

MEETING OF THE MAYOR AND COUNCIL
July 21, 2015
7:30 P.M.

A regular meeting of the Mayor and Council was held on Tuesday, July 21, 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 Ramsey and Councilmember Swist. Also present were Borough Administrator Hart, Borough Attorney Smith and Borough Clerk Sally Bleeker. Absent was Councilmember Lambrix.

SUNSHINE LAW STATEMENT

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

FLAG SALUTE

MOMENT OF SILENT REFLECTION

PROCLAMATION HONORING PLANNING BOARD ATTORNEY, JOHN SPIZZIRI

WHEREAS, at the end of July 2015, John A. Spizziri, Esq., is retiring as Planning Board Attorney after having served dutifully and with distinction in that position for the past 43 years, having been appointed to the position in 1972; and,

WHEREAS, John is married to the former Alexandra Vitale of Franklin Lakes, and he has two children, John and Victoria, and his wife has one daughter, Miriam; and John and Alexandra have eight grandchildren and seven great grandchildren; and,

WHEREAS, two years after his 1961 graduation from Georgetown University Law Center, John started his law practice in Wyckoff, and he has continued that practice in Wyckoff from that time to the present; and,

WHEREAS, in addition to serving as Franklin Lakes Planning Board Attorney, John has served in many other capacities, including the following: member of the Wyckoff Township Committee; one year as Wyckoff Mayor; Wyckoff Planning Board member; member of the New Jersey General Assembly; Prosecutor for several area towns; Municipal Court Judge in Oakland; Municipal Attorney in Elmwood Park for 25 years; and Wyckoff Zoning Board of Adjustment member; and,

WHEREAS, John and Alexandra will be retiring to Ryegate, Montana, and will be with their children and grandchildren;

NOW THEREFORE, I, FRANK BIVONA, Mayor of the Borough of Franklin Lakes, on behalf of the Mayor and Council and the residents of the Borough, wish John Spizziri good health and happiness in his retirement, and do hereby honor and commend him for his many years of outstanding service to the residents of Franklin Lakes.

IN WITNESS HEREOF, I have hereunto set my Hand and caused the Seal of the Borough of Franklin Lakes to be affixed this 21st day of July, 2015.

ORDINANCES FOR FINAL READING AND ADOPTION

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.

Motion made by Councilmember Kahwaty to Table Ordinance 1626, seconded by Council President Kelly. On voice vote, all in favor.

Roll Call Vote:

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

Motion made by Councilmember Swist to take up Ordinance 1632 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 1632

AN ORDINANCE AMENDING CHAPTER 356 “PARKS AND PUBLIC LANDS” OF THE CODE OF THE BOROUGH OF FRANKLIN LAKES TO EXTEND THE BOATING SEASON AT THE FRANKLIN LAKES NATURE PRESERVE

Summary – This ordinance would extend the boating season at the Nature Preserve to November 15.

WHEREAS, Ordinance 1632 was introduced at a meeting of the Mayor and Council held on the 16th day of June, 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 1632 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 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, Ramsey, Swist
Nays:
Abstain:
Absent: Lambrix
Motion Approved

Motion made by Councilmember Cadicina to take up Ordinance 1633 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 1633

**AN ORDINANCE AUTHORIZING AND PROVIDING FOR
ENGINEERING AND ENVIRONMENTAL SERVICES, AND
APPROPRIATING \$18,500.00 FOR SAID SERVICES AUTHORIZED TO
BE UNDERTAKEN IN, BY AND FOR THE BOROUGH OF FRANKLIN
LAKES, IN THE COUNTY OF BERGEN, NEW JERSEY**

Summary – This ordinance would appropriate \$18,500 for engineering fees to obtain permits for the dredging of Kings Pond.

WHEREAS, Ordinance 1633 was introduced at a meeting of the Mayor and Council held on the 16th day of June, 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 1633 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.

Mike Mitarotonda, 710 Smoke Hollow Trail. He would like the dredging process to be expedited.

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, Ramsey, Swist

Nays:

Abstain:

Absent: Lambrix

Motion Approved

Motion made by Councilmember Cadicina to take up Ordinance 1634 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 1634

**AN ORDINANCE AMENDING CHAPTER 404 “SOIL REMOVAL”
OF THE CODE OF THE BOROUGH OF FRANKLIN LAKES TO REQUIRE
FEE FOR TREE SPECIALIST REVIEW IN LIEU OF PAYMENT IN ESCROW**

Summary – This ordinance would require payment of a \$200 fee for soil moving applications for Tree Special services in lieu of requiring payment from escrow.

WHEREAS, Ordinance 1634 was introduced at a meeting of the Mayor and Council held on the 16th day of June, 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 1634 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 Councilmember Cadicina. Discussion – none.

Roll Call Vote:

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

Motion made by Councilmember Kahwaty to take up Ordinance 1635 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 1635

AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF FRANKLIN LAKES TO UPDATE AND AMEND CERTAIN PROVISIONS OF CHAPTER 186 “BUSINESS HOURS,” CHAPTER 193 “CEMETERIES,” CHAPTER 199 “CERTIFICATES OF OCCUPANCY,” CHAPTER 220 “CONSTRUCTION CODES, UNIFORM,” CHAPTER 259 “FIRE PREVENTION,” CHAPTER 272 “FOOD ESTABLISHMENTS,” CHAPTER 300 “LANDUSE AND DEVELOPMENT” AND CHAPTER 373 “PROPERTY MAINTENANCE”

Summary – As part of an ongoing effort to update Borough ordinances, this ordinance would correct or update certain provisions in several chapters of the Borough Code.

WHEREAS, Ordinance 1635 was introduced at a meeting of the Mayor and Council held on the 16th day of June, 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 1635 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 Councilmember Kahwaty. On voice vote, all in favor.

No one from the public came forward at this time.

Motion to close the hearing to the public was made by Councilmember 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 – Councilwoman Ramsey disagrees with the hours of operation.

Roll Call Vote:

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

Motion made by Councilmember Kahwaty to take up Ordinance 1636 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 1636

**SUPPLEMENTAL ORDINANCE AMENDING BOND ORDINANCE 1603
PROVIDING FOR CAPITAL IMPROVEMENTS TO
POLICE HEADQUARTERS IN AND BY THE BOROUGH OF
FRANKLIN LAKES, COUNTY OF BERGEN, STATE OF NEW JERSEY**

- *Summary – This ordinance appropriate an additional \$248,000 for the Police Headquarters renovation project. The total appropriation is \$900,000.*

WHEREAS, Ordinance 1636 was introduced at a meeting of the Mayor and Council held on the 7th day of July, 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 1636 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 Kahwaty, seconded by Council President Kelly. On voice vote, all in favor.

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

Roll Call Vote:

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

OPEN THE TIME FOR PUBLIC COMMENT

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

Peter Nicolle, 219 Forest Street. Came forward regarding Tabled Ordinance 1626. He is in favor of the amended Ordinance 1640 except for the emptying of pool water.

Danielle Weitz, 512 Haddon Place. Mrs. Weitz came forward regarding the resolution, Companion Animal Management Pledge. She wanted to know where it came from. Mr. Hart explained that it came from the Environmental Commission after review by our Animal Control Officer.

Mrs. Weitz wanted to talk about it before the resolution is passed. Mayor Bivona explained that this is a value statement recommended by the Environmental Commission. Councilmember Swist added that a lot of thought went into this resolution and is a recommendation by the Environmental Commission.

Motion to close the time for public comment was made by Councilmember Cadicina, seconded by Council President Kelly.

Roll Call Vote:

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

CONSENT RESOLUTION 201-15

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 202-15 Accept Report of the Finance Committee
- Resolution 203-15 Accept 2014 Audit Report
- Resolution 204-15 Accept and Approve 2014 Corrective Action Plan
- Resolution 205-15 Award Contract – Air Duct Cleaning
- Resolution 206-15 Award Contract – Municipal Sewers Contract Alternate “C”
- Resolution 207-15 Award Contract – Office Supplies
- Resolution 208-15 Award Contract – Police Headquarters Addition and Alterations
- Resolution 209-15 Award Contract – Tree Removal on Borough Property
- Resolution 210-15 Bergen County Community Development Representatives
- Resolution 211-15 Bergen County Open Space Representatives
- Resolution 212-15 Companion Animal Management Pledge
- Resolution 213-15 Establish Bid and Quote Threshold
- Resolution 214-15 Facilities Use Permit – Ramapo Youth Soccer Association
- Resolution 215-15 Tax Refund – Cohen
- Resolution 216-15 Tax Refund – Divak
- Resolution 217-15 Tree Removal Permit – 736 Orchard Lane

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

Roll Call Vote:

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

RESOLUTIONS

Permit Fence Within Street Right-Of-Way – 729 McCoy Road

WHEREAS, property owners at 729 McCoy Road have requested permission to erect a fence within the Borough’s street right-of-way on McCoy Road, for various reasons as presented to the Mayor and Council, including safety and preventing damage to existing trees; and,

WHEREAS, the Borough Engineer has reviewed the request and reported that granting the request will not cause traffic sight issues and will not interfere at the present time with the Borough's right of way;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Franklin Lakes that the property owners at 729 McCoy Road, and their successors in interest, are permitted to erect and maintain a fence within the Borough's street right-of-way on the following terms and conditions:

- Said fence shall comply with all Borough Code fence regulations and restrictions;
- Said fence shall located be no less than 8'5" from the curb line;
- Upon a determination by the Borough that there the fence presents a safety issue, or that the fence should be removed to enable the Borough to use the street right-of-way for a public purpose, the fence shall be removed by the property owner at the cost of the property owner;
- If the fence is damaged or destroyed, the Borough shall have no responsibility or liability for its repair or replacement;
- The property owner and their successors in interest shall execute a Hold Harmless Agreement in favor of the Borough consistent herewith; and,
- The property owner shall post \$500 in escrow for Borough professional fees for the preparation and recording of the Hold Harmless Agreement.

BE IT FINALLY RESOLVED that a copy of this resolution be forwarded to Kerry and Dan McBride, and the Zoning Officer.

Resolution read by Mayor Bivona. Motion by Councilmember Kahwaty and seconded by Council President Kelly. Discussion – Mr. Hart said the Borough Attorney suggested a \$500.00 escrow from the residents. Mr. Boswell, the Borough Engineer, said the fence will not obstruct sight distance.

Roll Call Vote:

Ayes: Cadicina, Kahwaty, Kelly, Ramsey, Swist

Nays:

Abstain:

Absent: Lambrix

Motion Approved.

ACTION ON MINUTES

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

- May 19, 2015 Closed
- June 4, 2015 Work Session
- June 4, 2015 Closed
- June 16, 2015 Regular
- June 16, 2015 Special Meeting
- July 7, 2015 Closed

Roll Call Vote:

Ayes: Cadicina, Kahwaty, Kelly, Ramsey, Swist

Nays:

Abstain:

Absent: Lambrix

Motion Approved.

OLD BUSINESS

Mr. Hart received an email from Ryan Dodd, the Fire Chief recommending awarding a contract for apparatus. Chief Dodd will speak at the next Mayor and Council Work Session.

NEW BUSINESS

Borough Clerk, Sally Bleeker advised of a one-day liquor license application from Oasis – A Haven for Women and Children.

INTRODUCTION OF ORDINANCES ON FIRST READING

Move to take up consideration of Ordinance 1637 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 1637

**SUPPLEMENTAL ORDINANCE AMENDING BOND
ORDINANCE 1617 PROVIDING FOR CAPITAL IMPROVEMENTS
IN AND BY THE BOROUGH OF FRANKLIN LAKES,
COUNTY OF BERGEN, STATE OF NEW JERSEY**

WHEREAS, Ordinance 1637 was introduced at a meeting of the Mayor and Council held on the 21st day of July 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 1637 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 18th day of August 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 1637; 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, Ramsey, Swist

Nays:

Abstain:

Absent: Lambrix

Motion Approved.

Move to take up consideration of Ordinance 1638 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 1638

**AN ORDINANCE AMENDING CHAPTER 425 “STREETS AND SIDEWALKS” OF THE
CODE OF THE BOROUGH OF FRANKLIN LAKES TO REQUIRE FULL WIDTH
PAVING WHEN RECENTLY PAVED ROADS ARE EXCAVATED**

WHEREAS, Ordinance 1638 was introduced at a meeting of the Mayor and Council held on the 21st day of July 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 1638 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 18th day of August 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 1638; 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, Swist
Nays:
Abstain:
Absent: Lambrix
Motion Approved.

Move to take up consideration of Ordinance 1639 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.

ORDINANCE 1639

AN ORDINANCE AMENDING CHAPTER 408 “SOLAR ENERGY SYSTEMS” OF THE CODE OF THE BOROUGH OF FRANKLIN LAKES TO PROVIDE FOR REVIEW OF APPLICATIONS BY THE CONSTRUCTION OFFICIAL

WHEREAS, Ordinance 1639 was introduced at a meeting of the Mayor and Council held on the 21st day of July 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 1639 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 18th day of August 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 1639; 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, Swist
Nays:

Abstain:
Absent: Lambrix
Motion Approved.

Move to take up consideration of Ordinance 1640 for Introduction, and direct the Borough Clerk to read by title was made by Councilmember Cadicina, seconded by Councilmember Kahwaty. On voice vote, all in favor.

The Borough Clerk read the Ordinance by title only.

ORDINANCE 1640

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

WHEREAS, Ordinance 1640 was introduced at a meeting of the Mayor and Council held on the 21st day of July 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 1640 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 18th day of August 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 1640; 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 – Mayor Bivona was not in favor of section “D”. Councilman Kahwaty questioned section “A”. After some discussion all Council Members present agreed to move section “D” to section “A”.

Roll Call Vote:

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

Move to take up consideration of Ordinance 1641 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.

ORDINANCE 1641

AN ORDINANCE AMENDING CHAPTER 356 “PARKS AND PUBLIC LANDS” OF THE CODE OF THE BOROUGH OF FRANKLIN LAKES TO PERMIT PADDLEBOARDS AT THE FRANKLIN LAKES NATURE PRESERVE

WHEREAS, Ordinance 1641 was introduced at a meeting of the Mayor and Council held on the 21st day of July 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 1641 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 18th day of August 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 1641; 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, Swist
Nays: Ramsey
Abstain:
Absent: Lambrix
Motion Approved.

Move to take up consideration of Ordinance 1642 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 1642

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE PREPARATION OF DIGITAL TAX MAPS, AND APPROPRIATING \$40,000.00 FOR SAID SERVICES AUTHORIZED TO BE UNDERTAKEN IN, BY AND FOR THE BOROUGH OF FRANKLIN LAKES, IN THE COUNTY OF BERGEN, NEW JERSEY

WHEREAS, Ordinance 1642 was introduced at a meeting of the Mayor and Council held on the 21st day of July 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 1642 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 18th day of August 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 1642; 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, Swist
Nays:
Abstain:
Absent: Lambrix
Motion Approved.

Move to take up consideration of Ordinance 1643 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.

ORDINANCE 1643

AN ORDINANCE SUPPLEMENTING THE CODE OF THE BOROUGH OF FRANKLIN LAKES TO APPROVE THE DRUG FREE SCHOOL ZONE MAP

WHEREAS, Ordinance 1643 was introduced at a meeting of the Mayor and Council held on the 21st day of July 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 1643 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 18th day of August 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 1643; 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 – Councilmember Ramsey asked where this originated from. Mr. Hart said the Police Department. Borough Attorney Bill Smith added that if drugs are sold near a school zone this makes it easier to prosecute after an arrest.

Roll Call Vote:

Ayes: Cadicina, Kahwaty, Kelly, Ramsey, Swist
Nays:
Abstain:
Absent: Lambrix
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, July 21, 2015 which begins at 7:30 PM, in the Council Chamber at the Municipal Building to discuss the following:

Closed meeting issues:

- Tax Appeal – Express Scripts
- 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 Kahwaty, seconded by Councilmember Cadicina. On voice vote, all in favor.

ADJOURNMENT

Motion to adjourn the meeting was made by Councilmember Ramsey at 9:30 P.M., seconded by Council President Kelly. On voice vote, all in favor.

Resolution 202-15 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 \$412,115.10 as shown on the Claims Bill List; \$8,132.50 as shown on the Soil Account Bill List and \$1,029.48 as shown on the Developers Escrow List.

Resolution 203-15 Accept 2014 Audit Report

WHEREAS, N.J.S.A. 40A: 5-4 requires the Governing Body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2014 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the Governing Body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the Governing Body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the Governing Body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations"; and

WHEREAS, the members of the Governing Body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations", as evidenced by the group affidavit form of the Governing Body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the Governing Body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local Governing Body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Franklin Lakes, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Resolution 204-15 Accept and Approve 2014 Corrective Action Plan

BE IT RESOLVED, by the Mayor and Council of the Borough of Franklin Lakes, County of Bergen, accepts and approves the corrective action plan for the 2014 audit as submitted by the Chief Financial Officer, and that a certified copy of this resolution and a copy of the corrective action plan be submitted to the Division of Local Government Services by the Borough Clerk.

Resolution 205-15 Award Contract – Air Duct Cleaning

WHEREAS, the Borough of Franklin Lakes received three (3) proposals for Duct Work Cleaning at Borough Hall; and

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

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

1. Clean Air Technologies, 268 Main Street, Butler, NJ 07405 is hereby awarded a contract in the amount of \$8,600.00
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 206-15 Award Contract – Municipal Sewers Contract Alternate “C”

WHEREAS, the Mayor and Council of the Borough of Franklin Lakes awarded a contract for the installation of sanitary sewers for the Municipal Complex on July 7, 2015, which contract award included the base bid and Alternates “A” and “B”, and deferred a decision on whether to award Alternate “C”; and,

WHEREAS, the Mayor and Council are desirous of awarding the contract for Alternate “C” to the same contractor, Underground Utilities Corp., 711 Commerce Road, Linden, New Jersey 07036, for the Alternate “C” bid amount of \$52,140;

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 contract for the installation of sanitary sewers for the Municipal Complex, Alternate “C”, be and is hereby awarded to the bidder that submitted the lowest cost proposal, Underground Utilities Corp., for the Alternate “C” bid amount of \$52,140; 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 are sufficient appropriations to fund the purchases authorized in this resolution as an express and mandatory condition of the award of this contract; and,

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to sign the contract documents necessary to effectuate the award of this contract; and,

BE IT FINALLY RESOLVED that a copy of this resolution be forwarded to the Borough Engineer and Underground Utilities Corp.

Resolution 207-15 Award Contract – Office Supplies

BE IT RESOLVED, by the Mayor and Council of the Borough of Franklin Lakes that a two year contract be awarded to Staples Business Advantage, 45 Cedar Lane, Englewood, New Jersey, 07631 or its successor in interest for the period from July 22, 2015 to July 21, 2017 for General Office Supplies for the Borough as recommended by the Borough Administrator by memorandum dated July 15, 2015.

Resolution 208-15 Award Contract – Police Headquarters Addition and Alterations

WHEREAS, the Borough of Franklin Lakes advertised for and opened bids on June 24, 2015 for the Addition and Alterations to the Police Department; and

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

WHEREAS, ten (10) companies submitted bids for the Addition and Alterations to the Police Department; and

WHEREAS, the Borough Architect 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. MBT Contracting, LLC, 63 Beaver Brook Road Suite 104C, Lincoln Park, NJ 07035, is hereby awarded the contract for the Addition and Alterations to the Police Department for the bid amount of \$777,000.00 Base Bid; \$14,700.00 Alternate #1 and \$4,700.00 Alternate #2 for a total bid amount of \$796,400.00.
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 209-15 Award Contract – Tree Removal on Borough Property

WHEREAS, the Borough of Franklin Lakes received four (4) proposals for removal of trees from Borough property; and

WHEREAS, the Shade Tree Commission Chairman and the Franklin Lakes Tree Specialist has reviewed the proposals submitted and has determined that the proposal meets the specifications.

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. North Haledon Tree Service, 136 Church Street Haledon, NJ 07508 is hereby awarded a contract in the amount of \$7,865.00
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 210-15 Bergen County Community Development Representatives

WHEREAS, the Borough of Franklin Lakes is required to appoint representatives for the Bergen County Community Development Committee;

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 Gregory C. Hart, Borough Administrator is appointed as the Mayor's representative to the Bergen County Community Development Committee for a one-year term July 1, 2015 through June 30, 2016 and that Mayor Frank Bivona is appointed as the Mayor's alternate representative for the same period; and

BE IT FURTHER RESOLVED that Councilwoman Paulette Ramsey is appointed as the governing body's representative to the Bergen County Community Development Committee for a one-year term July 1, 2015 through June 30, 2016 and that Councilman Charles Kahwaty is appointed as the governing body's alternate representative for the same period; and,

BE IT FINALLY RESOLVED, that Borough Administrator Gregory C. Hart is authorized to sign all vouchers for Community Development projects for the term July 1, 2015 through June 30, 2016.

Resolution 211-15 Bergen County Open Space Representatives

WHEREAS, the Borough of Franklin Lakes has entered into a Cooperative Agreement with the County of Bergen as provided under the Interlocal Service Act, N.J.S.A. 40A:8A-1 et seq., to participate in the Bergen County Open Space, Recreation, Farmland and Historic Preservation Trust Fund; and

WHEREAS, said Agreement requires that one Municipal Representative be appointed by the Governing Body of the community to be part of the Open Space Trust Municipal Program Regional Committee for the term of one year coinciding with the fiscal year July 1, 2015 through June 30, 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 Borough Administrator Gregory C. Hart is hereby appointed as representative and Mayor Frank Bivona is hereby appointed as its alternate representative to participate on the Open Space Trust Regional Committee.

Resolution 212-15 Companion Animal Management Pledge

RECOGNIZING that cats and dogs are an integral and valuable part of all communities, and contribute to the well-being of humans, whether as companions, service animals, or therapy pets, and

UNDERSTANDING that municipalities have an important role in ensuring the well-being of animals while balancing the needs of pet owners and non-pet owners.

WHEREAS legislators and municipal officials report that the number of calls from citizens about animal related issues rival any other issue(s);

WHEREAS there are approximately 2.2 million owned dogs and 2.5 million owned cats in New Jersey;

WHEREAS New Jersey was the first state in the nation to develop an innovative statewide spay/neuter program and all proceeds from the sale of Animal Friendly License Plates are used to reimburse participating veterinarians for spaying and neutering surgeries;

WHEREAS State responsibility for promoting responsible pet care and ensuring that pets do not suffer due to abuse, neglect, or lack of proper care in kennels, pet shops, shelters, and pounds (animal shelters) is vested in the Office of Animal Welfare within the New Jersey Department of Health and Senior Services;

WHEREAS The New Jersey Society to Prevent Cruelty to Animals (NJSPCA) and municipal Animal Cruelty Investigators (ACIs) are responsible for investigating and acting as officers for the detection, apprehension, and arrest of offenders against the animal cruelty laws;

WHEREAS New Jersey mandates training requirements for animal control officers and Animal Cruelty Investigators;

WHEREAS New Jersey impounds over 100,000 animals per year in animal shelter and impoundment facilities;

WHEREAS 37% of the animals that enter New Jersey's impoundment facilities are euthanized at a rate of around 3000 every month;

WHEREAS free-roaming unvaccinated cats and dogs present a potential health threat to humans through the spread of such zoonotic diseases as rabies, leptospirosis, toxoplasmosis, roundworms, animal bites, and environmental contamination from animal feces;

WHEREAS stray and unwanted pets place an enormous financial burden on municipalities and non-profit humane agencies organized to care for these animals (To calculate an average per animal cost for your municipality, divide the total shelter expenditures – municipal animal control and shelter expenses – by the total number of animals served per year);

WHEREAS it is more humane and cost-effective to reduce the number of unwanted animals than it is to impound and euthanize unwanted or unclaimed dogs and cats;

WHEREAS all dogs are required to be licensed in the municipality where they are housed and the majority of municipalities also require licensure of cats. (Current vaccination against rabies is a pre-requisite to licensure);

WHEREAS all municipalities are required to canvass their residents to locate unlicensed dogs; **NOW THEREFORE**, we the municipality of Franklin Lakes, resolve to take the following steps with regard to our municipal responsibilities with the intent of making Franklin Lakes a truly sustainable community.

It is our intent to do our utmost, within the bounds of our jurisdiction, to ensure that companion animals are treated humanely, respectfully, and responsibly through public education and through exercise of powers vested within New Jersey municipalities follows:

Authority of Municipalities:

Pursuant to New Jersey Statutes, all municipalities must appoint a certified animal control officer who shall be responsible for animal control within the jurisdiction of the municipality, including providing emergency veterinary care for injured stray animals and coverage outside of normal working hours;

The municipality in which an animal facility is located is responsible for issuing the license for that facility to operate;

The NJ Vicious Dog Law establishes a state-wide standard for municipalities to effectively address situations of vicious or potentially dangerous dogs, regardless of breed;

The Animal Population Control Program provides for low-cost spaying and neutering for pet owners adopting dogs and cats from New Jersey shelters, pounds, and animal adoption referral agencies and pet owners participating in one of several Public Assistance Programs.

The Municipality pledges to:

- Enforce all animal and rabies control statutes and regulations, including the requirement to pick up and impound all stray dogs and cats.
- Work to improve the enforcement of animal cruelty statutes.
- Educate our community, including school children about their responsibilities towards the pet animals they chose to keep.
- Institute, as appropriate, cat licensing ordinances and increase the percentage of licensed dogs and cats through ease of licensing and licensing enforcement measures.
- Identify and work to implement best practices to prevent unwanted breeding through effective animal control, availability of low-cost pet spaying and neutering services, public education, and pet-friendly rental and senior housing.
- Identify rescue groups to assist in adoption of companion animals, including utilizing foster homes, adoption networks and providing advice to existing and future owners.
- Assist in identifying resources to improve the conditions and increase the capacity of animal shelters and impoundment facilities and animal control services.

CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted by the Franklin Lakes Mayor and Council on July 21, 2015

Resolution 213-15 Establish Bid and Quote Threshold

WHEREAS, the Borough's Purchasing Agent, Gregory C. Hart, has been designated a Qualified Purchasing Agent in accordance with N.J.S.A. 40A:11-9(b); and,

WHEREAS, pursuant to N.J.S.A. 40A:11-3(a), a municipality with a Qualified Purchasing Agent may, by adopting a resolution, increase its bid threshold from \$36,000 to an amount not to exceed \$40,000 and its proposal threshold from \$5,400 to an amount not to exceed \$6,000;

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 bid threshold for the Borough be and is hereby increased to \$40,000 and the quotation threshold be and is hereby increased to \$6,000; and,

BE IT FINALLY RESOLVED that a certified copy of this resolution be forwarded to Gregory C. Hart, the Chief Financial Officer, and the New Jersey Division of Local Government Services.

Resolution 214-15 Facilities Use Permit – Ramapo Youth Soccer Association

WHEREAS, the Ramapo Youth Soccer Association has requested the use of Pulis Field, for its Ramapo Youth Soccer Association Wildcat Soccer Tournament to be held September 5 and 6th 2015, with a rain date on September 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 Ramapo Youth Soccer Association is hereby granted permission to use Pulis Field for its Ramapo Youth Soccer Association Wildcat Soccer Tournament to be held September 5 and 6th 2015, with a rain date on September 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 Ramapo Youth Soccer Association and the Recreation and Parks Director.

Resolution 215-15 Tax Refund – Cohen

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

WHEREAS, the Tax Court reduced their assessment therefore reducing the property taxes previously paid for the year(s) 2012, 2013 and 2014, on Block 1607.09 Lot 1 whose property location is 833 Winton Gait Lane, homeowners Daniel & Lauren Cohen,

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>
1607.09	1	\$ 82,500 (2012)	\$ 1,264.73
		\$ 82,500 (2013)	\$ 1,284.53
		\$ 82,500 (2014)	\$ 1,296.90
Total Refund			<u>\$3,846.16</u>

Resolution 216-15 Tax Refund – Divak

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 and 2014, and that the Freeze Act shall be applicable on Block 1207 Lot 1.03 whose property location is 809 Lenel Lane, homeowner Divak, Elaine,

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>
1207	1.03	\$ 390,600 (2013)	\$ 6,081.64
		\$ 390,600 (2014)	\$ 6,140.23

Total Refund \$ 12,221.87

All checks made payable to:
Trust Account of Douglas Standriff
Douglas M. Standriff
60 West Ridgewood Avenue
Ridgewood, NJ 07450

Resolution 217-15 Tree Removal Permit – 736 Orchard Lane

WHEREAS, paragraph C of Borough Code §300-150 permits applicants to apply to the Mayor and Council to remove trees in addition to those permitted under paragraph B of said section; and,

WHEREAS, in accordance therewith, Mr. & Mrs. Pariot, who resides at 736 Orchard Lane, has requested permission to remove trees in excess of those permitted by paragraph B of Borough Code §300-150; and,

WHEREAS, the Mayor and Council referred the application to the Shade Tree Commission for its review and recommendations; and,

WHEREAS, the Shade Tree Commission has recommended approval of the application with certain conditions, as set forth in the memo from the Shade Tree Commission dated June 11, 2015;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Franklin Lakes, County of Bergen and State of New Jersey that the recommendation of the Shade Tree Commission as set forth in its memo dated June 11, 2015 is hereby approved, and the tree removal application for 736 Orchard Lane be and is hereby approved, subject to the conditions in said Shade Tree Commission memo; and,

BE IT FINALLY RESOLVED that a copy of this resolution be forwarded to Mr. & Mrs. Pariot, the Tree Specialist and the Shade Tree Commission.

Respectfully submitted,



Sally T. Bleeker, Borough Clerk