

MEETING OF THE MAYOR AND COUNCIL

March 17, 2015

7:30 P.M.

A regular meeting of the Mayor and Council was held on Tuesday, March 17, 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 Cadicina, Councilmember Kahwaty, Council President Kelly, and Councilmember Ramsey. Also present were Borough Administrator Greg Hart and Borough Clerk Sally Bleeker. Absent were Councilmember Lambrix and Councilmember Swist.

SUNSHINE LAW STATEMENT

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

FLAG SALUTE

MOMENT OF SILENT REFLECTION

APPOINTMENTS

Andrew Alberg – Franklin Lakes Junior Fire Fighter

Motion to appoint Andrew Alberg to the Franklin Lakes Volunteer Fire Department as a Junior Member was made by Councilmember Kahwaty, seconded by Councilmember Ramsey.

Roll Call Vote:

Ayes: Cadicina, Kahwaty, Kelly, Ramsey,

Nays:

Abstain:

Absent: Lambrix, Swist

Motion Approved.

PRESENTATION

Eagle Scout, Austin Espie, came forward and presented the Mayor and Council with a project to restore the gazebo at Pines Lake and South Plaza. New landscaping will be planted and a new path to the gazebo will be made. The project will be completed by May 1, 2015. The project was approved after a consensus among the Council members.

ORDINANCES FOR FINAL READING AND ADOPTION

Motion made by Councilmember Kahwaty to take up Ordinance No. 1618 for consideration of adoption on second and final reading, and direct the Clerk to read by title, seconded by Council President Kelly. On voice vote, all in favor.

The Borough Clerk read the Ordinance by title only.

ORDINANCE 1618

AN ORDINANCE AMENDING CHAPTER 390 “SEWERS AND SEWAGE DISPOSAL” OF THE CODE OF THE BOROUGH OF FRANKLIN LAKES TO CHANGE DUE DATES FOR FLOW CHARGE PAYMENTS

Summary – This ordinance amends the dates for payment of sanitary sewer service charges to April 1 and August 1.

WHEREAS, Ordinance 1618 was introduced at a meeting of the Mayor and Council held on the 17th day of February, 2015 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 1618 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 to open the hearing to the public was made by Councilmember Ramsey, seconded by Council President Kelly. 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 Cadicina, seconded by Council President Kelly. On voice vote, all in favor.

Resolution read and introduced by Council President Kelly, seconded by Councilmember Kahwaty. Discussion – Mr. Hart suggested the date to collect payments be changed from April 1st and October 1st to April 1st and August 1st this will make for better transfer of funds. He said this is a minor change to the ordinance. Council Members agreed to the amendment.

Roll Call Vote:

Ayes: Cadicina, Kahwaty, Kelly, Ramsey

Nays:

Abstain:

Absent: Lambrix, Swist

Motion Approved.

Motion made by Councilmember Kahwaty to take up Ordinance No. 1619 for consideration of adoption on second and final reading, and direct the Clerk to read by title, seconded by Councilmember Cadicina. On voice vote, all in favor.

The Borough Clerk read the Ordinance by title only.

ORDINANCE 1619

AN ORDINANCE SUPPLEMENTING CHAPTER 259 “FIRE PREVENTION” OF THE CODE OF THE BOROUGH OF FRANKLIN LAKES TO REQUIRE IDENTIFYING EMBLEMS FOR RESIDENTIAL STRUCTURES WITH TRUSS CONSTRUCTION

Summary – This ordinance established requirements for the display of emblems on residential buildings that identify those buildings that are built using truss construction, as this information is important to the Fire Department when responding to a fire call.

WHEREAS, Ordinance 1619 was introduced at a meeting of the Mayor and Council held on the 17th day of February, 2015 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 1619 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 to open the hearing to the public was made by Councilmember Ramsey, seconded by Council President Kelly. 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 Cadicina, seconded by Councilmember Kahwaty. On voice vote, all in favor.

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

Roll Call Vote:

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

Motion made by Councilmember Cadicina to take up Ordinance No. 1620 for consideration of adoption on second and final reading, and direct the Clerk to read by title, seconded by Council President Kelly. On voice vote, all in favor.

The Borough Clerk read the Ordinance by title only.

ORDINANCE 1620

**SUPPLEMENTAL ORDINANCE AMENDING PRIOR
BOND ORDINANCES PROVIDING FOR CAPITAL
IMPROVEMENTS IN AND BY THE BOROUGH OF
FRANKLIN LAKES, COUNTY OF BERGEN, STATE OF
NEW JERSEY**

Summary – This ordinance allows the re-allocation of grant funds between two projects – Woodside Avenue sidewalks and Huron Road paving.

WHEREAS, Ordinance 1620 was introduced at a meeting of the Mayor and Council held on the 17th day of February, 2015 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 1620 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 to open the hearing to the public was made by Councilmember Kahwaty, seconded by Council President Kelly. 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 Council President Kelly. On voice vote, all in favor.

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

Roll Call Vote:

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

Motion made by Councilmember Kahwaty to take up Ordinance No. 1621 for consideration of adoption on second and final reading, and direct the Clerk to read by title, seconded by Councilmember Cadicina. On voice vote, all in favor.

The Borough Clerk read the Ordinance by title only.

ORDINANCE 1621

AN ORDINANCE AMENDING CHAPTER 425 “STREETS AND SIDEWALKS” OF THE CODE OF THE BOROUGH OF FRANKLIN LAKES TO ALLOW ADMINISTRATIVE APPROVAL OF ROAD EXCAVATIONS IN THE WINTER

Summary – This ordinance allows the Borough Administrator, with the recommendation of the Borough Engineer, to grant permits for road excavations in the winter, in emergencies.

WHEREAS, Ordinance 1621 was introduced at a meeting of the Mayor and Council held on the 17th day of February, 2015 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 1621 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 to open the hearing to the public was made by Councilmember Cadicina, seconded by Council President Kelly. 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 Council President Kelly. On voice vote, all in favor.

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

Roll Call Vote:

Ayes: Cadicina, Kahwaty, Kelly, Ramsey

Nays:

Abstain:

Absent: Lambrix, Swist

Motion Approved.

OPEN THE TIME FOR PUBLIC COMMENT

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

Danielle Weitz, 512 Haddon Place. Mrs. Weitz asked for clarification on Ordinance 1623 regarding Chapter 157 “Animals”. Borough Administrator, Greg Hart, explained that Ordinance 1623 updates and amends language to comply with current statutory law regarding unclaimed dogs.

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

INTRODUCTION OF ORDINANCE

Move to take up consideration of Ordinance 1622 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 1622

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK

WHEREAS, Ordinance 1622 was introduced at a meeting of the Mayor and Council held on the 17th day of March 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 1622 be and the same is hereby introduced on First Reading; and,

BE IT FURTHER RESOLVED that said Ordinance 1622 will be further considered for final passage at a meeting of the said Mayor and Council to be held on the 21st day of April 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 1622; 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 Cadicina. Discussion – Borough Administrator, Greg Hart, explained the Ordinance.

Roll Call Vote:

Ayes: Cadicina, Kahwaty, Kelly, Ramsey,

Nays:

Abstain:

Absent: Lambrix, Swist

Motion Approved.

INTRODUCTION OF THE 2015 MUNICIPAL BUDGET

Resolution 87-15

BE IT RESOLVED, that the following statements of Revenue and Appropriations shall constitute the local budget for the year 2015, and

BE IT FURTHER RESOLVED, that the said budget be published in the March 20, 2015 issue of The Ridgewood News, together with a notice to the public that the public hearing will be held in the Municipal Building on April 21, 2015 at 7:30 PM or as soon thereafter as the matter can be reached by the Governing Body of the Borough of Franklin Lakes, and does hereby appropriate the following as the budget for year 2015:

Appropriations	
Municipal Purposes in Cap	\$11,991,515.00
Municipal Purposes out Cap	3,828,317.00
Reserve for Uncollected Taxes	<u>\$ 885,000.00</u>
Total General Appropriations	<u>\$16,704,832.00</u>
Revenues	
Anticipated Revenues Other Than	
Current Property Taxes	\$ 5,273,248.00
Amount to be raised by taxation:	

Municipal Purposes	\$ 9,984,191.00
Library Tax	\$ 1,447,393.00
Total General Revenues	<u>\$16,704,832.00</u>

Resolution read by Mayor Bivona and introduced by Councilmember Kahwaty, seconded by Council President Kelly. Discussion – Mayor Bivona thanked Council Members Lambrix and Cadicina, as well as, Borough Administrator Hart and Chief Financial Officer Pike. He also thanked the Department Heads for reviewing their budgets. The process was a zero based budget which is under 2% for the sixth consecutive year. There is over \$3,000,000 dollars in surplus funds that is up from \$2,400,000 from last year.

Roll Call Vote:

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

CONSENT RESOLUTION 88-15

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 89-15 Accept Report of the Finance Committee
- Resolution 90-15 Performance Bond Reduction – Franklin Lakes Realty
- Resolution 91-15 Facilities Use Permit – English Pro Soccer
- Resolution 92-15 Stipulation of Settlement – 305 Lynn Drive
- Resolution 93-15 Stipulation of Settlement – 716 Somerset Street
- Resolution 94-15 Shared Services Agreement – Synergy Group
- Resolution 95-15 Award Contract – 2015 Road Improvement Program
- Resolution 96-15 Solid Waste Tax
- Resolution 97-15 Tax Refund – Mortimer
- Resolution 98-15 Emergency Temporary Appropriation
- Resolution 99-15 Authorize Online Auction – Recreation Equipment

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

Roll Call Vote:

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

ACTION ON MINUTES

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

- February 3, 2015 Work Session
- February 17, 2015 Closed Session
- February 17, 2015 Meeting
- February 26, 2015 Special Budget
- March 10, 2015 Special Meeting
- March 10, 2015 Closed Session

Roll Call Vote:

Ayes: Cadicina, Kahwaty, Kelly, Ramsey (with exceptions)
Nays:
Abstain: Ramsey - February 3, 2015 Work Session; February 26, 2015 Special Budget;
March 10, 2015 Special Meeting; March 10, 2015 Closed Session
Absent: Lambrix, Swist
Motion Approved.

OLD BUSINESS

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

NEW BUSINESS

Councilmember Ramsey said the new Patrolman Michael Pellegrino is graduating from the police academy.

INTRODUCTION OF ORDINANCES ON FIRST READING

Move to take up consideration of Ordinance 1623 for Introduction, and direct the Borough Clerk to read by title was made by Councilmember Kahwaty, seconded by Councilmember Cadicina. On voice vote, all in favor.

The Borough Clerk read the Ordinance by title only.

Clerk reads by title

ORDINANCE 1623

AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF FRANKLIN LAKES TO UPDATE AND AMEND CERTAIN PROVISIONS OF CHAPTER 1 "GENERAL PROVISIONS," CHAPTER 14 "CABLE TV COMMITTEE," CHAPTER 23 "MUNICIPAL COURT," CHAPTER 71 "OFFICERS AND EMPLOYEES," CHAPTER 76 "OFFICIAL MAP," CHAPTER 89 "POLICE DEPARTMENT," CHAPTER 101 "PURCHASING AND PAYROLL," CHAPTER 118 "SHADE TREE COMMISSION," CHAPTER 140 "ALARM SYSTEMS," CHAPTER 144 "ALCOHOLIC BEVERAGES," CHAPTER 157 "ANIMALS," CHAPTER 172 "BLASTING," AND CHAPTER 208 "CIRCUSES, EXHIBITIONS AND SHOWS"

WHEREAS, Ordinance 1623 was introduced at a meeting of the Mayor and Council held on the 17th day of March 2015;

NOWTHEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Franklin Lakes, County of Bergen, State of New Jersey, that Ordinance 1623 be and the same is hereby introduced on First Reading; and,

BE IT FURTHER RESOLVED that said Ordinance 1623 will be further considered for final passage at a meeting of the said Mayor and Council to be held on the 21st day of April 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 1623; 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 Kahwaty. Discussion – none.

Roll Call Vote:

Ayes: Cadicina, Kahwaty, Kelly, Ramsey
Nays:

Abstain:
Absent: Lambrix, Swist
Motion Approved.

Move to take up consideration of Ordinance 1624 for Introduction, and direct the Borough Clerk to read by title was made by Councilmember Cadicina, seconded by Council President Kelly. On voice vote, all in favor.

The Borough Clerk read the Ordinance by title only.

Clerk reads by title

ORDINANCE 1624

ORDINANCE APPROVING AND AUTHORIZING THE MAYOR AND CLERK TO EXECUTE A REDEVELOPMENT AGREEMENT WITH FRANKLIN LAKES SUPPORTIVE HOUSING URBAN RENEWAL, LP AND PURSUANT TO SAID AGREEMENT TRANSFER THE PROPERTY AT TAX BLOCK 1406 LOTS 1 AND A PORTION OF LOT 2 AND BLOCK 1408 LOT 1 TO SAID ENTITY

WHEREAS, Ordinance 1624 was introduced at a meeting of the Mayor and Council held on the 17th day of March 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 1624 be and the same is hereby introduced on First Reading; and,

BE IT FURTHER RESOLVED that said Ordinance 1624 will be further considered for final passage at a meeting of the said Mayor and Council to be held on the 21st day of April 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 1624; 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 Cadicina. Discussion – none.

Roll Call Vote:

Ayes: Cadicina, Kahwaty, Kelly, Ramsey
Nays:
Abstain:
Absent: Lambrix, Swist
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, March 17, 2015 which begins at 7:30 PM, in the Council Chamber at the Municipal Building to discuss the following:

Closed meeting issues:

- Anticipated Litigation – COAH Litigation
- Collective Bargaining – PBA

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 Cadicina, seconded by Councilmember Kahwaty. On voice vote, all in favor.

ADJOURNMENT

Motion to adjourn the meeting at 8:25 p.m. was made by Councilmember Kahwaty, seconded by Councilmember Cadicina. On voice vote, all in favor.

Resolution 89-15 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 \$304,726.00 as shown on the Claims Bill List; \$4,078.00 as shown on the Soil Account Bill List and \$90.00 as shown on the Developers Escrow List.

Resolution 90-15 Performance Bond Reduction – Franklin Lakes Realty

WHEREAS, Franklin Lakes Realty, LLC 556 Colonial Road, Franklin Lakes, New Jersey, has requested a reduction in the amount of the performance bond posted for their project; and,

WHEREAS, the Borough Engineer, in a letter dated February 9, 2015, advises that the performance bond may be reduced by \$364,680.00 in accordance with N.J.S.A. 40:55D-53(e)(1); and,

WHEREAS, the Borough Engineer has indicated that retaining a performance bond in said amount shall be sufficient to secure the completion of remaining improvements; 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 the recommendation of the Borough Engineer is hereby accepted and therefore the performance bond posted by Franklin Lakes Realty, LLC may be reduced to \$1,952.400; and,

BE IT FINALLY RESOLVED that a copy of this Resolution be forwarded to Franklin Lakes Realty, LLC, the Borough Engineer, and the Planning Board.

Resolution 91-15 Facilities Use Permit – English Pro Soccer

WHEREAS, English Pro Soccer has requested the use of Borough facilities (Pulis Field), for its Soccer Camp to be held on July 27, 2015 through July 31, 2015 and August 3, 2015 through August 7, 2015;

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 English Pro Soccer is hereby granted permission to use Borough facilities, for its Soccer Camp to be held on July 27, 2015 through July 31, 2015 and August 3, 2015 through August 7, 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 English Pro Soccer and the Recreation and Parks Director.

**Resolution 92-15
Stipulation of Settlement – 305 Lynn Drive**

Block: 2308.01

Lot: 1
Street Address: 305 Lynn Drive
Owner: Martorelli, Kenneth

WHEREAS, an appeal of the tax assessment for the years 2011, 2012, and 2013 has been filed for the following property; and

WHEREAS, an adjustment in the assessed value of the above property has been recommended by the Tax Assessor of the Borough of Franklin Lakes, and it is believed that this adjustment will cause the assessment to reflect the actual fair market value of said property as reflected by comparable sales; and therefore

IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of Franklin Lakes that the tax assessment for the above-referenced property is hereby adjusted for the following years, and the Borough Attorney is authorized to execute an appropriate Stipulation of Settlement agreeing to the entry of a judgment reflecting these adjustments.

Tax Year: 2011 Withdrawn

Tax Year: 2012

	<u>Original Assessment</u>	<u>Tax Court Judgment</u>
Land	\$434,000	\$434,000
Improvements	\$400,200	\$376,000
Total	\$834,200	\$810,000

Resolution 93-15
Stipulation of Settlement – 716 Somerset Street

Block: 1106
Lot: 19
Street Address: 716 Somerset Street
Owner: Derek and Jill Smith

WHEREAS, an appeal of the tax assessment for the years 2012, 2013, and 2014 has been filed for the following property; and

WHEREAS, an adjustment in the assessed value of the above property has been recommended by the Tax Assessor of the Borough of Franklin Lakes, and it is believed that this adjustment will cause the assessment to reflect the actual fair market value of said property as reflected by comparable sales; and therefore

IT IS HEREBY RESOLVED by the Mayor and Council of the Borough of Franklin Lakes that the tax assessment for the above-referenced property is hereby adjusted for the following years, and the Borough Attorney is authorized to execute an appropriate Stipulation of Settlement agreeing to the entry of a judgment reflecting these adjustments.

Tax Year: 2012 Withdrawn

Tax Year: 2013 Withdrawn

Resolution 94-15 Shared Services Agreement – Synergy Group

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 Lending of Vehicles and Equipment with the Franklin Lakes Board of Education and the Franklin Lakes Library.

Resolution 95-15 Award Contract – 2015 Road Improvement Program

WHEREAS, the Borough of Franklin Lakes advertised for and opened bids on February 18, 2015 for the Improvements to Huron Road (Section 2) and Woodside Avenue Sidewalk Improvements and 2015 Road Improvement Program; and

WHEREAS, the Mayor and Council wish to award this contract to the lowest responsible bidder; and

WHEREAS, nine (9) companies submitted a bid for the Improvements to Huron Road (Section 2) and Woodside Avenue Sidewalk Improvements and 2015 Road Improvement Program; and

WHEREAS, the Borough Engineer has reviewed the bids submitted and has determined that the bids meet the specifications.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Franklin Lakes, County of Bergen, State of New Jersey as follows:

1. D&L Paving Contractors, Inc., 681 Franklin Avenue, Nutley, NJ 07110, is hereby awarded the contract for the Improvements to Huron Road (Section 2) and Woodside Avenue Sidewalk Improvements and 2015 Road Improvement Program for base bid of \$902,148.04 Alternate "A" \$13,098.75 and Alternate "B" \$14,552.75 for a total low bid amount of \$929,799.54 in accordance with the bid specifications.
2. A Certification of Funds has been prepared and authorized by the Chief Financial Officer for the said contract assuring that there are sufficient appropriations to fund the purchases authorized in this resolution as an express and mandatory condition of the award of this contract.
3. The Mayor and Borough Clerk are hereby authorized to sign the contract documents necessary to effectuate the award of this contract. The Borough Attorney shall review any and all contractual documents prepared in furtherance of this award.

BE IT FURTHER RESOLVED that the Treasurer be and is hereby authorized and directed to issue payment upon receipt of approved voucher.

Resolution 96-15 Solid Waste Tax

WHEREAS, the Recycling Enhancement Act, P.L. 2007, chapter 311, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and,

WHEREAS, there is levied upon the owner or operator of every solid waste facility (with certain exceptions) a recycling tax of \$3.00 per ton on all solid waste accepted for disposal or transfer at the solid waste facility; and,

WHEREAS, whenever a municipality operates a municipal service system for solid waste collection, or provides for regular solid waste collection service under a contract awarded pursuant to the "Local Public Contracts Law", the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality except that all grant moneys received by the municipality shall be expended only for its recycling program;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Franklin Lakes, County of Bergen and State of New Jersey hereby certifies a submission of expenditure for taxes paid pursuant to P.L. 2007, chapter 311, in 2014 in the amount of \$13,861.55 Documentation supporting this submission is available at Borough Hall, 480 DeKorte Drive, Franklin Lakes, New Jersey, and shall be maintained for no less than five years from this date.

Resolution 97-15 Tax Refund – Mortimer

WHEREAS, in reference to the property in the Borough of Franklin Lakes known as 1150 Franklin Lake Road (Farmland portion), Block 1104, Lot 1, Q-Farm and;

WHEREAS, on October 31, 2013, the Tax Assessor, Jason Cohen denied the farmland assessment application to the homeowner Mortimer, William after conducting an on-site inspection on October 23, 2013 because the land area actively devoted to agricultural use exclusive of improvements and the land that supports them is less than 5 acres;

WHEREAS, Mortimer, William paid 1Q & 2Q 2014 preliminary taxes on the Q-farm based on the 2013 Final & 2014 Preliminary tax bill he received and;

WHEREAS, the above left an overpayment and;

WHEREAS, the homeowner is seeking a refund for the overpayment,

NOW, THEREFORE BE IT RESOLVED, that the Treasurer be authorized to issue a check for the following amount and the same to be charged to the Tax Overpayments Refunded.

Block	Lot	Qualifier	Refund Overpayment
1104	1	QFarm	\$20.00

Made payable to:
Mortimer, William
1150 Franklin Lake Road
Franklin Lakes, NJ 07417

Resolution 98-15 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 \$1,460,330.95;

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:

Salaries & Wages:	Administration	6,000.00
	Municipal Clerk	3,000.00
	Finance Admin.	5,000.00
	Tax Collection	2,000.00
	Tax Assessment	2,000.00
	Engineering	2,500.00
	Zoning Board	125.00
	Construction Dept.	2,600.00
	Fire Protection	1,500.00
	Zoning Official	700.00
	Police	75,000.00
	Road Repairs& Maint.	60,000.00
	Shade Tree	1,000.00
	Board of Health	500.00
	Municipal Court	3,000.00
Recreation	1,000.00	
Other Expenses:	Social Security	15,000.00

Road Repairs& Maint.	50,000.00
Garbage Removal	35,000.00
Environmental Comm.	200.00
Insurance	105,000.00
Group Ins. Employees	150,000.00
Police	35,000.00
Senior Citizens Prog.	3,500.00
Maint. Public Library	115,000.00
Street Lighting	1,500.00
Gasoline	5,000.00
PERS	242,950.25
PFRS	397,113.70
Animal Control	1,500.00
Public Defender	300.00

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 99-15 Authorize Online Auction – Recreation Equipment

WHEREAS pursuant to N.J.S.A. 40A:11-36 and Local Finance Notice 2008-9, the Mayor and Council of the Borough of Franklin Lakes is desirous of selling the vehicles and items listed below by online auction;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Franklin Lakes, County of Bergen and State of New Jersey, the items listed below are hereby authorized to be sold at an online auction to be held on GovDeals:

- Row machine
- Smith machine
- Stationary bike – LifeCycle 9100
- Precor Elliptical
- Freemotion Treadmill (2)
- Lifefitness Cross Trainer
- Tectrix Bike Max
- Air Dyne Ergometer
- Nautilus Bench Press
- Incline Weight Bench
- Body Solid G95
- Sit Up Bench

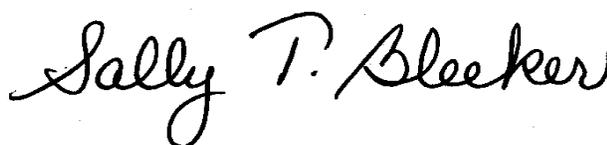
BE IT FURTHER RESOLVED that the items are no longer needed for public use; and,

BE IT FURTHER RESOLVED that the sale will be held on GovDeals, at www.govdeals.com; and,

BE IT FURTHER RESOLVED that the sale is being conducted pursuant to Local Finance Notice 2008-9; and,

BE IT FINALLY RESOLVED that the terms and conditions of the agreement entered into with the vendor are available on the vendor’s website and available in the office of the Borough Clerk.

Respectfully submitted,



Sally T. Bleeker, Borough Clerk