

**MEETING OF THE MAYOR AND COUNCIL
FEBRUARY 2, 2016
7:30 P.M.**

A regular meeting of the Mayor and Council was held on February 2, 2016, in the Municipal Building.

MEETING CALLED TO ORDER

ROLL CALL

The following Council Members and Professionals responded to the roll call: Mayor Bivona, Councilperson Cadicina, Councilperson Kahwaty, Councilperson Kelly, Councilperson Lambrix, Councilperson Ramsey, Councilperson Swist, Borough Administrator Greg Hart, Borough Attorney Smith and Borough Clerk Sally Bleeker.

SUNSHINE LAW STATEMENT

The Borough Clerk read the Sunshine Law Statement.

FLAG SALUTE

MOMENT OF SILENT REFLECTION

APPOINTMENTS

- Michael J. McMahon – Franklin Lakes Police Officer
- Nicole Tani – Franklin Lakes Police Officer
- Christopher L. Heffner – Police Dispatcher

Councilperson Kahwaty made a motion to approve the appointments, seconded by Councilperson Cadicina.

Roll Call Vote

Ayes: Cadicina, Kahwaty, Kelly, Lambrix, Ramsey, Swist
Nays: None
Abstain: None
Absent: None
Motion Approved

Michael J. McMahon was sworn in as a Franklin Lakes Police Officer by Mayor Bivona.

Nicole Tani was sworn in as a Franklin Lakes Police Officer by Mayor Bivona.

OPEN TIME FOR PUBLIC COMMENT

Motion to open the time for public comment was made by Councilperson Swist. Councilperson Cadicina seconded the motion.

Elizabeth Urciuoli, 2568 Bayberry Lane questioned the dispatcher situation relative to the Police Department. Mayor Bivona said that they are still meeting in committee, but there have been no developments. She gave an example of having to wait half an hour to speak to a police officer in Wyckoff, which she found disturbing. Mayor Bivona said that currently Franklin Lakes has a dispatcher, who would have to call a police officer to come in off the road. He said that once an officer is called the response time is quite fast. The decision to go with a dispatcher in a centralized location is more technology based.

Ms. Urciuoli said that she has had the need to rely on the police several times during the nine years she has lived in Franklin Lakes. She has always found them to be very quick and responsive. She understands there is some controversy with the police at the moment, and she urged Mayor Bivona to come to an agreement with the Police and sign

a contract. Mayor Bivona said that the Police and the Borough came to an agreement about a month ago. Several officers did leave but new officers have been hired. The Department is fully staffed except for one pending retirement. Ms. Urciuoli said she supports the Police and thanked them for the wonderful job they are doing. Mayor Bivona indicated that the Department is in good shape, there are renovations going on at Police Headquarters, and they have access to the newest equipment, and most up to date technology.

Joe Rosano, 239 Edgewood Road, introduced himself as the Board of Education liaison to the Council for next year.

No one else from the public came forward. Motion to close the time for public comment was made by Councilperson Cadicina, seconded by Councilperson Kahwaty. On voice vote, all in favor.

BOROUGH ENGINEER'S REPORT

Mr. Boswell was not here this evening. Mayor Bivona referred to the letter about the road ratings pertaining to the 2016 Road Program. He said that an intern worked with Dan Lapinski of Boswell Engineering, and the DPW to develop a ranking of the roads in the Borough from worst to best. The Borough wants to get the bid out early in order to have a competitive advantage. Mayor Bivona stated that an ordinance regarding the road improvement will be introduced later this evening. There will be more money spent on the roads than in previous years to address Lynn Drive, and others.

Mr. Hart explained that they had considered allocating \$600,000 for the roads in the capital plan, but after some consideration they have decided to spend \$790,000. One reason for this decision is that they have decided not to move forward to spend \$200,000 on a sweeper. The overall plan this year is for a higher level of investment in the road program, and Mr. Hart added that there are different options in the operating budget to fund the bond.

Resolution 61-16 CONSENT AGENDA RESOLUTION

BE IT RESOLVED that the following resolutions, placed on this agenda by consent, require no discussion and the same having been previously reviewed by each Governing Body member, be and are hereby adopted in their entirety by the Mayor and Council of the Borough of Franklin Lakes. Full text of all consent agenda resolution can be found after the Adjournment.

Resolution 62-16	Accept Report of the Finance Committee
Resolution 63-16	Budget Transfer
Resolution 64-16	Emergency Temporary Appropriation – Sewer Utility
Resolution 65-16	Change Order – 2015 Road Program/Woodside/Huron
Resolution 66-16	Tax Refund – Habicht
Resolution 67-16	Tax Refund – Grobstein
Resolution 68-16	Tax Refund – Leoce
Resolution 69-16	Tax Refund – Rizzotto
Resolution 70-16	WOLF Cooperative Bid Contract – Recreation Equipment
Resolution 71-16	Waiver of Direct Deposit Requirement

Resolution introduced by Councilperson Kahwaty. Seconded by Councilperson Swist.

Roll Call Vote

Ayes: Cadicina, Kahwaty, Kelly, Lambrix, Ramsey, Swist
Nays: None
Abstain: None
Absent: None
Motion Approved

MAYOR'S REPORT

Mayor Bivona reported that the application concerning a cemetery on Franklin Lakes Road bordering Hoppers Pond has been withdrawn. Many casualties of the Revolutionary War and the Civil War are buried there, along with members of some prominent families. The cemetery is in a state of disrepair. The property owner was considering extending his house, but is not going forward with these plans at this point in time.

Mayor Bivona said that he hopes to introduce the budget on March 1st which will mean that some extra meetings will be necessary. Mr. Hart said he hopes that one meeting can be scheduled for the week of February 15th, and another during the week of February 22nd.

COMMITTEE/LIAISON REPORTS

PLANNING AND DEVELOPMENT

- **Hours of Construction Ordinance**

Councilperson Kahwaty stated that at the moment construction is prohibited on Sundays, and the question for consideration is whether or not Saturday should be prohibited as well. Mr. Hart pointed out that the current ordinance addresses weekdays and Sundays, but there is no mention of Saturdays. After a short discussion, Mayor Bivona suggested that the noise ordinance should not prohibit construction on Saturdays. Councilmembers agreed that the ordinance will allow for construction on weekdays and Saturdays.

- **CCO Fee Amendment Ordinance**

Councilperson Kahwaty stated that there is a recommendation to raise the fee for a CCO to \$75. This will be consistent with the Uniform Fire Code.

- **Grease Trap Ordinance**

Mr. Hart stated that this is a comprehensive ordinance to replace the existing vague ordinance addressing grease traps. This change has been recommended by the Registered Environmental Health Specialist and the Construction Official.

RB-2 Zoning Ordinance

Councilperson Kahwaty stated that this ordinance relates to the redevelopment of the Franklin Avenue corridor dealing with parking. Mayor Bivona stated that they are considering changes to the ordinance in connection with the new Gabrellian shopping center. He suggested contacting the Borough Planner who drafted this ordinance. Mr. Hart indicated he would like to introduce this ordinance on February 16th. The developer would like to start work as soon as possible, and he added that the ordinance will have to be submitted for review by the Planning Board. Mr. Hart said that they have received feedback from the planner for the developer, and the ordinance is not in final form. He will distribute the ordinance to the Mayor and Council as soon as he has finalized the draft. Mr. Hart asked anyone with questions on the ordinance to contact him.

- **Soil Removal Regulations Ordinance**

Mr. Hart explained that these ordinances are an effort to deal more effectively with construction related issues within the Borough. The soil moving ordinance is a result of meetings with Kevin Boswell and John Wittekind. These additional provisions should help with the conditions of the streets, and will give the Construction and Engineering Departments more authority. These directions are more directly applicable and are recommended by the Construction Official and Engineering Department. Mr. Smith recommended that it be noted that the Borough Engineer has to be involved in enforcement, and any related expenses will be taken from the developer's escrow

account. This is important because of the expense that the Borough incurs from road paving

- **Property Maintenance Penalties Ordinance**

Mr. Hart said that these changes were recommended by the Zoning Officer/Construction Official some time ago. He is suggesting a change in the maximum fine from \$1,000 to \$2,200.

- **Land Use Enforcement Ordinance**

Councilperson Kahwaty stated that if a structure is altered inappropriately or moved a fine of up to \$1,000 or 90 days in jail could be imposed.

Mr. Hart said that there was not good, clear language existing relative to approved plans. These ordinances will strengthen the enforcement authority of the Borough, and will apply to anyone who violates the provisions of an approved plan, and the conditions associated with it.

Councilmembers indicated agreement with these three ordinances for introduction.

Councilmember Kahwaty announced that the Bergen County Bar Association and Continuing Legal Education (CLE) are developing a seminar to take place in a few months. The seminar will be open to all Planning Board members in this area, and will be a primer on this area of the law.

PUBLIC SAFETY AND LIBRARY

Councilperson Ramsey stated that on February 16th the Mayor and Council will be recognizing Jeff Jost on his retirement, as well as Frank McMahon. She said that the building renovations at Police Headquarters are moving along well.

Councilperson Ramsey reported on her meeting with Gerry McMahon and stated that the 2016 Library budget was approved. The Library has a new Business Administrator, and Mr. Hart has been appointed as the purchasing agent. She added that the landscaping and cleaning contract have been renewed. She continues to be impressed at the way the Library continues to keep up with changing technology.

- **Volunteer Incentives Ordinance Amendment**

Mr. Hart stated that the Volunteer Incentive Ordinance was recently amended to include Emergency Management volunteers.

ADMINISTRATION AND FINANCE

- **Mayor and Council Goals 2016**

Council President Lambrix reported on the 2016 Mayor and Council goals. These goals have been developed as a result of the Mayor's comments at the Reorganization Meeting in January, and were distributed in the Council packets. Mayor Bivona said that these are broad goals that need to be tailored more specifically. He said that he would do some editing, and Council President Lambrix encouraged Councilmembers to submit their goals to him under their Council liaison positions.

- **Amend Personnel Policy – Sick Leave Bank and Direct Deposit**

Mr. Hart said that a provision is proposed to be added, which is consistent with the recently enacted ordinance requiring direct deposit for employees. Regarding the other policy revision, Mr. Hart asked the Mayor and Council to consider a change to the sick leave bank. He reminded everyone that each employee of the Borough receives twelve sick days which accumulate over the year. Half of these unused sick days can be deposited into a sick leave bank that can be used for serious illness or injury. It is similar

to a substitute for disability because Borough employees have no short or long term disability. One of the conditions negotiated by AFSME was an initial sick leave bank of 30 days to its members. This is a suggested revision, so that the initial sick leave bank would apply to non-contractual employees.

Upon questioning, Mr. Hart indicated that there is no cashing out of sick leave days. He said that this system has worked out well, and this policy has been very beneficial for employees with serious illnesses.

Council President Lambrix said that Councilmembers should meet with their Department Heads to review the budget if they had not already done so. There will be a number of questions on the personnel and development side for each department in the Borough.

PUBLIC WORKS

Mayor Bivona spoke about the overwhelmingly positive response he received relative to the wonderful way that the DPW handled the recent snow storm. He said that the storm did occur on the weekend, which was a good thing, but nevertheless DPW Department members were out plowing for over thirty hours straight. Mr. Hart said that the Mayor is buying everyone in the DPW a lunch from Uncle Louie's tomorrow. Councilperson Cadicina said that all Councilmembers received many emails complimenting Rich Lilienthal's handling of his first big snow storm.

- **Amend Due Date for Sewer Service Charge - Ordinance**

Councilperson Cadicina stated that there is a resolution to amend the due date for the sewer service charge. Mr. Hart explained that they are considering some revisions, and he is working with the Borough Engineering relative to revisions to the ordinance on sewer service charges. Mr. Hart said that the Council is required to review the sewer service charges annually as part of the sewer utility budget. This is a separate budget and they have to ensure that the costs are being covered. The resolution will be listed for adoption on February 16th, and the due date had to be postponed in order to get a new ordinance in place.

- **Sidewalk Snow Removal Ordinance**

Councilperson Cadicina reported on another ordinance revision dealing with snow removal on Woodside Avenue. Mr. Hart recalled that at an earlier meeting a resident pointed out that the sidewalks don't run directly along Birch Road from Woodside Avenue, and in fact stop at the school. This revision will clarify the ordinance.

ENVIRONMENTAL AND COMMUNITY AFFAIRS

Councilperson Swist reported that she attended a recent Shade Tree Committee meeting, and she invited Mike Tulp and Kris Hasbrouck to attend the next work session to present the tree farm proposal.

Councilperson Swist announced that the Environmental Committee has scheduled a Clean-Up Day on April 16th. They are working on ideas that will involve the school system, as well as ideas to promote community involvement. Councilperson Swist noted that a Board of Education Strategic Planning meeting has been scheduled for February 9th.

- **Clean Communities Coordinator Ordinance**

Mr. Hart stated that the Clean Communities Coordinator ordinance had the Borough Administrator in this position. He recommended that this be changed to an annual appointment. He consulted with the Recycling Coordinator, who has been doing related work, and she said she would serve in this capacity.

- **Clothing Bins Ordinance**

Mr. Hart explained that the ordinance states that clothing bins are not permitted in any zone, and they have been removed from a number of commercial properties. He recommends that the ordinance be amended to note the prohibition on clothing bins anywhere in the Borough, with the exception of Borough owned property. The ordinance also repeals a solar energy systems ordinance, which had oddly been included in this ordinance. Mayor Bivona asked that the exception for “Borough owned property” be replaced by “Recycling Center”, and clearly noted in the ordinance.

- **Recycling Ordinance Amendment**

Mr. Hart said that this is a significant amendment, which clarifies what applies to commercial properties, and what applies to residential properties. Liz Morris, the Recycling Coordinator, spent a considerable amount of time working on this ordinance with Don Scine, the Borough’s recycling expert. These changes clarify and lay out the respective obligations of both commercial and residential property owners in a more structured way.

Mayor Bivona added that the ordinance requires landscapers to submit their tonnage, and he asked how this provision can be enforced. This is important because the Borough receives recycling grants based on these numbers. He noted that there are also recycling tonnage reports required in order to get a CO. Mr. Hart will look into this.

RECREATION AND PARKS

Councilperson Kelly reported that there are four major initiatives in Parks and Recreation. He stated that there are 400 student athletes participating in the basketball program which have been split into 40 teams. A basketball clinic comprised of about 40 people has been formed, and the participants seem to flourish with the individual attention they receive. Councilperson Kelly said that all the baseball and basketball coaches for next season have been approved. There had been some resistance to people taking the Rutgers course, but it has now turned into a positive experience, and he hasn’t received any complaints.

Councilperson Kelly said that the uniforms for the travelling baseball, softball and lacrosse teams are on order, and registration for the spring programs began today continuing through Feb. 22nd. There is some positive feedback surrounding a Positive Coaching Alliance Seminar covering two topics, which may be expanded. Coaches will attend the seminars to hear information on Coaching for Winning, and Life Lessons.

Mayor Bivona commented that after some decrease in the recreation programs, the budget points to the fact that the numbers of participants has grown again.

- **Facilities Use Request - Lions Blub Circus**

Councilperson Kahwaty recused himself from this portion of the meeting. Mr. Hart said that the Mayor and Council indicated they wanted to review this application from year to year. Mayor Bivona said that the Lions Club does a great job and gives back to the community. Councilmembers approved this facilities use request.

BOROUGH ADMINISTRATOR’S REPORT

Mr. Hart said that they have been working to finalize an amendment to the agreement with for Express Scripts. This should be ready for the February 16th meeting. They are excited about opening the proposals for the Child Care Center shortly.

Council President Lambrix asked about Revelstone. Mr. Hart said that Revelstone is out of business, and he is actively looking for other suitable alternatives. Councilman Cadicina asked if Revelstone had been taken over by another company. Mr. Hart said that he is not aware of another company taking over, and there aren’t all that many software systems available at a price comparable to what Franklin Lakes was paying at \$2,400 per year.

OLD BUSINESS

There was no old business this evening.

NEW BUSINESS

There was no new business this evening.

INTRODUCTION OF ORDINANCES ON FIRST READING

Move to take up consideration of Ordinance 1655 for Introduction, and direct the Borough Clerk to read by title was made by Councilperson Kelly, seconded by Councilperson Cadicina. On voice vote, all in favor.

Borough Clerk read the Ordinance by title only.

ORDINANCE 1655

A BOND ORDINANCE AUTHORIZING VARIOUS ROAD IMPROVEMENTS BY AND FOR THE BOROUGH OF FRANKLIN LAKES, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING AN AGGREGATE AMOUNT OF \$790,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$752,000 IN AGGREGATE PRINCIPAL AMOUNT OF BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF

WHEREAS, Ordinance 1655 was introduced at a meeting of the Mayor and Council held on the 2nd day of February 2016;

NOWHEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Franklin Lakes, County of Bergen, State of New Jersey, that Ordinance 1655 be and the same is hereby introduced on First Reading; and,

BE IT FURTHER RESOLVED that said Ordinance 1655 will be further considered for final passage at a meeting of the said Mayor and Council to be held on the 16th day of February 2016 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 1655; 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 introduced by Councilperson Kahwaty, seconded by Councilperson Kelly. Discussion – Council President Lambrix referred to the Resident’s Survey. He noted that two items that seemed to be a priority for residents were keeping the roads in good shape and snow removal. This amount of \$790,000 is considerably higher than what was contained in last year’s budget, which is a direct response to what the residents want. Mayor Bivona stated that the Borough Engineer estimates the average life of a road to be 20 years. There are 70 miles of roads in Franklin Lakes, which would mean that 3 ½ miles of roads should be paved every year just to keep up. The fact that this hasn’t been done began to become problematic, which is why they have tried to do better with the road improvement program over the past few years. Mayor Bivona said that the same level of spending should be maintained just to keep on track. If the Borough receives a good bid there may be the flexibility to do additional paving.

Roll Call Vote

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

Nays: None

Abstain: None

Absent: None

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, February 2, 2016 which begins at 7:30 PM, in the Conference Room at the Municipal Building to discuss the following:

Closed meeting issues:

- Tax Appeal – Breslow
- Personnel – Leave Pay for PBA Members
- Personnel – Construction Office
- Contractual – Block 2408, Lots 1.03 and 1.04

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 Councilperson Cadicina, seconded by Council President Lambrix. On voice vote, all in favor.

At 9:30 P.M. the Council returned from Closed Session. Councilperson Kelly made a motion to offer employment in the Construction Department to Dianne Samimi. Councilperson Kahwaty seconded the motion.

Roll Call Vote

Ayes: Cadicina, Kahwaty, Kelly, Lambrix, Ramsey, Swist
 Nays: None
 Abstain: None
 Absent: None
 Motion Approved

ADJOURNMENT

Motion by Councilperson Kelly to adjourn the meeting at 9:40 P.M. Councilperson Lambrix seconded the motion.

Roll Call Vote

Ayes: Cadicina, Kahwaty, Kelly, Lambrix, Ramsey, Swist
 Nays: None
 Abstain: None
 Absent: None
 Motion Approved

Resolution 62-16

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 \$7,559,260.33 as shown on the Claims Bill List; \$6,551.75 as shown on the Soil Account Bill List and \$332.00 as shown on the Developers Escrow List.

BE IT FURTHER RESOLVED, that the payroll of January 14, 2016 in the amount of \$224,636.26 and the payroll of January 28, 2016 in the amount of \$216,900.21 be hereby ratified and approved.

Resolution 63-16

BE IT RESOLVED, by the Mayor and Council of the Borough of Franklin Lakes that the following 2015 Budget Transfers be made for the following accounts:

<u>From</u> Group Health Ins. Plan	<u>From</u> 6,000	<u>To</u>
 To Litigation OE		 6,000
	<hr/> 6,000	<hr/> 6,000

Resolution Number 64-16

RESOLUTION TO AUTHORIZE EMERGENCY TEMPORARY APPROPRIATIONS FOR CY 2016

WHEREAS, the CY 2016 Sewer Utility 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 Sewer Utility 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 \$3,500.00;

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: Sewer	3,500.00
-----------------------	----------

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 65-16

Change Order – Improvements to Huron Road (Section 2), Woodside Avenue Sidewalks, & 2015 Road Improvement Program

WHEREAS, by Resolution #95-15 adopted on March 17, 2015, the Mayor and Council of the Borough of Franklin Lakes awarded a contract in the amount of \$ \$929,799.54 to D&L Paving Contractors, Inc, 681 Franklin Avenue, Nutley, New Jersey 07110, hereinafter referred to as “the Contractor”, for the Improvements to Huron Road (Section 2), the Woodside Avenue Sidewalks, and the 2015 Road Improvement Program, in the Borough of Franklin Lakes; and,

WHEREAS, the Borough Engineer has submitted Change Order #1 and Final, which increases the amount of the contract by \$15,206.14 for an amended contract amount of \$945,005.68 and which Change Order has been accepted by the Contractor;

NOW THEREFORE, BE IT RESOLVED that Change Order #1 and Final is hereby authorized and approved for the Improvements to Huron Road (Section 2), the Woodside Avenue Sidewalks, and the 2015 Road Improvement Program, for a contract increase of \$15,206.14 for a revised contract amount of \$945,005.68; and,

BE IT FINALLY RESOLVED that a copy of this Resolution be forwarded to D&L Paving Contractors, Inc, Boswell Engineering, and the Chief Financial Officer.

Resolution 66-16

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 1404 Lot 11.01 whose property location is 562 Commerce Street, property owner 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	11.01	\$ 190,300 (2012)	\$ 2,917.30
		\$ 190,300 (2013)	\$
2,962.97		\$ 290,300 (2014)	\$ 4,563.52
		Total Refund	<u>\$ 10,443.79</u>

All checks made payable to:
 Bruce J. Stavitsky, Esq.
 Benefit of Habicht, Helmut
 Stavitsky & Associates, LLC
 350 Passaic Avenue
 Fairfield, NJ 07004

Resolution 67-16

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, 2014 and 2015, on Block 2312 Lot 14 whose property location is 706 Black Hawk Lane, property owner Bice Grobstein,

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>
2312	14	\$ 25,000 (2012)	\$ 383.25
		\$ 25,000 (2013)	\$
389.25			

\$ 25,500	(2014)	\$ 400.86
\$ 25,000	(2015)	\$ 399.75

Total Refund \$ 1,573.11

All checks made payable to:
Michael A. Vespasiano,
Attorney Trust Account
331 Main Street
Chatham, NJ 07928

Resolution 68-16

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, on Block 2303 Lot 10 whose property location is 793 Peach Tree Lane, property owner Joseph & Angela Leoce,

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>
2303	10	\$ 25,000 (2014)	\$ 393.00
		\$ 25,000 (2015)	\$
399.75			
Total Refund			<u>\$ 792.75</u>

All checks made payable to:
Michael A. Vespasiano,
Attorney Trust Account
331 Main Street
Chatham, NJ 07928

Resolution 69-16

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, on Block 3101.02 Lot 1.12 whose property location is 305 Waterview Drive, property owner Rosanne D. Rizzotto,

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>
3101.02	1.12	\$ 146,500 (2014)	\$ 2,302.98
		\$ 146,500 (2015)	\$
2,342.54			
Total Refund			<u>\$ 4,645.52</u>

All checks made payable to:
Michael A. Vespasiano,
Attorney Trust Account
331 Main Street
Chatham, NJ 07928

Resolution 70-16

WHEREAS, the Borough of Franklin Lakes has a need to purchase a variety of recreational supplies and equipment throughout the year for the myriad of recreation programs; and

WHEREAS, the Township of Wyckoff is the Lead Agency for Cooperative Pricing System Number 176-WCGCPS-WOLF Group; and

WHEREAS, bids were publicly opened and their contents read aloud on January 7, 2016; and

WHEREAS, following is a list of the vendors which provided the lowest responsive and responsible bids for individual unit prices on the items listed:

Bidder #1

All-Nu Trophy & Screen Printing Co.

243 Teaneck Road
Ridgefield Park, NJ 07660

Item #'s: 5 Adult, 5 Adult XXL, 5 Adult 3XL, 5 Youth, 6 Adult, 6 Adult XXL, 6 Adult 3XL, 6 Youth, 15, 17 Adult, 17 Youth, 18 Adult, 18 Youth, 19 Adult, 19 Youth, 23 Adult, 23 Adult XXL, 23 Adult 3XL, 23 Youth, 24 Adult, 24 Adult XXL, 24 Adult 3XL, 24 Youth, 32 Adult, 72, 73, 79 (O), 80, 86, 87, 88, 94A, 102, 114, 127, 142, 145, 161 Adult, 161 Inter, 161 Youth, 164, 171, 180, 181, 183, 197, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 221.

Total #'s: 57

Potential Amount: \$23,971.56

Bidder # 2

BSN Sports

dba U.S. Games

P. O. Box 49
Jenkintown, PA 19046

Item #'s: 14, 31 Adult, 31 Youth, 44, 45, 46, 47, 48, 57, 58, 59, 60, 61, 62, 68, 69, 74, 76, 78, 79 (Y), 85 B, 95B, 101, 104, 116, 129, 130, 134, 135, 140 A, 140 B, 143, 146, 147, 149, 150, 153, 154A, 155A, 155B, 155C, 162, 169, 170, 172, 173, 175, 177, 182, 187, 193 Adult, 193 Youth, 196, 198, 204 Junior, 204 Senior, 224 B, 224 C, 243.

Total #'s: 59

Potential Amount: \$55,367.78

Bidder #3

Metuchen Center, Inc.

10-12 Embroidery Street
Sayreville, NJ 08872

Item #'s : 8 Adult, 8 Youth, 22 Adult, 22 Inter, 22 Youth, 26 Adult, 26 Adult XXL, 26 Adult 3XL, 27 Adult, 27 Adult XXL, 27 Adult 3XL, 34 Adult, 34 Adult XXL, 34 Adult 3XL, 35 Adult, 35 Adult XXL, 35 Adult 3XL, 49, 63, 64, 70, 81, 83, 89, 91, 92, 93, 94 B, 95 A, 96, 97, 98, 99, 100, 105 Inter, 105 Youth, 106 A, 106 B, 108, 113, 117, 118, 119, 120, 121 A, 121 B, 133, 138, 141 Inter, 141 Large, 154 B, 154 C, 165 A, 165 C, 167 A, 167 B, 176, 178, 179, 185, 186, 188, 189 Youth, 191 Youth, 192, 194, 195 A, 195

B, 202 Youth, 202 Inter, 202 Adult, 203, 205 Junior, 205 Senior, 208, 209, 226, 228, 229, 230.
Total #'s: 80
Potential Amount: \$38 704.00

Bidder #4
EJG Sports LLC
125 Passaic Avenue
Hasbrouck Height, NJ 07604

Item #'s: 9 Adult, 9 Youth, 10 Adult, 10 Youth, 12 Adult, 12 Youth, 13, 20 Adult, 20 Youth, 40, 41, 42, 50, 51, 52, 55, 184, 220 Adult, 220 Youth.

Total #'s: 19
Potential Amount: \$22,083.51

Bidder # 5
Medco Sports Medicine
500 Fillmore Avenue
Tonawanda, NY 14150

Item #'s: 224 A, 227, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241.

Total #'s: 13
Potential Amount: \$465.03

Bidder # 6
Riddell
dba All American
669 Sugar Lane
Elyria, OH 44035

Item #'s: 16, 36 Adult, 36 Adult XXL, 36 Adult 3XL, 84 A, 84 B, 157 XL, 157 L, 157 M, 157 S, 157 XS, 158 A, 158 B, 158 C, 158 D, 158 E, 158 F, 159 Adult, 159 Youth, 165 B.

Total #'s: 20
Potential Amount: \$\$6,925.65

Bidder # 7
Hat World Inc.
dba; Lids Team Sports
85 Katrine Lane
Lake Katrine, NY 12449

Item #'s: 11 Adult, 11 Youth, 39, 43, 66, 77, 82, 84 C, 85 A, 85 C, 90, 94 C, 95 C, 103, 107, 112, 122 (A), 126 Youth, 128. 137 A, 138 B, 139 B, 139 C, 151, 156, 190.

Total #'s: 26
Potential Amount: \$28,162.68

Bidder # 8
East Coast Design Unlimited, LLC
218 Springfield Ave
Hasbrouck Heights, NJ 07604

Item #'s: 1 Adult, 1 Adult XXL, 1 Adult 3XL, 1 Youth, H.W. 1 Adult, H.W. 1 Adult XXL, H.W. 1 Adult 3XL, H.W. 1 Youth, 2 Adult, 2 Adult XXL, 2 Adult 3XL, 2 Youth, 3 Adult, 3 Youth, 28 Adult, 28 Adult XXL, 28 Adult 3XL, 29 Adult, 29 Adult XXL, 29 Adult 3XL, 29 Youth, 33 Adult, 33 Adult XXL, 33 Adult 3XL, 37 Adult.

Total #'s: 25

Potential Amount: \$ \$28,983.50

Bidder #9

S & S Worldwide

75 Mill Street

Colchester, CT 06415

Item #'s: 115, 174, 206 A, 206 B, 206 C, 207 Junior, 207 Senior, 225.

Total #'s: 8

Potential Amount: \$1,221.48

Bidder #10

R&R Trophy & Sporting Goods

104 Ridge Road

North Arlington, NJ 07031

Item #'s: 4 Adult, 4 Adult XXL, 7 Youth, 7 Adult, 21 Adult, 21 Inter, 21 Youth, 25 Adult, 25 Adult XXL, 25 Adult 3XL, 25 Youth, 30 Adult, 30 Youth, 38, 53, 54, 56, 65, 67, 71, 109, 110, 111, 123 A, 123 B, 123 C, 123 D, 123 E, 123 F, 124 A, 124 B, 124 C, 124 D, 124 E, 124 F, 125, 126 Adult, 132, 136 A, 139 A, 144, 148, 152, 160 Adult, 160 Youth, 163 Adult, 163 Youth, 166 A, 166 B, 166 C, 168 A, 168 B, 199, 200, 201, 222, 223, 242,

Total #'s: 58

Potential Amount: \$51,038.92

Bidder #11

Ricciardi Bros. Inc.

1915 Springfield Ave

Maplewood, NJ 07040

No items awarded.

These recommendations are made on the basis of the low bid net unit price.

Bid #:	Exception:
1 Adult XXL	*awarded to bidder with lowest price on youth/adult for purchasing efficiency purposes
1 Adult 3XL	*awarded to bidder with lowest price on youth/adult for purchasing efficiency purposes
H.W. 1 Adult XXL	*awarded to bidder with lowest price on youth/adult for purchasing efficiency purposes
H.W. 1 Adult 3XL	*awarded to bidder with lowest price on youth/adult for purchasing efficiency purposes
2 Adult XXL	*awarded to bidder with lowest price on youth/adult for purchasing efficiency purposes
2 Adult 3XL	*awarded to bidder with lowest price on youth/adult for purchasing efficiency purposes
5 Adult XXL	*awarded to bidder with lowest price on youth/adult for purchasing efficiency purposes
6 Adult XXL	*awarded to bidder with lowest price on youth/adult for purchasing efficiency purposes
23 Youth	*awarded to low bidder on other 3 sizes for purchasing efficiency
21 Adult	*awarded to low bidder on youth sizes for purchasing efficiency
18 Adult	*awarded to low bidder with belt loops in pants

H.W. 1 Adult	*Not awarded to lowest bidder as they bid same item rather than heavyweight blend
H.W. 1 Youth	*Not awarded to lowest bidder as they bid same item rather than heavyweight blend
197	*sub not accepted as specific brand required/procedure to have sub accepted not followed by vendor (substitute sample not provided)
41	*sub not accepted as specific brand required/procedure to have sub accepted not followed by vendor (substitute sample not provided)
42	*sub not accepted as specific brand required/procedure to have sub accepted not followed by vendor (substitute sample not provided)
44	*sub not accepted as specific brand required/procedure to have sub accepted not followed by vendor (substitute sample not provided)
52	*sub not accepted as specific brand required/procedure to have sub accepted not followed by vendor (substitute sample not provided)
54	*sub not accepted as specific brand required/procedure to have sub accepted not followed by vendor (substitute sample not provided)
60	*sub not accepted as specific brand required/procedure to have sub accepted not followed by vendor (substitute sample not provided)
111	*sub not accepted as specific brand required/procedure to have sub accepted not followed by vendor (substitute sample not provided)
112	*sub not accepted as specific brand required/procedure to have sub accepted not followed by vendor (substitute sample not provided)
113	*sub not accepted as specific brand required/procedure to have sub accepted not followed by vendor (substitute sample not provided)
128	*sub not accepted as specific brand required/procedure to have sub accepted not followed by vendor (substitute sample not provided)
136 A	*sub not accepted as specific brand required/procedure to have sub accepted not followed by vendor (substitute sample not provided)
137 A	*sub not accepted as specific brand required/procedure to have sub accepted not followed by vendor (substitute sample not provided)
138 B	*sub not accepted as specific brand required/procedure to have sub accepted not followed by vendor (substitute sample not provided)
160 Adult	*sub not accepted as specific brand required/procedure to have sub accepted not followed by vendor (substitute sample not provided)
160 Youth	*sub not accepted as specific brand required/procedure to have sub accepted not followed by vendor (substitute sample not provided)
166 A	*sub not accepted as specific brand required/procedure to have sub accepted not followed by vendor (substitute sample not provided)
166 B	*sub not accepted as specific brand required/procedure to have sub accepted not followed by vendor (substitute sample not provided)
166 C	*sub not accepted as specific brand required/procedure to have sub accepted not followed by vendor (substitute sample not provided)
46	*sub not accepted as specific brand required/procedure to have sub accepted not followed by vendor (substitute sample not provided)
47	*sub not accepted as specific brand required/procedure to have sub accepted not followed by vendor (substitute sample not provided)
48	*sub not accepted as specific brand required/procedure to have sub accepted not followed by vendor (substitute sample not provided)
170	*tie: awarded to bidder greatest geographical dist away
221	*tie: awarded to bidder greatest geographical dist away
24 Adult	*tie: awarded to low bidder on other 3 sizes
28 Adult XXL	awarded to low bidder on adult size as bulk of purchase will be for adult and items must match

28 Adult 3XL	awarded to low bidder on adult size as bulk of purchase will be for adult and items must match
33 Adult 3XL	awarded to low bidder on adult size as bulk of purchase will be for adult and items must match
25 Adult	awarded to low bidder on other 3 sizes for purchasing efficiency
29 Adult 3XL	awarded to low bidder on other 3 sizes for purchasing efficiency
222	awarded to low bidder on white & color paint for equipment & purchasing consistency

WHEREAS, the Chief Financial Officer has certified that funds are available; and

WHEREAS, the foregoing pricing for the bid items listed (numbered items are as set forth in the bid specification) is available for the Township of Wyckoff as lead agency and the Borough of Franklin lakes and Oakland as participating members of this Cooperative Pricing System Procurement; 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 the ten (10) contracts be and are hereby awarded to the vendors that submitted the lowest responsive and responsible individual bids unit prices as listed hereinabove; and

BE IT FURTHER RESOLVED, that the Municipal Clerk shall send a certified copy of this resolution to the Oakland and Wyckoff Municipal Administrators.

**Resolution 71-16
Waiver of Direct Deposit Requirement**

WHEREAS, Ordinance No. 1653 provides as follows:

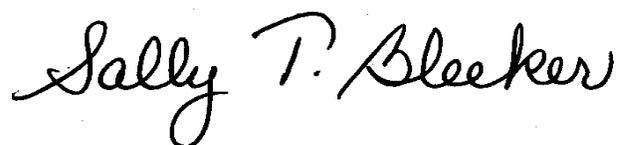
“Direct deposit of net pay shall be mandatory for all employees of the Borough of Franklin Lakes in a specific banking institution based on information provided by the employee. Compliance by an employee shall be mandatory; except that *the Mayor and Council may, by resolution, grant an exemption from the direct deposit requirement on such terms and conditions as the Mayor and Council may deem necessary.*”

WHEREAS, employee Raymond Van Dunk has requested an exemption from the direct deposit requirement for the reasons expressed in his January 22, 2016 letter;

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 Raymond Van Dunk be and is hereby exempted from the direct deposit requirement; and,

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Raymond Van Dunk and the Payroll Administrator.

Respectfully submitted,



Sally T. Bleeker, Borough Clerk