

MEETING OF THE MAYOR AND COUNCIL
February 16, 2016
7:30 P.M.

A regular meeting of the Mayor and Council was held on Tuesday, February 16, 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 (by phone), Councilmember Kelly, Council President Lambrix, Councilmember Ramsey and Councilmember Swist. Also present were Borough Administrator Hart, Borough Attorney Smith and Borough Clerk Sally Bleeker.

SUNSHINE LAW STATEMENT

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

FLAG SALUTE

MOMENT OF SILENT REFLECTION

APPOINTMENT

Diane Samimi – Construction Office Assistant

Motion made by Councilmember Ramsey and seconded by Council President Lambrix to appoint Diane Samimi as the Office Assistant to the Construction Department.

Roll Call Vote:

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

PROCLAMATION

HONORING REPORTER FRANK MCMAHON

WHEREAS, reporter Frank McMahon recently retired from reporting on the activities of the Borough of Franklin Lakes, after providing coverage for over 25 years for the Bergen Town News, the Villadom Times and the Suburban News; and,

WHEREAS, during this period, Frank wrote over 8,700 articles on the activities of the Franklin Lakes Mayor and Council, Planning Board, Zoning Board, Recreation Committee, the local Board of Education, and the Ramapo-Indian Hills High School Board of Education; and,

WHEREAS, in 1999, as a result of a nomination by then-Borough Administrator Robert Hoffmann, Frank was awarded the 1999 New Jersey Municipal Managers Association Press Award, which recognizes fairness, objectivity and integrity; and,

WHEREAS, Frank reported stories during the terms of four elected Mayors, numerous elected Council members, three Franklin Lakes School District Superintendents, and four Ramapo-Indian Hills Superintendents, and; and,

WHEREAS, Frank is known to all as a detail-oriented, accurate, thorough and trustworthy reporter, and a kind, courteous and thoughtful person;

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, wish reporter Frank McMahon, his wife of 56 years, Patricia, his four children and eight grandchildren, good health and happiness, and do hereby honor and commend Frank for his many years of outstanding service to the Franklin Lakes community.

IN WITNESS HEREOF, I have hereunto set my Hand and caused the Seal of the Borough of Franklin Lakes to be affixed this 16th day of February, 2016.

ORDINANCES FOR FINAL READING AND ADOPTION

Motion made by Councilmember Kelly to take up Ordinance 1655 for consideration of adoption on second and final reading, and direct the Borough Clerk to read by title, seconded by Councilmember Cadicina. On voice vote, all in favor.

The Borough Clerk read the Ordinance by title only.

ORDINANCE 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 and duly published by law; and,

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Franklin Lakes, County of Bergen, State of New Jersey, that Ordinance 1655 be and the same is hereby adopted on second and final reading; and,

BE IT FINALLY RESOLVED that the Borough Clerk is hereby authorized and directed to publish the Notice of Adoption as required by law.

Motion to open the hearing to the public was made by Council President Lambrix, seconded by Councilmember Kahwaty. On voice vote, all in favor.

No one from the public came forward at this time.

Motion to close the hearing to the public was made by Councilmember Swist, seconded by Councilmember Kelly. On voice vote, all in favor.

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

Roll Call Vote:

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

Nays:

Abstain:

Absent:

Motion Approved.

OPEN THE TIME FOR PUBLIC COMMENT

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

No one from the public came forward at this time.

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

CONSENT RESOLUTION 72-16

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 73-16 Accept Report of the Finance Committee
- Resolution 74-16 Amend Due Date for Sewer Service Charge
- Resolution 75-16 Amend Personnel Policy – Sick Leave Bank and Direct Deposit
- Resolution 76-16 Amend Temporary Capital Budget
- Resolution 77-16 Award Contract – Pest Control Services
- Resolution 78-16 Change Order No. 1 – Fire Apparatus
- Resolution 79-16 Facilities Use Permit – Lions Club Circus
- Resolution 80-16 Performance Bond Reduction – United Water
- Resolution 81-16 Professional Service Agreement – Special Counsel
- Resolution 82-16 Stipulation of Settlement – Breslow
- Resolution 83-16 Tax Refund – Escobar
- Resolution 84-16 Tonnage Grant Application – 2015
- Resolution 85-16 Treatment Works Approval – Toll Brothers

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

Roll Call Vote:

Ayes: Cadicina, Kahwaty (with an exception), Kelly, Lambrix, Ramsey, Swist
Nays:
Abstain: Kahwaty - Resolution 79-16 Facilities Use Permit – Lions Club Circus
Absent:
Motion Approved.

ACTION ON MINUTES

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

- January 5, 2016 Reorganization
- January 5, 2015 Work Session
- January 5, 2016 Closed
- January 19, 2016 Regular Meeting

Roll Call Vote:

Ayes: Cadicina, Kahwaty, Kelly, Lambrix (with exceptions), Ramsey (with exceptions), Swist
Nays:
Abstain: Lambrix - January 5, 2015 Work Session, January 5, 2016 Closed;
Ramsey – January 19, 2016 Regular Meeting
Absent:
Motion Approved.

OLD BUSINESS

RB-2 Zoning Ordinance

Mayor Bivona explained this is a draft of an Ordinance regarding the zoning of the Gabrellian shopping area. There is a Planning Board meeting tomorrow night to discuss the Ordinance as well. The Mayor explained they would like to introduce this Ordinance on March 1, 2016. Mr. Gabrellian and his attorney did give the Planning Board a concept design for their review. Mayor Bivona explained they can make suggestions, but cannot mandate some things.

Councilmember Ramsey asked about the size of parking spaces. The design says they will be 10 by 20. Borough Attorney Smith said the Mayor and Council can make suggestions to the builder regarding the size. Mayor Bivona said the parking meets the standards and he feels there should not be an issue.

Mayor Bivona said there is mention of medical space which is allowed in this zone. He would like the Ordinance to include zoning for surgery centers, but as outpatient surgical centers. Council President Lambrix said that is already mentioned on the second page of the draft.

Mayor Bivona also enquired about tattoo parlors in particular zones. Borough Attorney Smith said certain types of shops are prohibited within 1000 feet of schools and residential zones. He further explained you have to show a specific zoning reason as to why we would prohibit a certain store. You cannot arbitrarily zone, there needs to be a particular reason. Further discussion ensued regarding examples of certain scenarios as to how you would prohibit certain stores because of zoning.

Councilmember Cadicina asked what the area being discussed was zoned for before. Borough Administrator, Greg Hart, said it is currently zoned for RB District and is now being considered to be zoned for RB-1 District and RB-2 District.

Mayor Bivona asked if childcare facilities and gas stations are being excluded as per the Ordinance on page 4, B1. Mr. Hart said it is permitted in RB-1, but not RB-2. Mayor Bivona also discussed the language regarding the location of possible outdoor dining and how it could affect the Market Basket outdoor dining. Mayor Bivona also pointed out that they are prohibiting drive-thrus in that location as well. Mayor Bivona said the Ordinance does allow illuminated signs at the location, but it does limit the amount and size of signs. Further discussion ensued in regards to signs on the building and in the streets and where you can have the signs. Further discussion will take place at the Planning Board meeting tomorrow night.

Mayor Bivona said that any other comments need to be given to himself or the Borough Administrator and will be passed along to the Planning Board.

NEW BUSINESS

At this time, there was no New Business for discussion.

INTRODUCTION OF ORDINANCES ON FIRST READING

Move to take up consideration of Ordinances 1656, 1657, 1658, 1659, 1660, 1661, 1662, 1663, 1664, 1665, 1666, 1667 for Introduction, and direct the Borough Clerk to read by title was made by Councilmember Kahwaty, seconded by Councilmember Swist. On voice vote, all in favor.

The Borough Clerk read the Ordinances by title only.

ORDINANCE 1656

AN ORDINANCE AMENDING CHAPTER 373 “PROPERTY MAINTENANCE” OF THE CODE OF THE BOROUGH OF FRANKLIN LAKES TO INCREASE PENALTY

ORDINANCE 1657

AN ORDINANCE AMENDING CHAPTER 300 “LAND USE AND DEVELOPMENT” OF THE CODE OF THE BOROUGH OF FRANKLIN LAKES TO CLARIFY ENFORCEMENT PROVISIONS

ORDINANCE 1658

AN ORDINANCE SUPPLEMENTING PROVISIONS OF CHAPTER 404 “SOIL REMOVAL” OF THE CODE OF THE BOROUGH OF FRANKLIN LAKES PERTAINING TO REGULATION, ENFORCEMENT AND PENALTIES

ORDINANCE 1659

AN ORDINANCE AMENDING CHAPTER 220 “UNIFORM CONSTRUCTION CODES” OF THE CODE OF THE BOROUGH OF FRANKLIN LAKES TO AMEND FEE FOR CONTINUED CERTIFICATE OF OCCUPANCY

ORDINANCE 1660

AN ORDINANCE AMENDING CHAPTER 300 “LAND USE AND DEVELOPMENT” OF THE CODE OF THE BOROUGH OF FRANKLIN LAKES TO PROHIBIT CLOTHING BINS

ORDINANCE 1661

AN ORDINANCE AMENDING CHAPTER 311 “LITTERING” OF THE CODE OF THE BOROUGH OF FRANKLIN LAKES TO PROVIDE FOR THE APPOINTMENT OF A CLEAN COMMUNITIES COORDINATOR

ORDINANCE 1662

AN ORDINANCE AMENDING CHAPTER 124 “VOLUNTEER INCENTIVES” OF THE CODE OF THE BOROUGH OF FRANKLIN LAKES TO CLARIFY FEE EXEMPTIONS

ORDINANCE 1663

AN ORDINANCE AMENDING CHAPTER 373 “PROPERTY MAINTENANCE” OF THE CODE OF THE BOROUGH OF FRANKLIN LAKES TO AMEND SIDEWALK SNOW REMOVAL PROVISIONS ON WOODSIDE AVENUE

ORDINANCE 1664

AN ORDINANCE AMENDING ARTICLE I OF CHAPTER 411 “SOLID WASTE; RECYCLING” TO UPDATE AND CLARIFY VARIOUS PROVISIONS

ORDINANCE 1665

AN ORDINANCE AMENDING CHAPTER 390 “SEWERS AND SEWERAGE DISPOSAL” OF THE CODE OF THE BOROUGH OF FRANKLIN LAKES TO PROVIDE ADDITIONAL REGULATIONS FOR GREASE INTERCEPTORS

ORDINANCE 1666

AN ORDINANCE AMENDING CHAPTER 329 “NOISE” OF THE CODE OF THE BOROUGH OF FRANKLIN LAKES TO CLARIFY PERMITTED HOURS OF CONSTRUCTION ON SATURDAYS

ORDINANCE 1667

AN ORDINANCE AMENDING CHAPTER 390 “SEWERS AND SEWAGE DISPOSAL” OF THE CODE OF THE BOROUGH OF FRANKLIN LAKES TO AMEND PROVISIONS ON SEWER SERVICE CHARGES

WHEREAS, Ordinances 1656, 1657, 1658, 1659, 1660, 1661, 1662, 1663, 1664, 1665, 1666, 1667 was introduced at a meeting of the Mayor and Council held on the 16th 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 Ordinances 1656, 1657, 1658, 1659, 1660, 1661, 1662, 1663, 1664, 1665, 1666, 1667 be and the same are hereby introduced on First Reading; and,

BE IT FURTHER RESOLVED that said Ordinances will be further considered for final passage at a meeting of the said Mayor and Council to be held on the 15th day of March 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 Ordinances 1656, 1657, 1658, 1659, 1660, 1661, 1662, 1663, 1664, 1665, 1666, 1667; and

BE IT FINALLY RESOLVED, that the Borough Clerk is hereby authorized and directed to publish the Introduction and Notice of Hearing as required by Law.

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

Roll Call Vote:

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

Nays:

Abstain:

Absent:

Motion Approved.

CLOSED SESSION

BE IT RESOLVED, by the Mayor and Council of the Borough of Franklin Lakes, County of Bergen and State of New Jersey that a Closed Meeting be held on Tuesday, February 16, 2016 which begins at 7:30 PM, in the Council Chambers at the Municipal Building to discuss the following:

Closed meeting issues:

- Litigation – PBA Grievance
- Contractual – Franklin Avenue Property

BE IT FURTHER RESOLVED, that the discussion conducted in closed session shall be disclosed to the public once the matter involving the confidentiality of the above no longer requires that confidentiality, then the minutes can be made public.

NOW, THEREFORE BE IT RESOLVED, that the public be excluded from this meeting.

Motion to go into Closed Session was made by Councilmember Cadicina, seconded by Council President Lambrix. On voice vote, all in favor.

RESOLUTION

Resolution 86-16

Appointment of Representative for PBA Grievance

WHEREAS, by letter dated February 12, 2016, the Franklin Lakes PBA Local 150 has filed a grievance appealing a decision of the Borough Administrator as described therein; and

WHEREAS, paragraph D of Article XIV “Grievance Procedure” of the Collective Bargaining Agreement with the Franklin Lakes PBA Local 150 provides that the appeal shall be presented to the governing body “or its selected representative”;

NOW THEREFORE, BE IT RESOLVED by the Mayor and the Council of the Borough of Franklin Lakes that Councilmember Ramsey and Councilmember Kahwaty are hereby designated as the representatives of the governing body for purposes of hearing the grievance filed by the Franklin Lakes PBA Local 150; and,

BE IT FINALLY RESOLVED that a copy of this resolution be forwarded to the Franklin Lakes PBA Local 150.

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

Roll Call Vote:

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

Nays:

Abstain:

Absent:

Motion Approved.

ADJOURNMENT

Motion to adjourn the meeting was made by Councilmember Cadicina at 8:30 P.M., seconded by Councilmember Kelly. On voice vote, all in favor.

Resolution 73-16 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 \$482,196.87 as shown on the Claims Bill List; \$8,724.50 as shown on the Soil Account Bill List and \$2,162.37 as shown on the Developers Escrow List.

Resolution 74-16 Amend Due Date for Sewer Service Charge

WHEREAS, the Borough Administrator has recommended that the Mayor and Council amend the due date for the first payment for sewer service charges to allow sufficient time for the Mayor and Council to consider an ordinance which amends the sewer service charge rates;

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 due date for the first payment for sewer service charges as set forth in paragraph F of Borough Code Section 390-7 be and is hereby extended from April 1 to May 1 for the year 2016; and,

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Tax Collector.

Resolution 75-16 Amend Personnel Policy – Sick Leave Bank and Direct Deposit

BE IT RESOLVED by the Mayor and Council of the Borough of Franklin Lakes, County of Bergen and State of New Jersey, that the last paragraph of paragraph 35 “Sick Leave Policy” of the Personnel Policies and Procedures Manual and the Employee Handbook is hereby amended to read as follows:

Each employee shall be provided with an initial sick leave bank of 30 days. In addition, regular full-time employees with more than ten years of employment with the Borough as of January 1, 2006 shall be provided with an additional initial sick leave bank calculated as follows: one sick day for every year’s employment with the Borough in excess of ten years. For example, if an employee is employed with the Borough for 18 years as of January 1, 2006, then the employee shall have an initial sick leave bank of 30 days and an additional initial sick leave bank of eight days, for a total initial sick leave bank of 38 days.

BE IT FURTHER RESOLVED that paragraph of paragraph 41 “Payroll Policy” is hereby supplemented by the addition of the following:

Direct deposit of net pay shall be mandatory for all employees 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.

BE IT FINALLY RESOLVED that a copy of this resolution be forwarded to every employee.

Resolution 76-16 Amend Temporary Capital Budget

- See Attached -

Resolution 77-16 Award Contract – Pest Control Services

WHEREAS, the Superintendent of Public Works for the Borough of Franklin Lakes received four (4) proposals for Pest Control services; and

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

WHEREAS, the Superintendent of Public Works has reviewed the proposals submitted and has determined that the proposals meet the specifications and recommends the award of a contract to the apparent low proposal Orkin Pest Control.

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

1. Orkin Pest Control, 95 Lackawanna Avenue, Woodland Park, NJ 07424 is hereby awarded a one year contract of \$200.00 for the first month and \$110.00 for every month thereafter; and
2. A Certification of Funds has been prepared and authorized by the Chief Financial Officer for the said contract assuring that there is a sufficient appropriation to fund the purchase authorized in this resolution as an express and mandatory condition of the award of this contract

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

Resolution 78-16 Change Order No. 1 – Fire Apparatus

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 #1 for the two fire apparatus for the Franklin Lakes Fire Department be and is hereby approved in accordance with the requirements of N.J.A.C. 5:30-11.1 et seq.

PROJECT	Franklin Lakes Fire Department Apparatus
VENDOR	Pierce Manufacturing, Inc. P.O Box 2017 2600 American Drive Appleton, Wisconsin 54913
ORIGINAL CONTRACT COST	\$1,328,824
COST OF CHANGE ORDER #1	\$4,879
NEW CONTRACT SUM	\$1,333,703
CHANGE ORDER NUMBER	#1
NATURE OF CHANGES	Improve the functionality of the trucks

Resolution 79-16 Facilities Use Permit – Lions Club Circus

WHEREAS, the Franklin Lakes Lions Club has requested the use of McBride Field, for its Circus to be held September 18, 2016;

WHEREAS, the Mayor and Council are satisfied that the proposal for use of Borough facilities meets the requirements of the Borough's field use ordinance;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Franklin Lakes, County of Bergen and State of New Jersey that the Franklin Lakes Lions Club is hereby granted permission to use McBride Field for its Circus to be held September 18, 2016 subject to compliance with all other Borough ordinance requirements as determined by the Recreation and Parks Director; and,

BE IT FINALLY RESOLVED that a copy of this resolution be forwarded to the Franklin Lakes Lions Club and the Recreation and Parks Director.

Resolution 80-16 Performance Bond Reduction – United Water

WHEREAS, United Water, 200 Old Hook Road, Harrington Park, NJ 07640, has requested a reduction in the amount of the performance bond posted for their project located at 900 Shadow Ridge Road, Franklin Lakes, NJ 07417; and,

WHEREAS, the Borough Engineer, in a letter dated February 10, 2016, advises that the performance bond may be reduced to \$127,860 in accordance with N.J.S.A. 40:55D-53(e)(1); and,

WHEREAS, the Borough Engineer has indicated that retaining a performance bond in said amount shall be sufficient to secure the completion of remaining improvements; and,

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Franklin Lakes, County of Bergen, State of New Jersey, that the recommendation of the Borough Engineer is hereby accepted and therefore the performance bond posted by United Water be reduced to \$127,860; and,

BE IT FINALLY RESOLVED that a copy of this Resolution be forwarded to United Water, the Borough Engineer, and the Planning Board.

Resolution 81-16 Professional Service Agreement – Special Counsel

WHEREAS, the Borough of Franklin Lakes has a need for a Special Counsel as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and,

WHEREAS, Arthur Del Colliano, Esq., 286 Union Street, Hackensack, NJ 07601 has agreed to represent the Borough of Franklin Lakes on the purchase of property in accordance with his proposal letter dated February 5, 2016 at an hourly rate of \$200.00 per hour; and

WHEREAS, the Chief Financial Officer has certified the availability of funds for this award according to N.J.A.C. 5:30-5.4;

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Franklin Lakes authorizes Mayor Frank Bivona to enter into a contract with Arthur Del Colliano, Esq., 286 Union Street, Hackensack, NJ 07601 as described herein; and,

BE IT FURTHER RESOLVED that a copy of this resolution shall be published as required by law within ten days of its passage.

Resolution 82-16 Stipulation of Settlement – Breslow

Block: **2101.13**
Lot: **16**
Street Address: **883 Apache Road**
Owner: **Breslow, Loren**

WHEREAS, an appeal of the tax assessment for the years 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 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: 2013

	<u>Original Assessment</u>	<u>Tax Court Judgment</u>
Land	\$ 560,000	\$ 560,000
Improvements	\$2,326,400	\$2,240,000
Total	\$2,886,400	\$2,800,000

Tax Year: 2014

	<u>Original Assessment</u>	<u>Tax Court Judgment</u>
Land	\$ 560,000	\$ 560,000
Improvements	\$2,326,400	\$2,190,000
Total	\$2,886,400	\$2,750,000

Tax Year: 2015

	<u>Original Assessment</u>	<u>Tax Court Judgment</u>
Land	\$ 560,000	\$ 560,000
Improvements	\$2,326,400	\$2,140,000
Total	\$2,886,400	\$2,700,000

Resolution 83-16 Tax Refund – Escobar

WHEREAS, the home owner Roberto & Maria Escobar, for Block 2406 Lot 2, whose address is 509 Summit Avenue had refinanced their mortgage and therefore Service Link Title paid 1Q 2016 taxes and,

WHEREAS, the home owner’s mortgage bank also paid 1Q 2016 taxes and,

WHEREAS, this leaves a duplicate payment on the taxes for the 1Q 2016 and the home owner’s mortgage bank is requesting a refund,

NOW, THEREFORE, BE IT RESOLVED, that the Chief Financial Officer be authorized to issue a check in the amount listed below and to be charged against Tax Overpayments.

<u>Block</u>	<u>Lot</u>	<u>Refund Tax Overpayment</u>
2406	2	\$ 1,862.00

Resolution 84-16 Tonnage Grant Application – 2015

WHEREAS, The Mandatory Source Separation and Recycling Act, P.L.1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, It is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, The New Jersey Department of Environmental Protection has promulgated recycling regulations to Implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, The recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, A resolution authorizing this municipality to apply for the 2015 Recycling Tonnage Grant will memorialize the commitment of this municipality to recycling and to indicate the assent of Borough of Franklin Lakes to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, Such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW THEREFORE BE IT RESOLVED by the Borough of Franklin Lakes that Franklin Lakes hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Liz Morris to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

Resolution 85-16 Treatment Works Approval – Toll Brothers

Sanitary Sewer Extension
The Reserve at Franklin Lakes
Block 3104-Lot 1, Block 3105-Lot 1,
Block 3205-Lot 2, Block 3206-Lots 1, 1.01, 1.02 & 2,
Block 3207-Lots 3 & 5, Block 3208-Lots 2, 3 & 4
Borough of Franklin Lakes

WHEREAS, the applicant/owner/operator, Toll Bros. Inc, must apply to the State of New Jersey Department of Environmental Protection for a Sanitary Sewer Extension Permit (TWA-1); and,

WHEREAS, the Borough Engineer has reviewed the plans and has determined that the project is in conformance with the requirements of the Borough,

NOW THEREFORE, BE IT RESOLVED by the Mayor and the Council of the Borough of Franklin Lakes that the Mayor is hereby authorized and directed to execute the Statement of Consent Form (WQM-003) on behalf of the Governing Body for the property referenced above.

Respectfully submitted,



Sally T. Bleeker, Borough Clerk