wyckoff. One of her goals is to increase communications with the Borough. She is happy to have a shared relationship and she invited the Mayor and Council to attend the school board meetings as well.

Frank Ceurvels, the Business Administrator, came forward to address the Mayor and Council. He is proud to be part of the community and wanted to let the Mayor and Council know that if they ever needed anything he would be available to help.

Mayor Bivona said they started a synergy task force with the k-8 schools and the public library. He would like to invite Ramapo-Indian Hills High Schools to meet quarterly to discuss future opportunities. Mr. Hart would like them to attend a synergy task force meeting. Dr. MacKay asked if there were specific goals in mind. Mr. Hart would like to have a shared online calendar. Dr. MacKay asked if we have an e-blast and Mayor Bivona said we do. Mayor Bivona mentioned the program being offered at the High School that is addressing current issues that the kids are facing. Dr. MacKay said it will focus on the issues that the teenage population is facing

such as drugs, eating disorders and school phobia. The Police Chiefs of each community will also be attending this program.

APPOINTMENTS

Motion to appoint the following individuals was made by Councilmember Kahwaty, seconded by Council President Kelly.

- Mark DiMaria – Municipal Court Prosecutor
- Arthur Balsamo – Alternate Municipal Court Prosecutor
- Mark Ramundo – Alternate Municipal Court Prosecutor

Roll Call Vote:

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

Nays:

Abstain:

Absent:

Motion Approved.

OPEN THE TIME FOR PUBLIC COMMENT

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

Ann Powley – 86 W. Crescent Avenue, Mahwah. Ms. Powley came forward to talk about the Pilgrim Pipeline. She spoke with the Environmental Commission in December. Mahwah has passed a resolution to oppose the Pilgrim Pipeline because it will go through their sole source aquifer which is Mahwah's only source of water. Although, Franklin Lakes gets water from multiple sources there is data to show the pipeline could impact Franklin Lakes' water source as well if there was a spill. 27 municipalities have passed resolutions that opposed the Pilgrim Pipeline. Ms. Powley said there has been another recent pipeline spill that spilled 50,000 gallons of oil into the Yellow Stone River. This is the second spill into Yellow Stone River from a pipeline. The water had been contaminated and they have to truck in bottled water because people cannot use tap water. She doesn't want to see that happen in New Jersey and there is still a chance to stop it. She would like the Mayor and Council to pass a resolution opposing the Pilgrim Pipeline.

Mayor Bivona said they are waiting to get information from the Environmental Commission before they consider a resolution. Mayor Bivona is just as concerned about the route going through Mahwah as if it was going to go through Franklin Lakes.

Peggy Bost – 121 Deer Haven Road, Mahwah. She lives in the Ramapo Mountains on the west side of the Ramapo River. She said this is not just about her neighborhood that this is a concern involving everyone. This is a regional water issue and every township needs to have a voice in this. During Hurricane Irene the Ramapo River crested at 15.5 feet and during the flood these huge black specs were coming down. It was oil from a spill that came from an oil tank along the river bed in Tuxedo, New York. It was a 50,000 gallon oil spill. They could not clean it up because of the flood waters. Having gone through this experience it was frustrating because there was no transparency and there was no help. If this pipeline in the Ramapo Mountains leaks she questioned the Council as to where they think the spill is going to go. The spill will go into the surface water and Northern New Jersey depends on surface water for drinking water. She is begging the Mayor and Council to take this seriously now while they still have a choice and can protect the drinking water of the residents and children of Northern New Jersey.

Councilmember Ramsey asked if United Water has taken a position on this. Ms. Bost said they have not. United Water makes money off of treating water and if more water needs to be brought in they make money as well.

Ken Dolsky – Resident of Parsippany. He is not in favor of moving the pipeline; they are against the pipeline period. Councilmember Lambrix asked what the group's position is on petroleum movement by rail and truck. Mr. Dolsky said the general position is that they are all fraught with

danger. You have to be smart about things. Putting a pipeline through an area with an aquifer that serves 5 million people is just plain stupid. Pipelines leak more than barges and trains. Trucks leak the worst. The pipeline has yet to be built and can be stopped. The pipeline is not adding any more oil to the region. They are taking it off barges and putting it in a pipeline.

Councilmember Kahwaty asked Mr. Dolsky if there were guaranteed safe guards if he would be opposed to the pipeline. Mr. Dolsky explained that if there was some brand new technology that he does not know about which made the pipeline safer he may be less opposed. Mr. Dolsky wanted to make people aware that this is a 30 to 40 year project. Most pipeline spills come from construction and even earthquakes and even lightning strikes. Maintaining the pipeline is important and when economics are down maintenance goes out the window. One of the worst oil spills, which took place in Michigan, resulted from a pipeline burst that was not responded to correctly. It was human error.

Mr. Dolsky said that this needs to be a regional effort, not one town can stop this by themselves. Even towns that are not on the pipeline route are opposing this. Once an oil pipeline is put through Northern Highlands it opens up for other smaller lines off of that main one. If a spill occurs first responders will have to be called in. Pilgrim Pipeline said their contractor will have 24 hours to show up to a spill, not to remediate anything, but just to show up. During major oil spills even when you shut the pipeline off oil continues to flow. The automatic shut off valves will be every ten miles. There is 1.5 million gallons of petroleum in that 10 mile stretch. A spill that occurred in Arkansas was shut down after 16 minutes and still spilled 10,000 gallons of oil. Residents now have to negotiate with Exxon to buy their homes out because they are unlivable. Pilgrim has said that if a spill is to occur that they will only pay for the clean-up, but not for property loss or medical bills. It is not their problem.

Mr. Dolsky is pleased that the Borough is looking into this, but cautioned that the townships that do nothing are not just bystanders. Non action sends a message of indifference and that you do not care what happens. Passing this resolution costs this town nothing. Fresh water is more valuable than oil.

Laurie Burnette – 860 Woodfield Road. Mrs. Burnette hopes that the Borough does pass a resolution opposing the Pilgrim Pipeline. Mrs. Burnette wanted an update on the special needs housing. Mr. Hart said they are going before the Planning Board in February and it seems they are ready to go. The site plan with building renderings should be available in the Planning Board office.

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

CONSENT RESOLUTION 29-15

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 30-15	Accept Report of the Finance Committee
Resolution 31-15	Shared Services Agreement – Teleconferencing Municipal Court
Resolution 32-15	Interlocal Agreement – Well Baby Clinic with Borough of Waldwick
Resolution 33-15	Authorize Advertisement for Bids – Sanitary Sewers for Recreation Center
Resolution 34-15	Contract Extension – IT Consultant Services
Resolution 35-15	Confirm Appointment of Municipal Court Judge Leddy
Resolution 36-15	Authorize Advertisement for Bids for 2015 Road Improvements
Resolution 37-15	Facilities Use Permit – Drew Gibbs
Resolution 38-15	Preserve Pension Funding
Resolution 39-15	Personnel Policy Amendments
Resolution 40-15	Tax Refund – 563-567 Commerce Street
Resolution 41-15	Tax Refund – 100 Jasmine Court
Resolution 42-15	Tax Refund – 1115 Franklin Lake Road
Resolution 43-15	Professional Service Agreement – Appraisal Services
Resolution 44-15	Professional Service Agreement – Bond Counsel

Resolution 45-15	Professional Service Agreement – Borough Attorney
Resolution 46-15	Professional Service Agreement – Borough Auditor
Resolution 47-15	Professional Service Agreement – Borough Engineer
Resolution 48-15	Professional Service Agreement – COAH Counsel
Resolution 49-15	Professional Service Agreement – Labor Attorney
Resolution 50-15	Professional Service Agreement – Professional Planning Services
Resolution 51-15	Professional Service Agreement – Risk Manager
Resolution 52-15	Professional Service Agreement – Tax Appeal Counsel
Resolution 53-15	Professional Service Agreement – Borough Architect
Resolution 54-15	Emergency Temporary Appropriation
Resolution 55-15	Budget Transfer

Mr. Hart removed Professional Service Agreement – Grant Professionals. Councilmember Lambrix asked a question regarding paving reservoir drive. Mr. Hart answered him.

Resolution read and introduced by Councilmember Kahwaty, seconded by Councilmember Swist.

Roll Call Vote:

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

RESOLUTIONS

Resolution 56-15

Interlocal Agreement – Paving Reservoir Drive with the Borough of North Haledon

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 Interlocal Services Agreement with the Borough of North Haledon for the sharing of the costs of paving Reservoir Drive, which is located in both Franklin Lakes and North Haledon.

Resolution read and introduced by Councilmember Kahwaty, seconded by Councilmember Kelly. Mr. Hart explained the cost estimates and they are in the bond ordinance.

Roll Call Vote:

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

ACTION ON MINUTES

Motion to accept the minutes was made by Councilmember Cadicina and seconded by Council President Kelly:

- November 12, Closed
- December 02, 2014 Work Session
- December 2, 2014 Closed
- December 16, 2014 Regular
- December 16, 2014 Closed
- January 6, 2015 Reorganization
- January 6, 2015 Closed

Roll Call Vote:

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

OLD BUSINESS

Recognize Carolyn Zimmerman

Councilmember Ramsey wanted to recognize Carolyn Zimmerman with a letter for her service on the Ambulance Corp. Mayor Bivona asked her if she wanted to draft the letter. Councilmember Ramsey suggested it come from the Mayor. Mayor Bivona will draft the letter.

NEW BUSINESS

Risk Manager

Mr. Hart said the risk manager will come to the February 3rd Mayor and Council meeting for training and to present his annual report.

NW Bergen Utility Sewer Bill

Mr. Hart reported that the Borough has received its first sewer bill. We will bill the residents and business owners who have hooked up to the sewers. The due dates will be April 1st and October 1st and will be given a 30 day notice.

One Day Liquor License – Barnert Temple Men’s Club

Borough Clerk, Sally Bleeker advised the Mayor and Council of a one-day liquor license.

INTRODUCTION OF ORDINANCES ON FIRST READING

Move to take up consideration of Ordinance 1613 for Introduction, and direct the Borough Clerk to read by title was made by Council President Kelly, seconded by Councilmember Lambrix. On voice vote, all in favor.

The Borough Clerk read the Ordinance by title only.

ORDINANCE 1613

**AN ORDINANCE ESTABLISHING CERTAIN SALARIES OF EMPLOYEES
OF THE BOROUGH OF FRANKLIN LAKES FOR THE YEAR 2015**

WHEREAS, Ordinance 1613 was introduced at a meeting of the Mayor and Council held on the 20th day of January 2015;

NOWHEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Franklin Lakes, County of Bergen, State of New Jersey, that Ordinance 1613 be and the same is hereby introduced on First Reading; and,

BE IT FURTHER RESOLVED that said Ordinance 1613 will be further considered for final passage at a meeting of the said Mayor and Council to be held on the 17th day of February 2015 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 1613; and

BE IT FINALLY RESOLVED, that the Borough Clerk is hereby authorized and directed to publish the Introduction and Notice of Hearing as required by Law.

Resolution read and introduced by Councilmember Kahwaty, seconded by Councilmember Kelly. Discussion – none.

Roll Call Vote

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

Move to take up consideration of Ordinance 1614 for Introduction, and direct the Borough Clerk to read by title was made by Councilmember Swist, seconded by Council President Kelly. On voice vote, all in favor.

The Borough Clerk read the Ordinance by title only.

ORDINANCE 1614

AN ORDINANCE SUPPLEMENTING CHAPTER 373 “PROPERTY MAINTENANCE” OF THE CODE OF THE BOROUGH OF FRANKLIN LAKES TO REGULATE THE MAINTENANCE OF VACANT AND ABANDONED RESIDENTIAL PROPERTIES

WHEREAS, Ordinance 1614 was introduced at a meeting of the Mayor and Council held on the 20th day of January 2015;

NOWHEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Franklin Lakes, County of Bergen, State of New Jersey, that Ordinance 1614 be and the same is hereby introduced on First Reading; and,

BE IT FURTHER RESOLVED that said Ordinance 1614 will be further considered for final passage at a meeting of the said Mayor and Council to be held on the 17th day of February 2015 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 1614; and

BE IT FINALLY RESOLVED, that the Borough Clerk is hereby authorized and directed to publish the Introduction and Notice of Hearing as required by Law.

Resolution read and introduced by Council President Kelly, seconded by Councilmember Swist.
Discussion – none.

Roll Call Vote

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

Move to take up consideration of Ordinance 1615 for Introduction, and direct the Borough Clerk to read by title was made by Councilmember Kahwaty, seconded by Council President Kelly. On voice vote, all in favor.

The Borough Clerk read the Ordinance by title only.

ORDINANCE 1615

AN ORDINANCE AMENDING PROVISIONS OF CHAPTER 89 “POLICE DEPARTMENT” OF THE CODE OF THE BOROUGH OF FRANKLIN LAKES PERTAINING TO CONTRACTED OFF-DUTY EMPLOYMENT

WHEREAS, Ordinance 1615 was introduced at a meeting of the Mayor and Council held on the 20th day of January 2015;

NOWHEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Franklin Lakes, County of Bergen, State of New Jersey, that Ordinance 1615 be and the same is hereby introduced on First Reading; and,

BE IT FURTHER RESOLVED that said Ordinance 1615 will be further considered for final passage at a meeting of the said Mayor and Council to be held on the 17th day of February 2015 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 1615; and

BE IT FINALLY RESOLVED, that the Borough Clerk is hereby authorized and directed to publish the Introduction and Notice of Hearing as required by Law.

Resolution read and introduced by Council President Kelly, seconded by Councilmember Ramsey. Discussion – none.

Roll Call Vote

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

Nays:

Abstain:

Absent:

Motion Approved.

Move to take up consideration of Ordinance 1616 for Introduction, and direct the Borough Clerk to read by title was made by Councilmember Cadicina, seconded by Councilmember Swist. On voice vote, all in favor.

The Borough Clerk read the Ordinance by title only.

ORDINANCE 1616

A BOND ORDINANCE AUTHORIZING VARIOUS CAPITAL IMPROVEMENTS BY AND FOR THE BOROUGH OF FRANKLIN LAKES, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING AN AGGREGATE AMOUNT OF \$1,091,900 THEREFOR AND AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$1,039,000 IN AGGREGATE PRINCIPAL AMOUNT OF BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF.

WHEREAS, Ordinance 1616 was introduced at a meeting of the Mayor and Council held on the 20th day of January 2015;

NOWHEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Franklin Lakes, County of Bergen, State of New Jersey, that Ordinance 1616 be and the same is hereby introduced on First Reading; and,

BE IT FURTHER RESOLVED that said Ordinance 1616 will be further considered for final passage at a meeting of the said Mayor and Council to be held on the 17th day of February 2015 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 1616; and

BE IT FINALLY RESOLVED, that the Borough Clerk is hereby authorized and directed to publish the Introduction and Notice of Hearing as required by Law.

Resolution read and introduced by Councilmember Kahwaty, seconded by Council President Kelly. Discussion – Councilmember Lambrix questioned the dollar amounts. Mr. Hart gave a breakdown of the costs.

Roll Call Vote

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

At this time, Mr. Hart spoke of a recommendation from the Fire Department for an ordinance for emblems on truss roofs. The sample ordinance will be discussed at the February 3rd Mayor and Council meeting.

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, January 20, 2015 which begins at 7:30 PM, in the Council Chamber at the Municipal Building to discuss the following:

Closed meeting issues:

- Contractual – County Dispatch
- Anticipated Litigation – PBA Grievance

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

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

Motion to go into Closed Session was made by Councilmember Kahwaty, seconded by Councilmember Cadicina. On voice vote, all in favor.

ADJOURNMENT

Motion to adjourn the meeting at 9:30 p.m. was made by Councilmember Kahwaty, seconded by Councilmember President Kelly. On voice vote, all in favor.

Resolution 30-15 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 \$593,029.93 as shown on the Claims Bill List; \$1,386.00 as shown on the Soil Account Bill List and \$1,170.00 as shown on the Developers Escrow List.

Resolution 31-15 Shared Services Agreement – Teleconferencing Municipal Court

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 a Shared Services Agreement for the year 2015 with the Village of Ridgewood to provide Municipal Court Teleconferencing Equipment and Services for the purpose of Arraigning Prisoners, after review and approval by the Borough Attorney.

Resolution 32-15 Interlocal Agreement – Well Baby Clinic with Borough of Waldwick

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 interlocal agreement with the Borough of Waldwick pertaining to the provision of Well Child Care services by the Borough of Waldwick.

BE IT FURTHER RESOLVED, that the agreement adopted by the Borough of Waldwick shall remain in force and effective from the date of execution until December 31, 2015.

Resolution 33-15 Authorize Advertisement for Bids – Sanitary Sewers for Recreation Center

BE IT RESOLVED, by the Mayor and Council of the Borough of Franklin Lakes that the Borough Administrator is hereby authorized to advertise for bids for Sanitary Sewers for the Recreation Center.

Resolution 34-15 Contract Extension – IT Consultant Services

WHEREAS, by resolution adopted on February 19, 2013, the Mayor and Council of the Borough of Franklin Lakes awarded a service contract to support the Borough's information technology systems to All In One Computers, Inc., 46 Davenport Road, Montville, New Jersey; and,

WHEREAS, the contract award permits the extension of the contract for two additional one year periods; and,

WHEREAS, based on overall satisfaction with the services provided, the Borough Administrator has recommended the extension of the contract for an additional one year period, from February 19, 2015 to February 18, 2016;

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 service contract to support the Borough's information technology systems with All In One Computers, Inc., be and is hereby extended for an additional one year period, from February 19, 2015 to February 18, 2016; and,

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to All In One Computers, Inc.

Resolution 35-15 Confirm Appointment of Municipal Court Judge Leddy

BE IT RESOLVED, that the Mayor and Council hereby confirms the appointment of Francis Leddy as Municipal Court Judge for the Borough of Franklin Lakes for a three year term ending 12/31/17.

Resolution 36-15 Authorize Advertisement for Bids for 2015 Road Improvements

BE IT RESOLVED, by the Mayor and Council of the Borough of Franklin Lakes that the Borough Administrator be authorized to advertise for 2015 Road Improvement Program bids.

Resolution 37-15 Facilities Use Permit – Drew Gibbs

WHEREAS, the Drew Gibbs Football Camp has requested the use of Borough facilities, for its Football Camp to be held June 22, 2015 – June 25, 2015; and

WHEREAS, the Mayor and Council are satisfied that the proposal for use of Borough facilities meets the requirements of the Borough's field use ordinance;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Franklin Lakes, County of Bergen and State of New Jersey that Drew Gibbs Football Camp is hereby granted permission to use Borough facilities for its Football Camp to be held June 22, 2015 – June 25, 2015 subject to compliance with all other Borough ordinance requirements as determined by the Recreation and Parks Director; and,

BE IT FINALLY RESOLVED that a copy of this resolution be forwarded to Drew Gibbs Football Camp and the Recreation and Parks Director.

Resolution 38-15 Preserve Pension Funding

WHEREAS, State actuaries confirm that the bipartisan pension and benefit reforms that were enacted in 2010 and 2011, coupled with the consistent pension payments made by responsible

local governing bodies, are delivering the savings that had been promised by their advocates; and

WHEREAS, when analyzing the fiscal health of public employee pension and benefit systems, the experts make a distinction between local commitments for local employees and retirees, and the commitments that are the State government's responsibility; and

WHEREAS, according to the latest valuation reports, the local government Public Employees Retirement System (local PERS) and the local Police and Fire Retirement System (local PFRS) are actuarially sound, in large part due to the fact that municipalities and counties have made full employer contributions as required under the law for over a decade, with local PERS currently funded (comparing assets to liabilities) at 73.9% and local PFRS is currently funded at 76.9%, according to the experts; and

WHEREAS, the State PERS, on the other hand, is currently funded at 48.1%, and State PFRS is a little better, at 50.8%; and

WHEREAS, the Officers of the League of Municipalities have submitted a statement to Governor Christie's Pension and Health Benefit Study Commission, urging that the Final Report and Recommendations of that Study Commission not, in any way, weaken the vitality of the local pension plans; and

RESOLVED, that the governing body of the Borough of Franklin Lakes urges State policy-makers to recognize and protect the strength of the local PERS and local PFRS systems, and reject any recommendations that would threaten municipal budgets and property taxpayers; and be it, further,

RESOLVED, that, while we recognize the State's budget problems and we are anxious to help in any way we can, we cannot help in any way that shifts new burdens to our property taxpayers and our dedicated public servants; and be it, finally,

RESOLVED, that certified copies of this Resolution be forwarded to Governor Chris Christie, State Treasurer Andrew Sidamon-Eristoff, our State Senator Kevin J. O'Toole, our two representatives in the General Assembly Assemblyman Scott Rumana and Assemblyman David C. Russo, and to the New Jersey League of Municipalities.

Resolution 39-15 Personnel Policy Amendments

BE IT RESOLVED by the Mayor and Council of the Borough of Franklin Lakes, County of Bergen, and State of New Jersey that the fourth sentence of paragraph 19 "Resignation Policy" of the Borough's Personnel Policies and Procedures Manual and the Employee Handbook is hereby amended to read as follows:

"The Department Head will prepare a memo to the Borough Administrator showing any pay or other money owed the employee."

BE IT FURTHER RESOLVED that the first sentence of paragraph 32 "Paid Holiday Policy" of the Borough's Personnel Policies and Procedures Manual and the Employee Handbook is hereby amended to read as follows:

"Full-time (not part-time or temporary) employees are entitled to the following paid holidays:"

BE IT FURTHER RESOLVED that paragraph 32 "Paid Holiday Policy" of the Borough's Personnel Policies and Procedures Manual and the Employee Handbook is hereby supplemented by the addition of the following:

"Part-time salaried employees that are scheduled to work on a Monday that falls on a holiday are required to make up the time missed from not working on that holiday. Salaried employees that are scheduled to work on any other day of the week that falls on a holiday are not required to make up the time missed from not working on that holiday. This policy shall not apply to Sub-Code Officials."

BE IT FURTHER RESOLVED that the third sentence of the fourth paragraph of paragraph 33 “Vacation Leave Policy” of the Borough’s Personnel Policies and Procedures Manual and the Employee Handbook is hereby amended to read as follows:

“Regular part-time employees who work less than 20 hours a week and temporary employees shall not be granted vacation leave with pay.”

BE IT FURTHER RESOLVED that paragraph 33 “Vacation Leave Policy” of the Borough’s Personnel Policies and Procedures Manual and the Employee Handbook is hereby supplemented by the addition of the following:

“In years when the number of vacation leave days is scheduled to increase, the increase shall take effect as of the anniversary date of the employee. The number of vacation leave days to which an employee shall be entitled shall be calculated for the full year, prorating for increases during the year as necessary. Fractional number of days shall be rounded up.

“Full-time employees that were formerly part-time employees will receive credit for purposes of calculating vacation time for the time served as a part-time employee.”

BE IT FURTHER RESOLVED that paragraph 42 “Overtime Compensation Policy” of the Borough’s Personnel Policies and Procedures Manual and the Employee Handbook is hereby supplemented by the addition of the following:

“Overtime or compensatory time is calculated in 30 minute increments. This means that, in order to be eligible for overtime or compensatory time, in addition to other requirements such as prior approval, the employee must have come in at least 30 minutes early or stayed at least 30 minutes late. For example, to be eligible for overtime, if the employee’s regular work day ends at 4:00 pm, then the employee must work until at least 4:30 pm. Thereafter, employees shall be entitled to overtime and/or compensatory time in 30 minute increments.”

BE IT FURTHER RESOLVED that Section Five “Compensation & Employee Benefits Policies” of the Borough’s Personnel Policies and Procedures Manual and the Employee Handbook is hereby supplemented by the addition of the following:

“42B) Calculation of Leave Time

“If an employee comes in two hours or more late or leaves two hours or more early, then the employee must take at least ½ day in applicable leave time (sick, vacation, personal). If an employee comes in less than two hours late or leave less than two hours early, the employee shall have the option of making up that time. Leave time is calculated in ½ day increments.”

BE IT FINALLY RESOLVED that a copy of this resolution be forwarded to every employee.

Resolution 40-15 Tax Refund – 563-567 Commerce Street

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

WHEREAS, the Tax Court reduced their added assessment therefore reducing the property taxes previously paid for the year 2014, on 563 Commerce Street, homeowners 563-567 Commerce Street, LLC

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

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

<u>Block</u>	<u>Lot</u>	<u>Refund 2014</u>
1404.01	2	\$ 5,120.00
Total Refund		<u>\$ 5,120.00</u>

Credit 1Q 2015 Taxes	\$ 2,560.01/quarter
Credit 2Q 2015 Taxes	\$ 2,560.00/quarter

Check made out to:
 563-567 Commerce Street, LLC.
 880 Hilltop Terrace
 Franklin Lakes, NJ 07417

Resolution 41-15 Tax Refund – 100 Jasmine Court

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

WHEREAS, the Tax Court reduced their added assessment therefore reducing the property taxes previously paid for the year 2014, on 100 Jasmine Court, homeowners Daniel & Tatiana Shtern

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

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

<u>Block</u>	<u>Lot</u>	<u>Assessment Reductions</u>	<u>Refund</u>
1205	1.01	\$ 80,800 (2014)	\$ 1,270.18
Total Refund			<u>\$ 1,270.18</u>
Credit 1Q & 2Q 2015 Taxes			\$ 317.54/quarter

Check made out to:
 Daniel & Tatiana Shtern
 100 Jasmine Court
 Franklin Lakes, NJ 07417

Resolution 42-15 Tax Refund – 1115 Franklin Lake Road

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

WHEREAS, the Tax Court reduced their added assessment therefore reducing the property taxes previously paid for the year 2014, on 1115 Franklin Lake Road, homeowner John Rodriguez

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

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

<u>Block</u>	<u>Lot</u>	<u>Refund 2014</u>
1201.02	5	\$112.13
Total Refund		<u>\$ 112.13</u>
Credit 1Q & 2Q 2015 Taxes		\$ 42.05/quarter

Check made out to:
 John Rodriguez
 1115 Franklin Lake Road
 Franklin Lakes, NJ 07417

Resolution 43-15 Professional Service Agreement – Appraisal Services

WHEREAS, the Borough of Franklin Lakes has a need for the provision of appraisal services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and,

WHEREAS, the Borough Administrator has determined and certified in writing that the value of the services will exceed \$17,500.00; and,

WHEREAS, the anticipated term of this contract is from January 1, 2015 to December 31, 2015; and,

WHEREAS, Robert McNerney, MAI, SRA, CRE of McNerney & Associates, Inc. 266 Harristown Rd. Glen Rock, NJ 07452-0067 has agreed to provide appraisal services relative to the pending tax appeals within the Borough of Franklin Lakes as the Borough Appraiser in accordance with an Agreement effective January 1, 2015, for rates as set forth in his agreement dated December 31, 2014; and

WHEREAS, Robert McNerney, MAI, SRA, CRE of McNerney & Associates, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that Robert McNerney, MAI, SRA, CRE of McNerney & Associates, Inc has not made any reportable contributions to a political or candidate committee in the Borough of Franklin Lakes in the previous one year, and that the contract will prohibit Robert McNerney, MAI, SRA, CRE of McNerney & Associates, Inc. from making any reportable contributions through the term of the contract, 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 Robert McNerney, MAI, SRA, CRE of McNerney & Associates, Inc. 266 Harristown Rd. Glen Rock, NJ 07452-0067 as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; 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 44-15 Professional Service Agreement – Bond Counsel

WHEREAS, the Borough of Franklin Lakes has a need to acquire Bond Counsel as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5 as appropriate; and,

WHEREAS, the Borough Administrator has determined and certified in writing that the value of the services will exceed \$17,500.00; and,

WHEREAS, the anticipated term of this contract is from January 1, 2015 through December 31, 2015; and

WHEREAS, Bernard S. Davis of Wolff Samson P.C. has submitted a proposal effective January 1, 2015 indicating he will provide Bond Counsel services for an amount as described in his agreement; and

WHEREAS, Bernard S. Davis of Wolff Samson P.C. has completed and submitted a Business Entity Disclosure Certification which certifies that Bernard S. Davis of Wolff Samson P.C. has not made any reportable contributions to a political or candidate committee in the Borough of Franklin Lakes in the previous one year, and that the contract will prohibit Bernard S. Davis of Wolff Samson P.C. from making any reportable contributions through the term of the contract, 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 Bernard S. Davis of Wolff Samson P.C., One Boland Drive, West Orange, NJ 07052, as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; 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 45-15 Professional Service Agreement – Borough Attorney

WHEREAS, the Borough of Franklin Lakes has a need for the provision of legal services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and,

WHEREAS, the Borough Administrator has determined and certified in writing that the value of the services will exceed \$17,500.00; and,

WHEREAS, the anticipated term of this contract is from January 1, 2015 to December 31, 2015; and,

WHEREAS, William T. Smith, Esq. of Smith, Crotty, Meyer & Bruins has agreed to provide legal services as Borough Attorney in accordance with an Agreement effective January 1, 2015, for an annual fixed fee of \$88,000.00, and for a billing rate of \$150 per hour, as described in said Agreement; and,

WHEREAS, William T. Smith, Esq. of Smith, Crotty, Meyer & Bruins has completed and submitted a Business Entity Disclosure Certification which certifies that William T. Smith, Esq. of Smith, Crotty, Meyer & Bruins has not made any reportable contributions to a political or candidate committee in the Borough of Franklin Lakes in the previous one year, and that the contract will prohibit William T. Smith, Esq. of Smith, Crotty, Meyer & Bruins from making any reportable contributions through the term of the contract, 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 William T. Smith, Esq. of Smith, Crotty, Meyer & Bruins 851 Franklin Lake Road, Franklin Lakes, NJ 07417, as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; 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 46-15 Professional Service Agreement – Borough Auditor

WHEREAS, the Borough of Franklin Lakes has a need for the provision of auditing services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and,

WHEREAS, the Borough Administrator has determined and certified in writing that the value of the services will exceed \$17,500.00; and,

WHEREAS, the anticipated term of this contract is from January 1, 2015 to December 31, 2015; and,

WHEREAS, Dieter P. Lerch, CPA, RMA, PSA of Lerch, Vinci & Higgins, LLP has agreed to provide auditing services as the Borough Auditor in accordance with an Agreement effective January 1, 2015, for rates as set forth therein, including a fee of \$30,000 for the annual audit,

WHEREAS, Dieter P. Lerch, CPA, RMA, PSA of Lerch, Vinci & Higgins, LLP has completed and submitted a Business Entity Disclosure Certification which certifies that Dieter P. Lerch, CPA, RMA, PSA of Lerch, Vinci & Higgins, LLP has not made any reportable contributions to a political or candidate committee in the Borough of Franklin Lakes in the previous one year, and that the contract will prohibit Dieter P. Lerch, CPA, RMA, PSA of Lerch, Vinci & Higgins, LLP from making any reportable contributions through the term of the contract, 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 Dieter P. Lerch, CPA, RMA, PSA of Lerch, Vinci & Higgins, LLP, 17-17 Route 208, Fair Lawn, New Jersey, as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; 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 47-15 Professional Service Agreement – Borough Engineer

WHEREAS, the Borough of Franklin Lakes has a need for the provision of Engineering services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and,

WHEREAS, the Borough Administrator has determined and certified in writing that the value of the services will exceed \$17,500.00; and,

WHEREAS, the anticipated term of this contract is from January 1, 2015 to December 31, 2015; and,

WHEREAS, Kevin J. Boswell, PE of Boswell McClave Engineering has agreed to provide engineering services as the Borough Engineer in accordance with an Agreement effective January 1, 2015, for an annual retainer of \$30,242.00 plus hourly services ranging from \$144.00 to \$184.00 per hour as described in said Agreement; and,

WHEREAS, Kevin J. Boswell, PE of Boswell McClave Engineering has completed and submitted a Business Entity Disclosure Certification which certifies that Kevin J. Boswell, PE of Boswell McClave Engineering has not made any reportable contributions to a political or candidate committee in the Borough of Franklin Lakes in the previous one year, and that the contract will prohibit Kevin J. Boswell, PE of Boswell McClave Engineering from making any reportable contributions through the term of the contract, 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 Kevin J. Boswell, PE of Boswell McClave Engineering, 330 Phillips Avenue, South Hackensack, New Jersey, as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; 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 48-15 Professional Service Agreement – COAH Counsel

WHEREAS, the Borough of Franklin Lakes has a need for the provision of legal services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and,

WHEREAS, the Borough Administrator has determined and certified in writing that the value of the services will exceed \$17,500.00; and,

WHEREAS, the anticipated term of this contract is from January 1, 2015 to December 31, 2015; and,

WHEREAS, Jeffrey R. Surenian & Associates LLC has agreed to provide legal services as the Borough's Affordable Housing Counsel in accordance with an Agreement effective January 1, 2015, for a billing rate of \$175 per hour, as described in said Agreement; and,

WHEREAS, Jeffrey R. Surenian & Associates LLC has completed and submitted a Business Entity Disclosure Certification which certifies that Jeffrey R. Surenian & Associates LLC has not made any reportable contributions to a political or candidate committee in the Borough of Franklin Lakes in the previous one year, and that the contract will prohibit Jeffrey R. Surenian & Associates LLC from making any reportable contributions through the term of the contract, 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 Jeffrey R. Surenian & Associates LLC, 707 Union Avenue, suite 301 Brielle, NJ 08730, as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; 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 49-15 Professional Service Agreement – Labor Attorney

WHEREAS, the Borough of Franklin Lakes has a need for the provision of legal services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and,

WHEREAS, the Borough Administrator has determined and certified in writing that the value of the services will exceed \$17,500.00; and,

WHEREAS, the anticipated term of this contract is from January 1, 2015 to December 31, 2015; and,

WHEREAS, Mark S. Ruderman, Esq. of Ruderman & Glickman, P.C. has agreed to provide legal services as the Borough's Labor Counsel in accordance with an Agreement effective January 1, 2015, for a billing rate of \$160 per hour, as described in said Agreement; and,

WHEREAS, Mark S. Ruderman, Esq. of Ruderman & Glickman, P.C. has completed and submitted a Business Entity Disclosure Certification which certifies that Mark S. Ruderman, Esq. of Ruderman & Glickman, P.C. has not made any reportable contributions to a political or candidate committee in the Borough of Franklin Lakes in the previous one year, and that the contract will prohibit Mark S. Ruderman, Esq. of Ruderman & Glickman, P.C. from making any reportable contributions through the term of the contract, 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 Mark S. Ruderman,

Esq. of Ruderman & Glickman, P.C., 675 Morris Avenue, Suite 100, Springfield, New Jersey, as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; 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 50-15 Professional Service Agreement – Professional Planning Services

WHEREAS, the Borough of Franklin Lakes has a need to acquire a Professional Planner as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5 as appropriate; and,

WHEREAS, the Borough Administrator has determined and certified in writing that the value of the services will exceed \$17,500.00; and,

WHEREAS, the anticipated term of this contract is from January 1, 2015 through December 31, 2015; and

WHEREAS, Elizabeth McManus of Clarke Caton Hintz has submitted a proposal effective January 1, 2015 indicating she will provide Professional Planning services for an amount as described in her agreement dated December 17, 2014; and

WHEREAS, Elizabeth McManus of Clarke Caton Hintz has completed and submitted a Business Entity Disclosure Certification which certifies that Elizabeth McManus of Clarke Caton Hintz has not made any reportable contributions to a political or candidate committee in the Borough of Franklin Lakes in the previous one year, and that the contract will prohibit Elizabeth McManus of Clarke Caton Hintz from making any reportable contributions through the term of the contract, 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 Elizabeth McManus of Clarke Caton Hintz, 100 Barrack Street, Trenton, NJ 08609, as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; 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 51-15 Professional Service Agreement – Risk Manager

WHEREAS, the Borough of Franklin Lakes has a need for the provision of Risk Manager services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and,

WHEREAS, the Borough Administrator has determined and certified in writing that the value of the services will exceed \$17,500.00; and,

WHEREAS, the anticipated term of this contract is from January 1, 2015 to December 31, 2015; and,

WHEREAS, the firm of PIA McCarthy Forde has agreed to provide services as the Borough's Risk Manager in accordance with an Agreement effective January 1, 2015, for a billing rate in an amount equal to six percent (6%) of the Municipality's annual assessment as promulgated by the Fund, as described in said Agreement; and,

WHEREAS, the firm of PIA McCarthy Forde has completed and submitted a Business Entity Disclosure Certification which certifies that PIA McCarthy Forde has not made any reportable contributions to a political or candidate committee in the Borough of Franklin Lakes in the previous one year, and that the contract will prohibit PIA McCarthy Forde from making any reportable contributions through the term of the contract, 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 the firm of PIA McCarthy Forde, 429 Hackensack St., P.O. Box 818, Carlstadt, New Jersey, 07072, as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; 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 52-15 Professional Service Agreement – Tax Appeal Counsel

WHEREAS, the Borough of Franklin Lakes has a need for the provision of legal services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and,

WHEREAS, the Borough Administrator has determined and certified in writing that the value of the services will exceed \$17,500.00; and,

WHEREAS, the anticipated term of this contract is from January 1, 2015 to December 31, 2015; and,

WHEREAS, Steven D. Muhlstock Esq. of Gittleman, Muhlstock & Chewcaskie, L.L.P. has agreed to provide legal services as the Borough's Tax Appeal Counsel in accordance with an Agreement effective January 1, 2015, for a billing rate of \$150.00 per hour, as described in said Agreement; and,

WHEREAS, Steven D. Muhlstock Esq. of Gittleman, Muhlstock & Chewcaskie, L.L.P. has completed and submitted a Business Entity Disclosure Certification which certifies that Steven D. Muhlstock Esq. of Gittleman, Muhlstock & Chewcaskie, L.L.P. has not made any reportable contributions to a political or candidate committee in the Borough of Franklin Lakes in the previous one year, and that the contract will prohibit Steven D. Muhlstock Esq. of Gittleman, Muhlstock & Chewcaskie, L.L.P. from making any reportable contributions through the term of the contract, 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 Steven D. Muhlstock Esq. of Gittleman, Muhlstock & Chewcaskie, L.L.P. 2200 Fletcher Avenue 9W Office Center, Fort Lee, NJ 07024, as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; 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 53-15 Professional Service Agreement – Borough Architect

WHEREAS, the Borough of Franklin Lakes has a need to acquire a Borough Architect as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4; and

WHEREAS, the Borough Administrator has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

WHEREAS, the anticipated contract is from January 1, 2015 to December 31, 2015; and

WHEREAS, Arcari & Iovino Architects, PC has submitted a proposal dated December 4, 2014 indicating they will provide Architectural Services as per their proposal, and pursuant to an agreement to be entered into between the parties; and that the Chief Financial Officer has certified that funds are available; and

WHEREAS, Arcari & Iovino Architects, PC has completed and submitted a Business Entity Disclosure Certification which certifies that Arcari & Iovino Architects, PC has not made any reportable contributions to a political or candidate committee in the Borough of Franklin Lakes in the previous one year, and that the contract will prohibit Arcari & Iovino Architects, PC from making any reportable contributions through the term of the 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 Arcari & Iovino Architects, PC as described herein; and,

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; 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 ten (10) days after passage hereof.

Resolution 54-15 Emergency Temporary Appropriation

WHEREAS, the CY 2015 budget has not been adopted, and adequate provisions could not be made in the CY 2015 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 2015 pursuant to the provisions of N.J.S.A. 40A:4-20 including this resolution totals \$26,917.00;

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: Police Department	\$5,000.00
911 System	5,717.00
NJ DEP Fees & Permits	1,200.00

2. That said emergency temporary appropriations be provided for in the CY 2015 adopted budget.

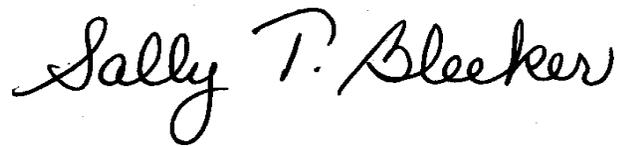
3. That one certified copy of this resolution be filed with the Director of Local Government Services.

Resolution 55-15 Budget Transfer

BE IT RESOLVED, by the Mayor and Council of the Borough of Franklin Lakes that the following 2014 Budget Transfers be made for the following accounts:

<u>From</u>	<u>From</u>	<u>To</u>
Group Insurance-Hospitalization/Rx	1,500	
<u>To</u>		
Office of Emergency Management OE		1,500
	<hr/> 1,500	<hr/> 1,500

Respectfully submitted,



Sally T. Bleeker, Borough Clerk