

MEETING OF THE MAYOR AND COUNCIL
January 19, 2016
7:30 P.M.

A regular meeting of the Mayor and Council was held on Tuesday, January 19, 2016 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, Councilmember Kelly, Council President Lambrix and Councilmember Swist. Also present were Borough Administrator Hart, Borough Attorney Smith and Borough Clerk Sally Bleeker. Absent was Councilmember Ramsey.

SUNSHINE LAW STATEMENT

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

FLAG SALUTE

MOMENT OF SILENT REFLECTION

APPOINTMENTS

Local Emergency Planning Committee - One Year Term

- Ken Koehler
- Thad E. Panfile

Franklin Lakes Volunteer Fire Department

- Nicola Touma
- Austin Strauss

Motion made by Councilmember Cadicina and seconded by Councilmember Swist to make the above-listed appointments.

Roll Call Vote:

Ayes: Cadicina, Kahwaty, Kelly, Lambrix, Swist

Nays:

Abstain:

Absent: Ramsey

Motion Approved.

PROCLAMATION

Honoring Ramapo High School Girls Tennis Team

WHEREAS, the Mayor and Council are desirous of honoring the champion Ramapo High School Girls Tennis team for its successful Fall 2015 season;

WHEREAS, highlights of the season for the 2015 Ramapo High School Girls Tennis team season included:

- Group 2, Section 1 Champions
- Big North Freedom Division Champions

WHEREAS, Head Coach Kim Marchese, coaches at all levels of the Girls Tennis program, and the Girls Tennis players are to be commended for their exceptional accomplishments;

NOW THEREFORE, I, FRANK BIVONA, Mayor of the Borough of Franklin Lakes, County of Bergen and State of New Jersey, on behalf of the Mayor and Council and our residents, do

hereby honor and congratulate Head Coach Kim Marchese, coaches at all levels of the Girls Tennis program, and the tennis players on the 2015 Ramapo High School Girls Tennis team for a tremendous season;

Honoring Ramapo High School Gymnastics Team

WHEREAS, the Mayor and Council are desirous of honoring the champion Ramapo High School Girls Gymnastics team for its successful Fall 2015 season;

WHEREAS, highlights of the season for the 2015 Ramapo High School Girls Gymnastics team included:

- Team of the Year - Bergen Record
- NJSIAA North 1 Champions
- 5th Place finish in NJSIAA Overall State Tournament
- Bergen County Champions - 5th straight team title
- North Jersey Gymnastics League Champions

WHEREAS, Head Coach Michelle Markowski, Assistant Coach Liz Sellitto, and the Ramapo High School Girls gymnasts are to be commended for their exceptional accomplishments;

NOW THEREFORE, I, FRANK BIVONA, Mayor of the Borough of Franklin Lakes, County of Bergen and State of New Jersey, on behalf of the Mayor and Council and our residents, do hereby honor and congratulate Head Coach Michelle Markowski, Assistant Coach Liz Sellitto, and the gymnasts on the 2015 Ramapo High School Girls Gymnastics team for a tremendous season;

Honoring Ramapo High School Boys Soccer Team

WHEREAS, the Mayor and Council are desirous of honoring the champion Ramapo High School Boys Soccer team for its successful Fall 2015 season;

WHEREAS, the highlights of the season for the 2015 Ramapo High School Boys Soccer team included:

- Bergen County Champions
- Big North Freedom Division - Co-Champions

WHEREAS, Head Coach Evan Baumgarten, Assistant Coach Jerry Lewis, coaches at all levels of the Boys Soccer program, and the Ramapo High School Boys Soccer players are to be commended for their exceptional accomplishments;

NOW THEREFORE, I, FRANK BIVONA, Mayor of the Borough of Franklin Lakes, County of Bergen and State of New Jersey, on behalf of the Mayor and Council and our residents, do hereby honor and congratulate Coach Evan Baumgarten, Assistant Coach Jerry Lewis, coaches at all levels of the Ramapo High School Soccer program, and the players on the 2015 Ramapo High School Boys Soccer team for a tremendous season;

Honoring Ramapo High School Football Team

WHEREAS, the Mayor and Council are desirous of honoring the champion Ramapo High School Football team for its successful Fall 2015 season;

WHEREAS, the Ramapo High School Football team capped the season with a State Championship win;

WHEREAS, highlights of the season for the 2015 Ramapo High School Football team included:

- Big North Independence Division Champions
- Group 3 Section 1 NJSIAA State Champions

WHEREAS, Head Coach Drew Gibbs, his assistant coaches, and the Ramapo High School football players are to be commended for their exceptional accomplishments;

NOW THEREFORE, I, FRANK BIVONA, Mayor of the Borough of Franklin Lakes, County of Bergen and State of New Jersey, on behalf of the Mayor and Council and our residents, do hereby honor and congratulate Coach Drew Gibbs, the assistant coaches and the players on the 2015 Ramapo High School Football team for a tremendous football season;

At this time, Nicola Touma was sworn in as a Franklin Lakes Volunteer Firefighter.

OPEN THE TIME FOR PUBLIC COMMENT

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

At this time, no one came forward from the public.

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

CONSENT RESOLUTION 26-16

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 27-16	Accept Report of the Finance Committee
Resolution 28-16	Agreement – Bergen County Bloodborne Pathogen Program
Resolution 29-16	Agreement – Tyco Animal Control Services
Resolution 30-16	Agreement – Valley Hospital Flu Clinic
Resolution 31-16	Approve Ambulance Corps Stipend Formula
Resolution 32-16	Authorize Advertise for Bids for 2016 Road Improvements
Resolution 33-16	Award Contract – Boat Rental at Nature Preserve
Resolution 34-16	Award State Contract – Service Agreement Police Radios
Resolution 35-16	Budget Transfers
Resolution 36-16	Change Order No. 2 Police Headquarters
Resolution 37-16	Emergency Temporary Appropriation
Resolution 38-16	Establish Temporary Budget Appropriations – Sewer Utility
Resolution 39-16	Interlocal Agreement – Well Child Care
Resolution 40-16	Municipal Alliance Grant Resolution
Resolution 41-16	Professional Service Agreement – Bond Counsel
Resolution 42-16	Professional Service Agreement – Borough Appraiser
Resolution 43-16	Professional Service Agreement – Borough Architect
Resolution 44-16	Professional Service Agreement – Borough Attorney
Resolution 45-16	Professional Service Agreement – Borough Auditor
Resolution 46-16	Professional Service Agreement – Borough Engineer
Resolution 47-16	Professional Service Agreement – Borough Planner
Resolution 48-16	Professional Service Agreement – COAH Counsel
Resolution 49-16	Professional Service Agreement – Grant Professionals
Resolution 50-16	Professional Service Agreement – Labor Attorney
Resolution 51-16	Professional Service Agreement – Risk Management Consultants
Resolution 52-16	Professional Service Agreement – Special Tax Appeal Attorney
Resolution 53-16	Stipulation of Settlement – Arcot
Resolution 54-16	Stipulation of Settlement – Cardaci
Resolution 55-16	Tax Lien Redemption – 845 Pueblo Drive
Resolution 56-16	Tax Refund – Habicht
Resolution 57-16	Tax Refund – Maura
Resolution 58-16	Tax Refund – Seung
Resolution 59-16	Stipulation of Settlement – Piro-Rispoli
Resolution 60-16	Stipulation of Settlement – Farro

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

Roll Call Vote:

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

ACTION ON MINUTES

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

- 2015-12-01 Worksession
- 2015-12-15 Regular
- 2015-12-15 Closed Session

Roll Call Vote:

Ayes: Cadicina (with exceptions), Kahwaty, Kelly, Lambrix, Swist (with exceptions)
Nays:
Abstain: Cadicina and Swist – December 15, 2015 Regular and Closed Session
Absent: Ramsey
Motion Approved.

OLD BUSINESS

There was no Old Business to discuss at this time.

NEW BUSINESS

Mayor Bivona reported that Frank McMahon has left the Suburban News as a reporter. He has been reporting in Franklin Lakes since 1990. He will be missed. Mayor and Council will have a Proclamation done.

Mayor Bivona reported that Senator Kevin O’Toole has announced that he will not seek re-election. The Borough could always get assistance from him and his office during many occasions such as Hurricane Sandy and COAH issues. He will be sorely missed.

Mayor Bivona reported that an article on COAH was in today’s Bergen Record. The Mayor does not believe people understand what is going on out there. He thinks the Mayor and Council should make the public more aware of COAH progress. Councilmember Kelly suggested a Meet the Mayor on the topic of understanding the process. Mayor Bivona said that was a good idea.

PUBLIC COMMENT

Elizabeth Urciuoli, 258 Bayberry Lane. Ms. Urciuoli came forward to thank the Mayor for addressing central dispatch in his e-blast message. She asked about the recent resignation of police officers.

Mayor Bivona discussed the offer to the PBA during contract negotiations. After several rejections by the PBA of the Council’s offer of 4% salary increases, the arbitrators offered them a 2% increase which was half of what the Mayor and Council had originally offered. The Mayor and Council originally offered more towards the younger officers. The salary increase given to the PBA of 2% by the arbitrators was not the outcome that the Mayor and Council wanted. They went back to the PBA and offered the younger guys more than the arbitrators offered. Starting officers in the Borough of Franklin Lakes make more than those in Oakland and Wyckoff. Two of the officers that are leaving have already been replaced. Mayor Bivona is confident that the money they are paying, along with the medical benefits to the age of 65 is very competitive.

Two new officers, a man and a woman will begin their police academy training in Passaic County on February 4th 2016.

CLOSED SESSION

At this time, there were no items to discuss in Closed Session.

ADJOURNMENT

Motion to adjourn at 8:10 PM was made by Councilmember Cadicina, seconded by Councilmember Kahwaty. On voice vote, all in favor.

Resolution 27-16 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 \$697,834.25 as shown on the Claims Bill List; \$696.90 as shown on the Soil Account Bill List and \$0.00 as shown on the Developers Escrow List.

Resolution 28-16 Agreement – Bergen County Bloodborne Pathogen Program

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 with the Bergen County Department of Health Services, One Bergen County Plaza, Hackensack, New Jersey, for the administration of the Borough's Bloodborne Pathogens Program for the years 2016 and 2017 in accordance with the following unit prices: \$18 per trained employee and \$62 per dose of Hepatitis B vaccine, for a total estimated cost of \$2,800.

Resolution 29-16 Agreement – Tyco Animal Control Services

BE IT RESOLVED, by the Mayor and Council of the Borough of Franklin Lakes that the 2016 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 30-16 Agreement – Valley Hospital Flu Clinic

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 2016 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 31-16 Approve Ambulance Corps Stipend Formula

WHEREAS, the Franklin Lakes Volunteer Ambulance Corps has proposed an amendment to the methodology for calculating the annual stipends paid by the Borough to its members, as described in a December 9, 2015 memo, which is incorporated by reference herein; and,

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, effective for the year 2015, the amendment to the methodology for calculating the annual stipends paid by the Borough to its members, as described in a December 9, 2015 memo, be and is hereby approved; and,

BE IT FINALLY RESOLVED that a copy of this resolution be forwarded to the Franklin Lakes Volunteer Ambulance Corps.

Resolution 32-16 Authorize Advertise for Bids for 2016 Road Improvements

BE IT RESOLVED, by the Mayor and Council of the Borough of Franklin Lakes that the Borough Administrator be authorized to advertise for 2016 Road Improvement Program bids.

Group Health Ins. Plan **20,260**

To

General Administration-S&W	1,600
Litigation OE	4,000
Buildings & Grounds OE	10,000
Street Lighting OE	1,500
NJ Dep Fees & Permits	3,160
	20,260

Resolution 36-16 Change Order No. 2 Police Headquarters

BE IT RESOLVED by the Mayor and Council of the Borough of Franklin Lakes, County of Bergen and State of New Jersey that Change Order #002 for the Franklin Lakes Police Building Addition project be and is hereby approved in accordance with the requirements of N.J.A.C. 5:30-11.1 et seq.

PROJECT	Franklin Lakes Police Building Addition
ARCHITECT	Arcari & Iovino Architects, P.C.
CONTRACTOR	M.B.T. Contracting LLC 63 Beaver Brook Road Suite 104C Lincoln Park, New Jersey
ORIGINAL CONTRACT COST	\$796,400
COST OF CHANGE ORDER #001	\$3,750
COST OF CHANGE ORDER #002	\$875
NEW CONTRACT SUM	\$801,025
CHANGE ORDER NUMBER	#002
NATURE OF CHANGES	Installation of bollards

Resolution 37-16 Emergency Temporary Appropriation

WHEREAS, the CY 2016 budget has not been adopted, and adequate provisions could not be made in the CY 2016 temporary budget to provide necessary funding for certain ongoing operations of the Borough of Franklin Lakes; and

WHEREAS, N.J.S.A. 40A:4-20 provides for the creation of emergency temporary appropriations for the aforementioned purpose; and

WHEREAS, the total emergency temporary resolutions adopted in CY 2016 pursuant to the provisions of N.J.S.A. 40A:4-20 including this resolution totals \$5,875.00;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Franklin Lakes, County of Bergen, New Jersey, that in accordance with provisions of N.J.S.A. 40A:4-20:

1. That emergency temporary appropriations be and the same are hereby made for:

Other Expenses: 911 System	5,875.00
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2. That said emergency temporary appropriations be provided for in the CY 2016 adopted budget.

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

Resolution 38-16 Establish Temporary Budget Appropriations – Sewer Utility

WHEREAS, Section 40:44-19 of Revised Statutes of the Local Budget Act provides that, where any contracts, commitments or payments are to be made prior to the adoption of the CY 2016 Sewer Utility Budget, temporary appropriations be made before January 31, 2016 for the purposes and amounts required and in the manner and time therein provided; and

WHEREAS, the total appropriations as made shall not exceed 26.25% of the total appropriations made for all purposes in the Sewer Utility Budget of the preceding calendar year excluding, in both instances, appropriations made for interest and Debt Redemption Charges, Capital Improvement Fund and Public Assistance; and,

WHEREAS, the date of this resolution is within the first thirty days of January, 2016; and,

WHEREAS, the total appropriations in the CY 2015 Sewer Utility Budget exclusive of any appropriations made for Debt Service, Capital Improvement Fund, and for Public Assistance (Relief), is the sum of \$53,550.00, and,

WHEREAS, 26.25% of the total appropriations of the CY 2015 Sewer Utility Budget exclusive of any appropriations made for Debt Service, Capital Improvement Fund, and Public Assistance (Relief) in said budget is the sum of \$14,056.88.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Franklin Lakes, County of Bergen, New Jersey that the following temporary appropriations be made and that a certified copy of this resolution be transmitted to the Treasurer for his records.

Resolution 39-16 Interlocal Agreement – Well Child Care

BE IT RESOLVED, by the Mayor and Council of the Borough of Franklin Lakes that the Mayor and Borough Clerk are hereby authorized to execute an interlocal agreement with the Borough of Waldwick pertaining to the provision of Well Child Care services by the Borough of Waldwick.

BE IT FURTHER RESOLVED, that the agreement adopted by the Borough of Waldwick shall remain in force and effective from the date of execution until December 31, 2016.

Resolution 40-16 Municipal Alliance Grant Resolution

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, The Borough Council of the Borough of Franklin Lakes, County of Bergen, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Borough Council has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Bergen;

NOW, THEREFORE, BE IT RESOLVED by the Borough of Franklin Lakes County of Bergen, State of New Jersey hereby recognizes the following:

1. The Borough Council does hereby authorize submission of a strategic plan for the Franklin Lakes Municipal Alliance grant for fiscal year 2017 in the amount of:

DEDR	\$ 9876.00
Cash Match	\$ 2469.00
In-Kind	\$ 7407.00

2. The Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

Resolution 41-16 Professional Service Agreement – Bond Counsel

WHEREAS, it is necessary for the Borough of Franklin Lakes to engage the professional services of **Bond Counsel** for the year **2016** to serve as **Borough Bond Counsel**; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. exempts professional services from certain requirements of public bidding provided a notice of the appointment be printed in a newspaper of general circulation within the municipality; and

WHEREAS, the Borough is empowered by law to appoint and employ professionals, technical advisors and experts as the Borough may determine to be necessary for its efficient operation; and

WHEREAS, N.J.S.A. 19:44A-20.1 et seq., commonly known as the “State Pay to Play” law, took effect on January 1st, 2006; and

WHEREAS, the Borough has fully complied with the “fair and open” process set forth under N.J.S.A. 19:44A-20.1 et seq.; and

WHEREAS, the firm of **Chiesa Shahinian & Giantomasi** possess the requisite expertise and skilled personnel required to provide professional **bond counsel** services required by the Borough; and

WHEREAS; the Borough Administrator and the Administration Committee has determined that the firm of **Chiesa Shahinian & Giantomasi** services will be the most advantageous to the Borough, all relevant factors considered; and

WHEREAS, Mayor Bivona has nominated the firm of **Chiesa Shahinian & Giantomasi** to serve as **Borough Bond Counsel**, for the year 2016; and

WHEREAS, the Borough has received a Business Registration Certificate and Affirmative Action compliance statement from the firm prior to entering into a contract; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. requires that the resolution awarding contracts for “professional services” without competitive bidding and the agreement between the parties must be available for public inspection; and

WHEREAS, the award by the Borough of a contract to Chiesa Shahinian & Giantomasi for the provision of professional **bond counsel** services is in the best interests of the Borough and the implementation of this contract is necessary for the efficient operation of the Borough,

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Franklin Lakes, that said **bond counsel firm** be and is hereby appointed as **Borough Bond Counsel** for the year **2016** pursuant to a “fair and open” process; and

BE IT FURTHER RESOLVED, that compensation for said **Borough Bond Counsel** for the year **2016** shall be claimed, approved and paid in the manner set forth in NJSA 40A:5-18, as per their proposal, and pursuant to an agreement to be entered into between the parties; and that the Chief Financial Officer has certified that funds are available; and

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

Resolution 42-16 Professional Service Agreement – Borough Appraiser

WHEREAS, it is necessary for the Borough of Franklin Lakes to engage the professional services of **Borough Appraiser** for the year **2016** to serve as **Borough Appraiser**; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. exempts professional services from certain requirements of public bidding provided a notice of the appointment be printed in a newspaper of general circulation within the municipality; and

WHEREAS, the Borough is empowered by law to appoint and employ professionals, technical advisors and experts as the Borough may determine to be necessary for its efficient operation; and

WHEREAS, N.J.S.A. 19:44A-20.1 et seq., commonly known as the “State Pay to Play” law, took effect on January 1st, 2006; and

WHEREAS, the Borough has fully complied with the “fair and open” process set forth under N.J.S.A. 19:44A-20.1 et seq.; and

WHEREAS, the firm of **McNerney & Associates Inc.** possess the requisite expertise and skilled personnel required to provide professional **Borough Appraiser** services required by the Borough; and

WHEREAS; the Borough Administrator and the Administration Committee has determined that the firm of **McNerney & Associates Inc.** services will be the most advantageous to the Borough, all relevant factors considered; and

WHEREAS, Mayor Bivona has nominated the firm of **McNerney & Associates Inc.** to serve as **Borough Appraiser**, for the year 2016; and

WHEREAS, the Borough has received a Business Registration Certificate and Affirmative Action compliance statement from the firm prior to entering into a contract; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. requires that the resolution awarding contracts for “professional services” without competitive bidding and the agreement between the parties must be available for public inspection; and

WHEREAS, the award by the Borough of a contract to **McNerney & Associates Inc.** for the provision of professional appraiser is in the best interests of the Borough and the implementation of this contract is necessary for the efficient operation of the Borough,

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Franklin Lakes, that said **Appraisal firm** be and is hereby appointed as **Borough Appraiser** for the year **2016** pursuant to a “fair and open” process; and

BE IT FURTHER RESOLVED, that compensation for said **Borough Appraiser** for the year **2016** shall be claimed, approved and paid in the manner set forth in NJSA 40A:5-18, as per their proposal, and pursuant to an agreement to be entered into between the parties; and that the Chief Financial Officer has certified that funds are available; and

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

Resolution 43-16 Professional Service Agreement – Borough Architect

WHEREAS, it is necessary for the Borough of Franklin Lakes to engage the professional services of a Borough Architect for the year **2016** to serve as Borough Architects; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. exempts professional services from certain requirements of public bidding provided a notice of the appointment be printed in a newspaper of general circulation within the municipality; and

WHEREAS, the Borough is empowered by law to appoint and employ professionals, technical advisors and experts as the Borough may determine to be necessary for its efficient operation; and

WHEREAS, N.J.S.A. 19:44A-20.1 et seq., commonly known as the “State Pay to Play” law, took effect on January 1st, 2006; and

WHEREAS, the Borough has fully complied with the “fair and open” process set forth under N.J.S.A. 19:44A-20.1 et seq.; and

WHEREAS, the firm of **Arcari + Iovino, Architects, PC** possess the requisite expertise and skilled personnel required to provide professional Architect services required by the Borough; and

WHEREAS; the Borough Administrator and the Administration Committee has determined that the firm of **Arcari + Iovino, Architects, PC** services will be the most advantageous to the Borough, all relevant factors considered; and

WHEREAS, Mayor Bivona has nominated the firm of **Arcari + Iovino, Architects, PC** to serve as **Borough Architect**, for the year 2016; and

WHEREAS, the Borough has received a Business Registration Certificate and Affirmative Action compliance statement from the firm prior to entering into a contract; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. requires that the resolution awarding contracts for “professional services” without competitive bidding and the agreement between the parties must be available for public inspection; and

WHEREAS, the award by the Borough of a contract to **Arcari + Iovino, Architects, PC** for the provision of professional Architect services is in the best interests of the Borough and the implementation of this contract is necessary for the efficient operation of the Borough,

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Franklin Lakes, that said Architect **firm** be and is hereby appointed as **Borough Architect** for the year **2016** pursuant to a “fair and open” process; and

BE IT FURTHER RESOLVED, that compensation for said **Borough Architect** for the year **2016** shall be claimed, approved and paid in the manner set forth in NJSA 40A:5-18, as per their proposal, and pursuant to an agreement to be entered into between the parties; and that the Chief Financial Officer has certified that funds are available; and

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

Resolution 44-16 Professional Service Agreement – Borough Attorney

WHEREAS, it is necessary for the Borough of Franklin Lakes to engage the professional services of an attorney for the year **2016** to serve as **Borough Attorney**; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. exempts professional services from certain requirements of public bidding provided a notice of the appointment be printed in a newspaper of general circulation within the municipality; and

WHEREAS, the Borough is empowered by law to appoint and employ professionals, technical advisors and experts as the Borough may determine to be necessary for its efficient operation; and

WHEREAS, N.J.S.A. 19:44A-20.1 et seq., commonly known as the “State Pay to Play” law, took effect on January 1st, 2006; and

WHEREAS, the Borough has fully complied with the “fair and open” process set forth under N.J.S.A. 19:44A-20.1 et seq.; and

WHEREAS, the firm of **Smith, Crotty, Meyer & Bruins** possess the requisite expertise and skilled personnel required to provide professional legal services required by the Borough; and

WHEREAS; the Borough Administrator and the Administration Committee has determined that the firm of **Smith, Crotty, Meyer & Bruins** legal services will be the most advantageous to the Borough, all relevant factors considered; and

WHEREAS, Mayor Bivona has nominated the firm of **Smith, Crotty, Meyer & Bruins** to serve as Borough Attorney, for the year 2016; and

WHEREAS, the Borough has received a Business Registration Certificate and Affirmative Action compliance statement from the firm prior to entering into a contract; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. requires that the resolution awarding contracts for “professional services” without competitive bidding and the agreement between the parties must be available for public inspection; and

WHEREAS, the award by the Borough of a contract to **Smith, Crotty, Meyer & Bruins** for the provision of professional legal services is in the best interests of the Borough and the implementation of this contract is necessary for the efficient operation of the Borough,

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Franklin Lakes, that said attorney be and is hereby appointed as **Borough Attorney** for the year **2016** pursuant to a “fair and open” process; and

BE IT FURTHER RESOLVED, that compensation for said Borough Attorney for the year **2016** shall be claimed, approved and paid in the manner set forth in NJSA 40A:5-18, as per their proposal, and pursuant to an agreement to be entered into between the parties; and that the Chief Financial Officer has certified that funds are available; and

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

Resolution 45-16 Professional Service Agreement – Borough Auditor

WHEREAS, it is necessary for the Borough of Franklin Lakes to engage the professional services of an **auditor** for the year **2016** to serve as **Borough Auditor**; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. exempts professional services from certain requirements of public bidding provided a notice of the appointment be printed in a newspaper of general circulation within the municipality; and

WHEREAS, the Borough is empowered by law to appoint and employ professionals, technical advisors and experts as the Borough may determine to be necessary for its efficient operation; and

WHEREAS, N.J.S.A. 19:44A-20.1 et seq., commonly known as the “State Pay to Play” law, took effect on January 1st, 2006; and

WHEREAS, the Borough has fully complied with the “fair and open” process set forth under N.J.S.A. 19:44A-20.1 et seq.; and

WHEREAS, the firm of **Lerch, Vinci & Higgins, LLP** possess the requisite expertise and skilled personnel required to provide professional **auditing** services required by the Borough; and

WHEREAS; the Borough Administrator and the Administration Committee has determined that the firm of **Lerch, Vinci & Higgins, LLP** services will be the most advantageous to the Borough, all relevant factors considered; and

WHEREAS, Mayor Bivona has nominated the firm of **Lerch, Vinci & Higgins, LLP** to serve as **Borough Auditor**, for the year 2016; and

WHEREAS, the Borough has received a Business Registration Certificate and Affirmative Action compliance statement from the firm prior to entering into a contract; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. requires that the resolution awarding contracts for “professional services” without competitive bidding and the agreement between the parties must be available for public inspection; and

WHEREAS, the award by the Borough of a contract to **Lerch, Vinci & Higgins, LLP** for the provision of professional **auditing** services is in the best interests of the Borough and the implementation of this contract is necessary for the efficient operation of the Borough,

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Franklin Lakes, that said **auditing firm** be and is hereby appointed as **Borough Auditor** for the year **2016** pursuant to a “fair and open” process; and

BE IT FURTHER RESOLVED, that compensation for said **Borough Auditor** for the year **2016** shall be claimed, approved and paid in the manner set forth in NJSA 40A:5-18, as per their proposal, and pursuant to an agreement to be entered into between the parties; and that the Chief Financial Officer has certified that funds are available; and

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

Resolution 46-16 Professional Service Agreement – Borough Engineer

WHEREAS, it is necessary for the Borough of Franklin Lakes to engage the professional services of an engineer for the year **2016** to serve as **Borough Engineer**; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. exempts professional services from certain requirements of public bidding provided a notice of the appointment be printed in a newspaper of general circulation within the municipality; and

WHEREAS, the Borough is empowered by law to appoint and employ professionals, technical advisors and experts as the Borough may determine to be necessary for its efficient operation; and

WHEREAS, N.J.S.A. 19:44A-20.1 et seq., commonly known as the “State Pay to Play” law, took effect on January 1st, 2006; and

WHEREAS, the Borough has fully complied with the “fair and open” process set forth under N.J.S.A. 19:44A-20.1 et seq.; and

WHEREAS, the firm of **Boswell McClave Engineering** possess the requisite expertise and skilled personnel required to provide professional **engineering** services required by the Borough; and

WHEREAS; the Borough Administrator and the Administration Committee has determined that the firm of **Boswell McClave Engineering** services will be the most advantageous to the Borough, all relevant factors considered; and

WHEREAS, Mayor Bivona has nominated the firm of **Boswell McClave Engineering** to serve as **Borough Engineer**, for the year 2016; and

WHEREAS, the Borough has received a Business Registration Certificate and Affirmative Action compliance statement from the firm prior to entering into a contract; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. requires that the resolution awarding contracts for “professional services” without competitive bidding and the agreement between the parties must be available for public inspection; and

WHEREAS, the award by the Borough of a contract to **Boswell McClave Engineering** for the provision of professional **engineering** services is in the best interests of the Borough and the implementation of this contract is necessary for the efficient operation of the Borough,

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Franklin Lakes, that said **engineering firm** be and is hereby appointed as **Borough Engineer** for the year **2016** pursuant to a “fair and open” process; and

BE IT FURTHER RESOLVED, that compensation for said **Borough Engineer** for the year **2016** shall be claimed, approved and paid in the manner set forth in NJSA 40A:5-18, as per their proposal, and pursuant to an agreement to be entered into between the parties; and that the Chief Financial Officer has certified that funds are available; and

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

Resolution 47-16 Professional Service Agreement – Borough Planner

WHEREAS, it is necessary for the Borough of Franklin Lakes to engage the professional services of a Professional Planner for the year **2016** to serve as **Borough Planner**; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. exempts professional services from certain requirements of public bidding provided a notice of the appointment be printed in a newspaper of general circulation within the municipality; and

WHEREAS, the Borough is empowered by law to appoint and employ professionals, technical advisors and experts as the Borough may determine to be necessary for its efficient operation; and

WHEREAS, N.J.S.A. 19:44A-20.1 et seq., commonly known as the “State Pay to Play” law, took effect on January 1st, 2006; and

WHEREAS, the Borough has fully complied with the “fair and open” process set forth under N.J.S.A. 19:44A-20.1 et seq.; and

WHEREAS, the firm of **Clarke Caton Hintz** possess the requisite expertise and skilled personnel required to provide professional Planning services required by the Borough; and

WHEREAS; the Borough Administrator and the Administration Committee has determined that the firm of **Clarke Caton Hintz** services will be the most advantageous to the Borough, all relevant factors considered; and

WHEREAS, Mayor Bivona has nominated the firm of **Clarke Caton Hintz** to serve as **Borough Planner**, for the year 2016; and

WHEREAS, the Borough has received a Business Registration Certificate and Affirmative Action compliance statement from the firm prior to entering into a contract; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. requires that the resolution awarding contracts for “professional services” without competitive bidding and the agreement between the parties must be available for public inspection; and

WHEREAS, the award by the Borough of a contract to **Clarke Caton Hintz** for the provision of professional planning services is in the best interests of the Borough and the implementation of this contract is necessary for the efficient operation of the Borough,

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Franklin Lakes, that said planning **firm** be and is hereby appointed as **Borough Planner** for the year **2016** pursuant to a “fair and open” process; and

BE IT FURTHER RESOLVED, that compensation for said **Borough Planner** for the year **2016** shall be claimed, approved and paid in the manner set forth in NJSA 40A:5-18, as per their proposal, and pursuant to an agreement to be entered into between the parties; and that the Chief Financial Officer has certified that funds are available; and

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

Resolution 48-16 Professional Service Agreement – COAH Counsel

WHEREAS, it is necessary for the Borough of Franklin Lakes to engage the professional services of **COAH Counsel** for the year **2016** to serve as **Borough COAH Counsel**; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. exempts professional services from certain requirements of public bidding provided a notice of the appointment be printed in a newspaper of general circulation within the municipality; and

WHEREAS, the Borough is empowered by law to appoint and employ professionals, technical advisors and experts as the Borough may determine to be necessary for its efficient operation; and

WHEREAS, N.J.S.A. 19:44A-20.1 et seq., commonly known as the “State Pay to Play” law, took effect on January 1st, 2006; and

WHEREAS, the Borough has fully complied with the “fair and open” process set forth under N.J.S.A. 19:44A-20.1 et seq.; and

WHEREAS, the firm of **Jeffrey R. Surenian & Associates LLC** possess the requisite expertise and skilled personnel required to provide professional **COAH Counsel** services required by the Borough; and

WHEREAS; the Borough Administrator and the Administration Committee has determined that the firm of **Jeffrey R. Surenian & Associates LLC** services will be the most advantageous to the Borough, all relevant factors considered; and

WHEREAS, Mayor Bivona has nominated the firm of **Jeffrey R. Surenian & Associates LLC** to serve as **COAH Counsel**, for the year 2016; and

WHEREAS, the Borough has received a Business Registration Certificate and Affirmative Action compliance statement from the firm prior to entering into a contract; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. requires that the resolution awarding contracts for “professional services” without competitive bidding and the agreement between the parties must be available for public inspection; and

WHEREAS, the award by the Borough of a contract to **Jeffrey R. Surenian & Associates LLC** for the provision of **COAH Counsel** is in the best interests of the Borough and the implementation of this contract is necessary for the efficient operation of the Borough,

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Franklin Lakes, that said **COAH Counsel** be and is hereby appointed as **Borough COAH Counsel** for the year **2016** pursuant to a “fair and open” process; and

BE IT FURTHER RESOLVED, that compensation for said **Borough COAH Counsel** for the year **2016** shall be claimed, approved and paid in the manner set forth in NJSA 40A:5-18, as per their proposal, and pursuant to an agreement to be entered into between the parties; and that the Chief Financial Officer has certified that funds are available; and

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

Resolution 49-16 Professional Service Agreement – Grant Professionals

WHEREAS, it is necessary for the Borough of Franklin Lakes to engage the professional services of a Grant Professional for the year **2016** to serve as **Borough Grant Professional**; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. exempts professional services from certain requirements of public bidding provided a notice of the appointment be printed in a newspaper of general circulation within the municipality; and

WHEREAS, the Borough is empowered by law to appoint and employ professionals, technical advisors and experts as the Borough may determine to be necessary for its efficient operation; and

WHEREAS, N.J.S.A. 19:44A-20.1 et seq., commonly known as the “State Pay to Play” law, took effect on January 1st, 2006; and

WHEREAS, the Borough has fully complied with the “fair and open” process set forth under N.J.S.A. 19:44A-20.1 et seq.; and

WHEREAS, the firm of **Capital Alternatives Corporation** possess the requisite expertise and skilled personnel required to provide professional Planning services required by the Borough; and

WHEREAS; the Borough Administrator and the Administration Committee has determined that the firm of **Capital Alternatives Corporation** services will be the most advantageous to the Borough, all relevant factors considered; and

WHEREAS, Mayor Bivona has nominated the firm of Capital Alternatives Corporation to serve as **Borough Grant Professionals**, for the year **2016**; and

WHEREAS, the Borough has received a Business Registration Certificate and Affirmative Action compliance statement from the firm prior to entering into a contract; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. requires that the resolution awarding contracts for “professional services” without competitive bidding and the agreement between the parties must be available for public inspection; and

WHEREAS, the award by the Borough of a contract to Capital Alternatives Corporation for the provision of professional planning services is in the best interests of the Borough and the implementation of this contract is necessary for the efficient operation of the Borough,

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Franklin Lakes, that said Grant Professionals **firm** be and is hereby appointed as **Borough Grant Professionals** for the year **2016** pursuant to a “fair and open” process; and

BE IT FURTHER RESOLVED, that compensation for said **Borough Grant Professionals** for the year **2016** shall be claimed, approved and paid in the manner set forth in NJSA 40A:5-18, as per their proposal, and pursuant to an agreement to be entered into between the parties; and that the Chief Financial Officer has certified that funds are available; and

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

Resolution 50-16 Professional Service Agreement – Labor Attorney

WHEREAS, it is necessary for the Borough of Franklin Lakes to engage the professional services of **Labor Attorney** for the year **2016** to serve as **Borough Labor Attorney**; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. exempts professional services from certain requirements of public bidding provided a notice of the appointment be printed in a newspaper of general circulation within the municipality; and

WHEREAS, the Borough is empowered by law to appoint and employ professionals, technical advisors and experts as the Borough may determine to be necessary for its efficient operation; and

WHEREAS, N.J.S.A. 19:44A-20.1 et seq., commonly known as the “State Pay to Play” law, took effect on January 1st, 2006; and

WHEREAS, the Borough has fully complied with the “fair and open” process set forth under N.J.S.A. 19:44A-20.1 et seq.; and

WHEREAS, the firm of **Ruderman & Glickman, PC** possess the requisite expertise and skilled personnel required to provide professional **Labor Attorney** services required by the Borough; and

WHEREAS; the Borough Administrator and the Administration Committee has determined that the firm of **Ruderman & Glickman, PC** services will be the most advantageous to the Borough, all relevant factors considered; and

WHEREAS, Mayor Bivona has nominated the firm of **Ruderman & Glickman, PC** to serve as **Borough Labor Attorney**, for the year 2016; and

WHEREAS, the Borough has received a Business Registration Certificate and Affirmative Action compliance statement from the firm prior to entering into a contract; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. requires that the resolution awarding contracts for “professional services” without competitive bidding and the agreement between the parties must be available for public inspection; and

WHEREAS, the award by the Borough of a contract to **Ruderman & Glickman, PC** for the provision of professional **labor attorney** is in the best interests of the Borough and the implementation of this contract is necessary for the efficient operation of the Borough,

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Franklin Lakes, that said **Labor Attorney firm** be and is hereby appointed as **Borough Labor Attorney** for the year **2016** pursuant to a “fair and open” process; and

BE IT FURTHER RESOLVED, that compensation for said **Borough Labor Attorney** for the year **2016** shall be claimed, approved and paid in the manner set forth in NJSA 40A:5-18, as per their proposal, and pursuant to an agreement to be entered into between the parties; and that the Chief Financial Officer has certified that funds are available; and

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

Resolution 51-16 Professional Service Agreement – Risk Management Consultants

WHEREAS, it is necessary for the Borough of Franklin Lakes to engage the professional services of **Risk Management Consultants** for the year **2016** to serve as **Borough Risk Managers**; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. exempts professional services from certain requirements of public bidding provided a notice of the appointment be printed in a newspaper of general circulation within the municipality; and

WHEREAS, the Borough is empowered by law to appoint and employ professionals, technical advisors and experts as the Borough may determine to be necessary for its efficient operation; and

WHEREAS, N.J.S.A. 19:44A-20.1 et seq., commonly known as the “State Pay to Play” law, took effect on January 1st, 2006; and

WHEREAS, the Borough has fully complied with the “fair and open” process set forth under N.J.S.A. 19:44A-20.1 et seq.; and

WHEREAS, the firm of **PIA McCarthy Forde** possess the requisite expertise and skilled personnel required to provide professional **Risk Managers** services required by the Borough; and

WHEREAS; the Borough Administrator and the Administration Committee has determined that the firm of **PIA McCarthy Forde** services will be the most advantageous to the Borough, all relevant factors considered; and

WHEREAS, Mayor Bivona has nominated the firm of **PIA McCarthy Forde** to serve as **Borough Risk Managers**, for the year **2016**; and

WHEREAS, the Borough has received a Business Registration Certificate and Affirmative Action compliance statement from the firm prior to entering into a contract; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. requires that the resolution awarding contracts for “professional services” without competitive bidding and the agreement between the parties must be available for public inspection; and

WHEREAS, the award by the Borough of a contract to **PIA McCarthy Forde** for the provision of professional **Risk Manager Services** is in the best interests of the Borough and the implementation of this contract is necessary for the efficient operation of the Borough,

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Franklin Lakes, that said **Risk Management firm** be and is hereby appointed as **Borough Risk Managers** for the year **2016** pursuant to a “fair and open” process; and

BE IT FURTHER RESOLVED, that compensation for said **Borough Risk Manager** for the year **2016** shall be claimed, approved and paid in the manner set forth in NJSA 40A:5-18, as per their proposal, and pursuant to an agreement to be entered into between the parties; and that the Chief Financial Officer has certified that funds are available; and

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

Resolution 52-16 Professional Service Agreement – Special Tax Appeal Attorney

WHEREAS, it is necessary for the Borough of Franklin Lakes to engage the professional services of **Special Tax Appeal Attorney** for the year **2016** to serve as **Borough Special Tax Appeal Attorney**; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. exempts professional services from certain requirements of public bidding provided a notice of the appointment be printed in a newspaper of general circulation within the municipality; and

WHEREAS, the Borough is empowered by law to appoint and employ professionals, technical advisors and experts as the Borough may determine to be necessary for its efficient operation; and

WHEREAS, N.J.S.A. 19:44A-20.1 et seq., commonly known as the “State Pay to Play” law, took effect on January 1st, 2006; and

WHEREAS, the Borough has fully complied with the “fair and open” process set forth under N.J.S.A. 19:44A-20.1 et seq.; and

WHEREAS, the firm of **Gittleman, Muhlstock & Chewcaskie, L.L.P.** possess the requisite expertise and skilled personnel required to provide professional **Special Tax Appeal Attorney** services required by the Borough; and

WHEREAS; the Borough Administrator and the Administration Committee has determined that the firm of **Gittleman, Muhlstock & Chewcaskie, L.L.P.** services will be the most advantageous to the Borough, all relevant factors considered; and

WHEREAS, Mayor Bivona has nominated the firm of **Gittleman, Muhlstock & Chewcaskie, L.L.P.** to serve as **Special Tax Appeal Attorney**, for the year 2016; and

WHEREAS, the Borough has received a Business Registration Certificate and Affirmative Action compliance statement from the firm prior to entering into a contract; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. requires that the resolution awarding contracts for “professional services” without competitive bidding and the agreement between the parties must be available for public inspection; and

WHEREAS, the award by the Borough of a contract to **Gittleman, Muhlstock & Chewcaskie, L.L.P.** for the provision of **Special Tax Appeal Attorney** is in the best interests of the Borough and the implementation of this contract is necessary for the efficient operation of the Borough,

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Franklin Lakes, that said **Attorney** be and is hereby appointed as **Special Tax Appeal Attorney** for the year **2016** pursuant to a “fair and open” process; and

BE IT FURTHER RESOLVED, that compensation for said **Special Tax Appeal Attorney** for the year **2016** shall be claimed, approved and paid in the manner set forth in NJSA 40A:5-18, as per their proposal, and pursuant to an agreement to be entered into between the parties; and that the Chief Financial Officer has certified that funds are available; and

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

Resolution 53-16 Stipulation of Settlement – Arcot

Block: 1308
Lot: 1.02
Street Address: 228 Woodmere Court
Owner: Arcot, Ravi

WHEREAS, an appeal of the tax assessment for the years 2012, 2013 and 2015 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/these adjustments 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/year, and the Borough Attorney is authorized to execute an appropriate Stipulation of Settlement agreeing to the entry of a judgment reflecting these adjustments/this adjustment.

Tax Year: 2012 Withdrawn

Tax Year: 2013

Original
Assessment

Tax Court
Judgment

Land	\$ 469,000	\$ 469,000
Improvements	\$2,656,900	\$2,531,000
Total	\$3,125,900	\$3,000,000

Tax Year: 2015

	<u>Original Assessment</u>	<u>Tax Court Judgment</u>
Land	\$ 469,000	\$ 469,000
Improvements	\$2,656,900	\$2,381,000
Total	\$3,125,900	\$2,850,000

Resolution 54-16 Stipulation of Settlement – Cardaci

Block: 2605
Lot: 1.01
Street Address: 300 Sleepy Hollow Lane
Owner: Cardaci, Michael and Renee

WHEREAS, an appeal of the tax assessment for the years 2014 and 2015 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/these adjustments 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/year, and the Borough Attorney is authorized to execute an appropriate Stipulation of Settlement agreeing to the entry of a judgment reflecting these adjustments/this adjustment.

Tax Year: 2014

	<u>Original Assessment</u>	<u>Tax Court Judgment</u>
Land	\$ 482,000	\$ 482,000
Improvements	\$1,614,800	\$1,568,000
Total	\$2,096,800	\$2,050,000

Resolution 55-16 Tax Lien Redemption – 845 Pueblo Drive

WHEREAS, at the Tax Sale held on December 28, 2012, the Borough of Franklin Lakes sold a tax lien on Block 1207, Lot 4.02, also known as 845 Pueblo Drive, for delinquent 2011 taxes, owned by Todd M & Christine Bogan and;

WHEREAS, this Tax Lien Certificate #12-00002 was sold to Sunshine State Certificates IV/Bankunited, 7900 Miami Lakes Drive, Miami Lakes, FL 33016 at zero percent interest rate and a premium of \$39,000.00;

WHEREAS, Marcello Petruzzella, the new property owner has redeemed Certificate #12-00002 in the amount of \$105,872.85, and

NOW, THEREFORE, BE IT RESOLVED, that the Chief Financial Officer be authorized to issue check in the amount of \$144,872.85 to Sunshine State Certificates IV/Bankunited, 7900 Miami Lakes Drive, Miami Lakes, FL 33016.

Principal	\$ 77,514.09
Redemption Penalty	1,083.71
Tax Penalty	3,786.22
Interest	22,133.93
Recording Fees	43.00
Foreclosure Fees	1,299.90
Other Fees	12.00

Redemption Total: \$ 105,872.85

Plus Premium: \$ 39,000.00

Grand Total: \$ 144,872.85

Resolution 56-16 Tax Refund – Habicht

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 2015, on Block 1404 Lot 11.01 whose property location is 562 Commerce Street, tax payer Habicht (Trstes/Etal), Helmut,

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 Chief Financial Officer 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>
1404	11.012	\$ 390,300 (2015)	\$ 6,240.90

Resolution 57-16 Tax Refund – Maura

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 2013, on Block 2605 Lot 1.08 whose property location is 305 Sleepy Hollow Lane, homeowners Maura, David & Shannon,

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 Chief Financial Officer 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>
2605	1.08	\$ 271,300 (2013)	\$ 4,224.14

Resolution 58-16 Tax Refund – Seung

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) 2014 and 2015, and that the Freeze Act shall be applicable on Block 1413.01 Lot 4.01 whose property location is 297 Haven Road, homeowner Seung, Violet W.,

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 Chief Financial Officer 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>
1413.01	4.01	\$ 50,000 (2014)	\$ 786.00
		\$ 50,000 (2015)	\$ 799.50
Total Refund			<u>\$1,585.50</u>

Resolution 59-16 Stipulation of Settlement – Piro-Rispoli

Block: 1106
Lot: 20
Street Address: 714 Somerset Street
Owner: Piro, Richard and Rispoli, Lauren

WHEREAS, an appeal of the tax assessment for the years 2010, 2012, 2013, 2014 and 2015 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/these adjustments 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/year, and the Borough Attorney is authorized to execute an appropriate Stipulation of Settlement agreeing to the entry of a judgment reflecting these adjustments/this adjustment.

Tax Year: 2010

	<u>Original Assessment</u>	<u>Tax Court Judgment</u>
Land	\$ 754,000	\$ 754,000
Improvements	\$1,609,700	\$1,396,000
Total	\$2,363,700	\$2,150,000

Tax Year: 2012

	<u>Original Assessment</u>	<u>Tax Court Judgment</u>
Land	\$ 504,000	\$ 504,000
Improvements	\$1,379,500	\$1,346,000
Total	\$1,883,500	\$1,850,000

Tax Year: 2013

	<u>Original Assessment</u>	<u>Tax Court Judgment</u>
Land	\$ 504,000	\$ 504,000
Improvements	\$1,379,500	\$1,296,000
Total	\$1,883,500	\$1,800,000

Tax Year: 2014

	<u>Original Assessment</u>	<u>Tax Court Judgment</u>
Land	\$ 504,000	\$ 504,000
Improvements	\$1,379,500	\$1,296,000
Total	\$1,883,500	\$1,800,000

Tax Year: 2015

	<u>Original Assessment</u>	<u>Tax Court Judgment</u>
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Land	\$ 504,000	\$ 504,000
Improvements	\$1,379,500	\$1,296,000
Total	\$1,883,500	\$1,800,000

Resolution 60-16 Stipulation of Settlement – Farro

Block: **2303.01**
Lot: **3**
Street Address: **732 High Woods Drive**
Owner: **Shmuel Farro**

WHEREAS, an appeal of the tax assessment for the year 2015 has been filed for the following property; and

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

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

Tax Year: **2015**

	<u>Original Assessment</u>	<u>Tax Court Judgment</u>
Land:	\$ 447,000	\$ 447,000
Improvements:	\$1,542,000	\$ 953,000
Total:	\$1,989,000	\$1,400,000

Respectfully submitted,



Sally T. Bleeker, Borough Clerk