

MEETING OF THE MAYOR AND COUNCIL

May 19, 2015

7:30 P.M.

A regular meeting of the Mayor and Council was held on Tuesday, May 19, 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, Councilmember Lambrix, Councilmember Ramsey and Councilmember Swist. Also present were Borough Administrator Greg Hart, Borough Attorney Bill Smith and Borough Clerk Sally Bleeker.

SUNSHINE LAW STATEMENT

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

FLAG SALUTE

MOMENT OF SILENT REFLECTION

APPOINTMENTS

Motion made by Councilmember Kahwaty and seconded by Council President Kelly to make the following appointments:

Technical Assistant Construction Office – Jean Bibbo

Tax Assessor Clerk – Liz Morris

Construction Assistant – Ana Dominguez

Roll Call Vote:

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

Nays:

Abstain:

Absent:

Motion Approved.

PROCLAMATIONS

National Public Works Week

WHEREAS, public works services provided in our community are an integral part of our citizens' everyday lives; and

WHEREAS, the support of an understanding and informed citizenry is vital to the efficient operation of public works systems and programs such as water, sewers, streets and highways, public buildings, and solid waste collection; and

WHEREAS, the health, safety and comfort of this community greatly depends on the facilities and services; and

WHEREAS, the quality and effectiveness of these facilities, as well as their planning, design, and construction, is vitally dependent upon the efforts and skill of public works officials; and

WHEREAS, the efficiency of the qualified and dedicated personnel who staff public works departments is materially influenced by the people's attitude and understanding of the importance of the work they perform,

NOW, THEREFORE, I Frank Bivona, Mayor of the Borough of Franklin Lakes, do hereby proclaim the week of May 17-23, 2015 as

“NATIONAL PUBLIC WORKS WEEK”

in the Borough of Franklin Lakes, and I call upon all citizens and civic organizations to acquaint themselves with the issues involved in providing our public works and to recognize the contributions which public works officials make every day to our health, safety, comfort, and quality of life.

IN WITNESS HEREOF, I have hereunto set my Hand and caused the Seal of the Borough of Franklin Lakes to be affixed this 19th day of May, 2015.

Click It or Ticket

WHEREAS, there were 556 motor vehicle fatalities in New Jersey in 2014; and

WHEREAS, a large percentage of the motor vehicle occupants killed in traffic crashes were not wearing a seat belt; and

WHEREAS, use of a seat belt remains the most effective way to avoid death or serious injury in a motor vehicle crash; and

WHEREAS, the National Highway Traffic Safety Administration estimates that 135,000 lives were saved by safety belt usage nationally between 1975-2000; and

WHEREAS, the State of New Jersey will participate in the nationwide *Click It or Ticket* seat belt mobilization from May 18 – 31, 2015 in an effort to raise awareness and increase seat belt usage through a combination of high visibility enforcement and public education; and

WHEREAS, the Division of Highway Traffic Safety has set a goal of increasing the seat belt usage rate in the state from the current level of 88% to 90%; and

WHEREAS, a further increase in seat belt usage in New Jersey will save lives on our roadways;

THEREFORE, be is resolved that the Borough of Franklin Lakes declares its support for the *Click It or Ticket* seat belt mobilization both locally and nationally from May 18 – 31, 2015 and pledges to increase awareness of the mobilization and the benefits of seat belt use.

ORDINANCES FOR FINAL READING AND ADOPTION

Motion made by Councilmember Cadicina to take up Ordinance 1626 for consideration of adoption on second and final reading, and direct the Borough Clerk to read by title, seconded by Councilmember Kahwaty. On voice vote, all in favor.

The Borough Clerk read the Ordinance by title only.

ORDINANCE 1626

AN ORDINANCE AMENDING CHAPTER 390 “SEWERS AND SEWAGE DISPOSAL” OF THE CODE OF THE BOROUGH OF FRANKLIN LAKES TO PROHIBIT DIVERSION OF WATER INTO STORM SEWERS

Summary – This ordinance would prohibit the discharge of water directly into storm sewers or directly into streets.

WHEREAS, Ordinance 1626 was introduced at a meeting of the Mayor and Council held on the 21st day of April, 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 1626 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 Councilmember Kelly. On voice vote, all in favor.

Norman Makoujy – 694 Ginger Lane. Came forward explaining that his sump pump empties into his backyard when there's a danger of flooding his home then he pumps out into the street. He is opposed to this Ordinance. The catch basin is 400 feet from his property. Since 1969 he has had a problem with water and says the pumping of water from his yard does not affect any of his neighbors.

Mayor Bivona explained to Mr. Makoujy that water from sump pumps cause icing conditions on the roadways and that is what this Ordinance is trying to prevent.

Peter Nicolle – 219 Forest Street. Mr. Nicolle said he sent Borough Administrator, Mr. Hart, an email that was forwarded to the Mayor and Council. He said the Ordinance does not address the icing in the road. Mayor Bivona said that many of these sump pumps are pushing water right across the street.

Mr. Nicolle strongly urges that this Ordinance be re-written.

Motion to close the hearing to the public was made by Councilmember Kahwaty, seconded by Councilmember Kelly.

At this time, Councilmember Kahwaty thinks the Ordinance could be amended in Paragraph "D" to allow the water diversion in a special circumstance which would be approved by the Code Official.

Councilmember Lambrix asked if the principal objective was a safety issue. He suggested that pumping into the street only be allowed during the summer.

Further discussion ensued regarding situations within the borough where people were pumping water into the street and how the Ordinance could be revised to address those situations.

At this time, Councilmember Kahwaty recommends tabling the Ordinance for revision and discussion. Councilmember Swist agreed. Borough Administrator Hart said the Ordinance will be carried to the June 16th Mayor and Council meeting.

Councilmember Kahwaty moves to carry Ordinance 1626 to June 16th, seconded by Councilmember Lambrix. Discussion – none.

Roll Call Vote:

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

Nays:

Abstain:

Absent:

Motion Approved.

Motion made by Councilmember Kahwaty to take up Ordinance 1627 for consideration of adoption on second and final reading, and direct the Borough 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 1627

**AN ORDINANCE RELATING TO SALARIES AND OTHER COMPENSATION
OF OFFICERS, MANAGERIAL STAFF, CONFIDENTIAL EMPLOYEES,
AND EMPLOYEES OF THE BOROUGH OF FRANKLIN LAKES,**

COUNTY OF BERGEN, STATE OF NEW JERSEY FOR THE YEAR 2015

Summary –This ordinance establishes salaries for non-contractual Borough employees for 2015.

WHEREAS, Ordinance 1627 was introduced at a meeting of the Mayor and Council held on the 21st day of April, 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 1627 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 Lambrix, 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 Councilmember Kahwaty, seconded by Council President Kelly. Discussion – none.

Roll Call Vote:

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

Nays:

Abstain:

Absent:

Motion Approved.

Motion made by Councilmember Lambrix to take up Ordinance 1628 for consideration of adoption on second and final reading, and direct the Borough 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 1628

**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 \$1,490,000 THEREFOR AND AUTHORIZING THE
ISSUANCE OF NOT EXCEEDING \$1,419,000 IN AGGREGATE
PRINCIPAL AMOUNT OF BONDS OR NOTES TO FINANCE PART OF
THE COST THEREOF**

Summary –This ordinance appropriates \$1,490,000 for sanitary sewers for the municipal complex and for the purchase of DPW vehicles.

WHEREAS, Ordinance 1628 was introduced at a meeting of the Mayor and Council held on the 21st day of April, 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 1628 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 Cadicina, seconded by Council President Kelly. On voice vote, all in favor.

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

Roll Call Vote:

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

Nays:

Abstain:

Absent:

Motion Approved.

Motion made by Councilmember Cadicina to take up Ordinance 1629 for consideration of adoption on second and final reading, and direct the Borough 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 1629

**AN ORDINANCE AMENDING PROVISIONS OF CHAPTER 395
“SMOKING” OF THE CODE OF THE BOROUGH OF FRANKLIN
LAKES PERTAINING TO POSTING OF SMOKE-FREE SIGNS**

Summary – This ordinance eliminates the requirement for a smoke-free sign at the 35 foot perimeter of all Borough buildings.

WHEREAS, Ordinance 1629 was introduced at a meeting of the Mayor and Council held on the 21st day of April, 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 1629 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 Cadicina, seconded by Councilmember Kahwaty. On voice vote, all in favor.

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

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

Norman Makoujy – 694 Ginger Lane. Mr. Makoujy came forward and spoke about septic system failures, bio mats and a system called piranha. He highly suggests using piranha for the town hall.

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

**RESOLUTION 136-15
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 137-15 Accept Report of the Finance Committee
- Resolution 138-15 Authorize Advertisement for Bids – Municipal Complex Sanitary Sewers
- Resolution 139-15 Agreement – Bergen County Department of Health Services
- Resolution 140-15 Agreement – Valley Hospital Nursing Services
- Resolution 141-15 Agreement – Tyco Animal Control
- Resolution 142-15 Facilities Use Request – Franklin Lakes Lions Club
- Resolution 143-15 Facilities Use Permit – Becton Dickinson
- Resolution 144-15 Facilities Use Permit – Iron Matt
- Resolution 145-15 Facilities Use Permit – Christian Assembly
- Resolution 146-15 Award Contract – Used Cab and Chassis 1
- Resolution 147-15 Award Contract – Used Cab and Chassis 2
- Resolution 148-15 Award State Contract – Mason Dump Truck
- Resolution 149-15 Award Contract – Sewer Operator
- Resolution 150-15 Award Contract – Affordable Housing Administrative Agent – MillPond at Franklin Lakes
- Resolution 151-15 Award Contract – Landscape Maintenance Services
- Resolution 152-15 Tax Refund – Urban Farms Acquisition
- Resolution 153-15 Tax Refund – Martorelli
- Resolution 154-15 Stipulation of Settlement – Divak
- Resolution 155-15 Approve 2015 Mayor & Council Goals
- Resolution 156-15 Shared Service Agreement with Oakland – Fire Department Services
- Resolution 157-15 Accept Donation – Emergency Management Vehicle
- Resolution 158-15 Authorize NJDOT Discretionary Aid Grant Application – Huron Road
- Resolution 159-15 Award Contract Extension – Snowplowing Services
- Resolution 160-15 Appointing and Supporting Green Team
- Resolution 161-15 Award Contract – Holsters and Duty Gear
- Resolution 162-15 Award Contract – Handguns
- Resolution 163-15 Awarding Contract – Variable Message Sign

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

Roll Call Vote:

- Ayes: Cadicina, Kahwaty (with an exception), Kelly, Lambrix, Ramsey, Swist
 - Nays:
 - Abstain: Kahwaty - Resolution 142-15 Facilities Use Request – Franklin Lakes Lions Club
 - Absent:
- Motion Approved.

ACTION ON MINUTES

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

- April 7, 2015 Work Session
- April 7, 2015 Closed
- April 21, 2015 Regular

Roll Call Vote:

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

Nays:

Abstain:

Absent:

Motion Approved.

OLD BUSINESS

Councilmember Lambrix asked where the review of facilities uses requests stands. Mr. Hart said he is working with Recreation Director, Jason Robinson. They are putting past requests into a spreadsheet that will be given to the Council. The review should be before the next Mayor and Council meeting.

Mayor Bivona said that there was a tournament recently that was held on the Municipal fields, the fields were left in poor condition and garbage was left in the parking lot and on the fields. It is a burden. Further discussion ensued regarding reviewing facilities use requests and limiting who will be allowed to use the fields.

NEW BUSINESS

Mr. Hart advised that the Public Works Committee recommends hiring a part time employee and 2 (two) seasonal workers.

Mr. Hart met with representatives of Ramsey Outdoor to discuss the June 28th Paddle Day and also a possible paddle evening event one day in July. They also discussed renting kayaks and canoes on Saturdays, extending the season and allowing paddle boards.

INTRODUCTION OF ORDINANCES ON FIRST READING

Move to take up consideration of Ordinance 1630 for Introduction, and direct the Borough Clerk to read by title was made by Councilmember Kahwaty, seconded by Councilmember Ramsey. On voice vote, all in favor.

The Borough Clerk read the Ordinance by title only.

ORDINANCE 1630 AN ORDINANCE ESTABLISHING CERTAIN SALARIES OF EMPLOYEES OF THE BOROUGH OF FRANKLIN LAKES FOR THE YEAR 2015

WHEREAS, Ordinance 1630 was introduced at a meeting of the Mayor and Council held on the 19th day of May 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 1630 be and the same is hereby introduced on First Reading; and,

BE IT FURTHER RESOLVED that said Ordinance will be further considered for final passage at a meeting of the said Mayor and Council to be held on the 16th day of June 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 1630; 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 Ramsey. Discussion – none.

Roll Call Vote:

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

Nays:

Abstain:

Absent:

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, May 19, 2015 which begins at 7:30 PM, in the Council Chambers at the Municipal Building to discuss the following:

Closed meeting issues:

- Contractual – County Dispatch

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 was made by Councilmember Kahwaty at 9:00 P.M., seconded by Council President Kelly. On voice vote, all in favor.

Resolution 137-15 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 \$236,313.97 as shown on the Claims Bill List; \$5,333.00 as shown on the Soil Account Bill List and \$225.00 as shown on the Developers Escrow List.

Resolution 138-15 Authorize Advertisement for Bids – Municipal Complex Sanitary Sewers

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

Resolution 139-15 Agreement – Bergen County Department of Health Services

BE IT RESOLVED, by the Mayor and Council of the Borough of Franklin Lakes that the 2015 contract agreement for Health Officer Coverage, Sanitarian Services and blood borne pathogen compliance program with the Bergen County Department of Health Services as follows: Health Officer coverage, four (4) days per week Sanitarian services and the blood borne pathogen compliance program the total cost of the agreement is \$65,362.40 as approved by the Franklin Lakes Board of Health be signed by the Mayor and Borough Clerk.

Resolution 140-15 Agreement – Valley Hospital Nursing Services

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 year 2015 as recommended by the Borough of Franklin Lakes Board of Health with the Valley Hospital for public health nursing services for the annual flu clinic at a cost of \$515.52.

Resolution 141-15 Agreement – Tyco Animal Control

BE IT RESOLVED, by the Mayor and Council of the Borough of Franklin Lakes that the 2014 animal control services contract agreement between the Borough of Franklin Lakes and Tyco Animal Control Services in the amount of \$12,900.00 and \$60.00 for after hours calls be signed by the Mayor and Borough Clerk as approved by the Board of Health.

Resolution 142-15 Facilities Use Request – Franklin Lakes Lions Club

WHEREAS, the Franklin Lakes Lions Club has requested the use of McBride Field, for its Circus to be held September 13, 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 the Franklin Lakes Lions Club is hereby granted permission to use McBride Field for its Circus to be held September 13, 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 the Franklin Lakes Lions Club and the Recreation and Parks Director.

Resolution 143-15 Facilities Use Permit – Becton Dickinson

WHEREAS, Becton Dickinson has requested the use of Borough facilities, Pulis Avenue Field, for its employees team building activities to be held Tuesday evenings June 23, 2015 – August 11, 2015 from 6:00 PM till 8:00 PM;

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 Becton Dickinson is hereby granted permission to use Borough facilities for its employees team building activities to be held Tuesday evenings June 23, 2015 – August 11, 2015 from 6:00 PM till 8:00 PM 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 the Becton Dickinson and the Recreation and Parks Director.

Resolution 144-15 Facilities Use Permit – Iron Matt

WHEREAS, the Iron Matt- Matthew Larson Foundation has requested the use of Borough facilities, for its annual Softball Tournament to be held on June 27, 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 the Iron Matt- Matthew Larson Foundation is hereby granted permission to use Borough facilities, for its annual Softball Tournament to be held on June 27, 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 Iron Matt-Matthew Larson Foundation and the Recreation and Parks Director.

Resolution 145-15 Facilities Use Permit – Christian Assembly

WHEREAS, the Wayne Christian Assembly has requested the use of Borough facilities, for its annual picnic to be held July 4, 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 the Wayne Christian Assembly is hereby granted permission to use Borough facilities for its annual picnic to be held July 4, 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 the Wayne Christian Assembly and the Recreation and Parks Director.

Resolution 146-15 Award Contract – Used Cab and Chassis 1

WHEREAS, the Borough of Franklin Lakes received one (1) bid for used truck cab and chassis - 2007 or newer (150,000 miles or less)

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. Coast Cities Equipment Sales Inc, 1201 Hwy #35 S, Neptune, NJ 07753 is hereby awarded a contract in the amount of \$64,300.00
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 147-15 Award Contract – Used Cab and Chassis 2

WHEREAS, the Borough of Franklin Lakes received one (1) bid for used truck cab and chassis - 2007 or newer (150,000 miles or less)

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. Coast Cities Equipment Sales Inc, 1201 Hwy #35 S, Neptune, NJ 07753 is hereby awarded a contract in the amount of \$62,400.00
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 148-15 Award State Contract – Mason Dump Truck

WHEREAS, the Borough of Franklin Lakes wishes to purchase one (1) vehicle for the Department of Public Works 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, Rt. 23 Auto Mall, 1301 Rt. 23 South, Butler, NJ 07405 has been awarded New Jersey State Contract number 83025 for a 2015 Ford mason dump truck; and

WHEREAS, the Superintendent of Public Works 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 is \$58,792.94; 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 one (1) 2015 Ford mason dump truck be purchased from Rt. 23 Auto Mall, 1301 Rt. 23 South, Butler, NJ 07405.

Resolution 149-15 Award Contract – Sewer Operator

WHEREAS, the Borough must provide for certain services in connection with the operation and maintenance of a sanitary sewer collection system when it owns such a collection system; and,

WHEREAS, the Northwest Bergen County Utilities Authority, 30 Wyckoff Avenue, Waldwick, New Jersey, has submitted a shared services proposal dated February 3, 2015 to provide such services;

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Franklin Lakes that Northwest Bergen County Utilities Authority be and is hereby awarded the shared services contract for operation and maintenance of the Borough's sanitary sewer collection system, including an annual fee of \$3,000 for Licensed Collection System Operator services and such other itemized services as set forth in its proposal dated February 3, 2015; which agreement shall commence upon the Borough owning any portion of a sanitary sewer collection system; and,

BE IT FINALLY RESOLVED that a copy of this resolution be forwarded to the Northwest Bergen County Utilities Authority.

Resolution 150-15 Award Contract – Affordable Housing Administrative Agent – MillPond at Franklin Lakes

WHEREAS, the Mayor and Council wish to enter into an agreement with Sterling Properties, LLC, having offices located at 600 South Livingston Avenue, Suite 102, Livingston, New Jersey for the purpose of administering and enforcing the affordability controls and the Borough's Affirmative Marketing Plan, in accordance with the regulations of the Council on Affordable Housing pursuant to N.J.A.C. 5:94 et.seq. and the New Jersey Uniform Housing Affordability Controls pursuant to N.J.A.C. 5:80-26 et.seq., which agreement shall be in a form approved by the Borough Attorney; and,

WHEREAS, Sterling Properties, LLC has been administering the affordable units in the MillPond at Franklin Lakes development since 2011, and the Borough has been satisfied with its services; and,

WHEREAS, the agreement designates Sterling Properties, LLC, as the Administrative Agent for all the affordable units in the MillPond at Franklin Lakes development, an inclusionary development in the Borough's affordable housing program, for the period from January 1, 2014 to December 31, 2015, with a Borough option to extend the contract for an additional two year period;

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 Mayor and Borough Clerk are hereby authorized and directed to sign an agreement on behalf of the Borough with Sterling Properties, LLC, designating Sterling Properties, LLC, as the Administrative Agent for

affordable housing units in the MillPond at Franklin Lakes development, in a form approved by the Borough Attorney; and,

BE IT FURTHER RESOLVED that the Municipal Housing Liaison shall act as the liaison to Sterling Properties, LLC; and,

BE IT FINALLY RESOLVED that a certified copy of this resolution be forwarded to the New Jersey Council On Affordable Housing and to Sterling Properties, LLC.

Resolution 151-15 Award Contract – Landscape Maintenance Services

WHEREAS, the Borough of Franklin Lakes advertised for and opened bids on May 5, 2015 for the Landscape Maintenance; and

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

WHEREAS, four (4) companies submitted a bid for the Landscape Maintenance; and

WHEREAS, the Borough Administrator and Superintendent of Public Works 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. Total Lawn Care & Landscape Services, LLC, 471 Elizabeth Avenue, Somerset New Jersey 08873, is hereby awarded the contract for Landscape Maintenance for:

\$21,975.00	2015 Base Bid Lawn Maintenance Locations
\$ 6,500.00	2015 Alternate Bid-Roadside Maintenance Locations
\$28,975.00	2016 Base Bid Lawn Maintenance Locations
\$ 8,500.00	2016 Alternate Bid-Roadside Maintenance Locations
\$ 65.00	Mulching Rate Per Yard

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 152-15 Tax Refund – Urban Farms Acquisition

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

WHEREAS, the Tax Court reduced their assessment therefore reducing the property taxes previously paid for preliminary 2015 taxes, on Block 2201.08 Lot 2, whose location is 805-845 Franklin Lake Road, property owner Urban Farms Acquisition,

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>
2201.08	2	\$ 63,400 (2015)	\$ 498.32
		Preliminary 1Q & 2Q 2015 taxes paid	
		Total Refund	<u>\$ 498.32</u>

Refund check made payable to:

Urban Farms Acquisition
 813 Franklin Lake Road
 Franklin Lakes, NJ 07417

Resolution 153-15 Tax Refund – Martorelli

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

WHEREAS, the Tax Court reduced their assessment therefore reducing the property taxes previously paid for the year(s) 2013, 2014 and 2015, and that the Freeze Act shall be applicable on Block 2308.01 Lot 1 whose property location is 305 Lynn Drive, homeowner Martorelli, Kenneth,

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>
2308.01	1	\$ 59,200 (2013)	\$ 921.74
		\$ 59,200 (2014)	\$ 930.62
		Preliminary 1Q & 2Q 2015 Taxes Paid in full	\$ 465.32
		Total Refund	<u>\$2,317.68</u>

All checks made payable to:
 Martorelli, Kenneth
 305 Lynn Drive
 Franklin Lakes, NJ 07417

Resolution 154-15 Stipulation of Settlement – Divak

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

Block: 1207
Lot: 1.03
Street Address: 809 Lenel Lane
Owner: Leonard and Elaine Divak

WHEREAS, an appeal of the tax assessment for the year 2013 has been filed for the above-noted property; and

WHEREAS, an adjustment in the assessed value 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:	2013	
	<u>Original Assessment</u>	<u>Tax Court Judgment</u>
Land	\$ 485,500	\$ 485,500

Improvements	\$1,505,100	\$1,114,500
Total	\$1,990,600	\$1,600,000

Resolution 155-15 Approve 2015 Mayor & Council Goals

WHEREAS, the Mayor and Council are desirous of establishing goals and objectives for the Borough for 2015;

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 “2015 Mayor and Council Goals and Objectives” dated May 19, 2015 be and are hereby approved.

Resolution 156-15 Shared Service Agreement with Oakland – Fire Department Services

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, on a trial basis, with the Borough of Oakland Fire Department to respond to certain fire calls as outlined in an agreement prepared by the Franklin Lakes Borough Administrator and approved by the Borough Attorney

Resolution 157-15 Accept Donation – Emergency Management Vehicle

WHEREAS, Borough resident, Craig Goldman, is desirous of donating a 2008 Cadillac Escalade, VIN# 1GYFK63868R162614, to the Borough of Franklin Lakes for emergency management use;

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 donation by Craig Goldman of a 2008 Cadillac Escalade for emergency management use be and is hereby accepted; and

BE IT FINALLY RESOLVED that a copy of this resolution be forwarded to Craig Goldman and the Borough’s Risk Manager.

Resolution 158-15 Authorize NJDOT Discretionary Aid Grant Application – Huron Road

BE IT RESOLVED by the Mayor and Council of the municipality of FRANKLIN LAKES that application is made to the Commissioner of Transportation for aid under the New Jersey Trust Fund Authority Act, Local Aid Infrastructure Trust program for:

(1) Huron Avenue Rehab, Sec. 3

WHEREAS, the Council has determined that such application(s) should be prepared by Capital Alternatives Corporation, the grants specialists engaged by the municipality for assistance in such matters.

RESOLVED, that Capital Alternatives Corporation is authorized to prepare, assemble, and submit the necessary documentation on behalf of the municipality of FRANKLIN LAKES for the stated project(s).

Resolution 159-15 Award Contract Extension – Snowplowing Services

WHEREAS, by resolution adopted on November 7, 2013, the Mayor and Council of the Borough of Franklin Lakes awarded a contract for snowplowing services to Cipriano Enterprises Inc., PO Box 796, Franklin Lakes, 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 Superintendent of Public Works has recommended the extension of the contract for a second additional one year period, for the 2015/2016 winter season;

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 contract for snowplowing services with Cipriano Enterprises Inc., be and is hereby extended for an additional one year period, for the 2015/2016 winter season; and,

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Cipriano Enterprises Inc. and the Superintendent of Public Works.

Resolution 160-15 Appointing and Supporting Green Team

WHEREAS, by resolution adopted on March 16, 2010, the Mayor and Council expressed its support for the Franklin Lakes' Green Team's participation in the Sustainable Jersey Municipal Certification Program; and,

WHEREAS, the Franklin Lakes Environmental Commission was appointed as the official Franklin Lakes Green Team, with support from committed volunteers in the community; and

WHEREAS, since early 2010, the Green Team has been actively pursuing the goal of becoming Sustainable Jersey certified and have catalogued significant sustainability actions so that Franklin Lakes may pursue Sustainable Jersey certification at the Bronze Level in 2013;

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, the Borough of Franklin Lakes strives to save tax dollars, assure clean land, air and water, improve working and living environments as steps to building a sustainable community that will thrive well into the new century; and

WHEREAS, the Borough of Franklin Lakes hereby acknowledges that the residents of Franklin Lakes desire a stable, sustainable future for themselves and future generations; and

WHEREAS, the Borough of Franklin Lakes wishes to support a model of government which benefits our residents now and far into the future by exploring and adopting sustainable, economically-sound, local government practices; and

WHEREAS, by endorsing a sustainable path the Borough of Franklin Lakes is pledging to educate itself and community members further about sustainable activities and to develop initiatives supporting sustainable local government practices; and

WHEREAS, as elected representatives of the Borough of Franklin lakes, we have significant responsibility to provide leadership which will seek community-based sustainable solutions to strengthen our community;

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 following persons are hereby appointed or reappointed to the Franklin Lakes Green Team for 2015:

- Susan Barbuto, Regular Member Environmental Commission
- Michael Colombo, Regular Member Environmental Commission
- Carole Holden, Chair, Environmental Commission
- Moira Murphy, Regular Member Environmental Commission
- Don Scine, Regular Member Environmental Commission
- Skip Williamson, Regular Member Environmental Commission
- Omar el-Rafei, Regular Member Environmental Commission
- Gary Sheppard, Regular Member Environmental Commission
- Larissa Symbouras, Regular Member Environmental Commission
- Mayor Frank Bivona
- Liz Morris, Recycling Coordinator
- Gregory C. Hart, Borough Administrator
- Councilwoman Ann Swist
- Richard Lilienthal, Superintendent of Public Works
- Kris Hasbrouck, Shade Tree Director
- Brooke Majka
- Richard Meister
- Robert Clark

- Jordan Frey
- Roe Morin
- Stephanie Vargas
- Matthew Carpenter

BE IT FURTHER RESOLVED that the Mayor and Council supports the Franklin Lakes Green Team in continuing to be active in the community and advancing sustainable practices and actions included in the Sustainable Jersey municipal certification program; and,

BE IT FURTHER RESOLVED that the Mayor and Council support the Green Team in its role of leading and coordinating the sustainability activities of the community; and,

BE IT FINALLY RESOLVED that a copy of this resolution be forwarded to Sustainable Jersey and every member of the Franklin Lakes Green Team.

Resolution 161-15 Award Contract – Holsters and Duty Gear

WHEREAS, the Borough of Franklin Lakes wishes to purchase twenty-one (21) sets of holsters and duty gear for handguns for the Police 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, Atlantic Tactical, 14 Worlds Fair Drive, Somerset, New Jersey 08873, has been awarded New Jersey State Contract numbers 81329 and 82101 for certain holsters and duty gear for handguns; and,

WHEREAS, the proposal amount for the twenty-one (21) sets of holsters and duty gear for handguns, is \$7,008.96; and,

WHEREAS, the Police Chief recommends the utilization of this State contract for the purchase of these holsters and duty gear for handguns; 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 contract for the purchase of twenty-one (21) sets of holsters and duty gear for handguns as described hereinabove be and is hereby awarded to Atlantic Tactical, under New Jersey State Contract numbers 81329 and 82101, for a price of \$7,008.96, subject to the submission by the vendor of proof that the proposed pricing is in accordance with valid State contracts; and,

BE IT FINALLY RESOLVED that a copy of this resolution be forwarded to Atlantic Tactical and the Police Chief.

Resolution 162-15 Award Contract – Handguns

WHEREAS, the Borough of Franklin Lakes wishes to purchase twenty-five (25) handguns for the Police 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, Eagle Point Guns, 1707 3rd Street, West Deptford, New Jersey 08086, has been awarded New Jersey State Contract number 81319 for Sig Sauer W320C-40-BSS handguns; and,

WHEREAS, the proposal amount for the handguns, is \$9,795.75, less \$7,500 for the trade in of twenty-five (25) of the Borough's current weapons, for a net cost of \$2,295.75; and,

WHEREAS, the Police Chief recommends the utilization of this State contract for the purchase of these handguns; 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 contract for the purchase of twenty-five (25) handguns as described hereinabove be and is hereby awarded to Eagle Point Guns, under New Jersey State Contract number 81319, for a net price of \$2,295.75; and,

BE IT FINALLY RESOLVED that a copy of this resolution be forwarded to Eagle Point Guns and the Police Chief.

Resolution 163-15 Awarding Contract – Variable Message Sign

WHEREAS, the Traffic Officer solicited proposals for the purchase of a new Variable Message Sign for the Police Department; and,

WHEREAS, four proposals have been submitted and the Police Chief recommends that the contract for the purchase of a new Variable Message Sign be awarded to the contractor that submitted the lowest proposal, Traffic Safety Service, 601 Hadley Road, South Plainfield, New Jersey 07080, for the proposal amount of \$15,900;

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 contract for the purchase of a new Variable Message Sign be and is hereby awarded to Traffic Safety Service for the proposal amount of \$15,900; and,

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

BE IT FINALLY RESOLVED that a copy of this resolution be forwarded to Traffic Safety Service and the Police Chief.

Respectfully submitted,

A handwritten signature in black ink that reads "Sally T. Bleeker". The signature is written in a cursive, flowing style.

Sally T. Bleeker, Borough Clerk