

MEETING OF THE MAYOR AND COUNCIL

March 15, 2016

7:30 P.M.

A regular meeting of the Mayor and Council was held on Tuesday, March 15, 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, 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

John Wittekind – ADA Coordinator

Motion made by Councilmember Cadicina and seconded by Councilmember Kahwaty to appoint John Wittekind as the ADA Coordinator.

Roll Call Vote:

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

Nays:

Abstain:

Absent:

Motion Approved.

PROCLAMATION

ALCOHOL AWARENESS MONTH

WHEREAS, alcohol is a primary factor in the four leading causes of death for young persons ages 10-21; and

WHEREAS, alcohol is the most commonly used addictive substance in the United States; and

WHEREAS, young people who begin drinking before age 15 are four times more likely to develop alcohol dependence than those who begin drinking at age 21;

WHEREAS, the typical American will see 100,000 beer commercials before he or she turn 18; and

WHEREAS, adolescents who drink are more likely to be victims of violent crime, to be involved in alcohol-related traffic crashes and to have serious school-related problems; and

WHEREAS, a supportive family environment is associated with lowered rates of alcohol use for adolescents; and

WHEREAS, consistent and sustained parental attitudes can influence a child's decision about whether or not to use alcohol and drugs; and

WHEREAS, adolescents who have conversations with their parents and learn a lot about the

dangers of alcohol and drug use are 50% less likely to use alcohol and drugs than those who don't have such conversations; and

WHEREAS, adolescents who use alcohol often exhibit a significantly greater likelihood of impaired judgment which can lead to using both licit and illicit drugs; alcohol use should receive primary attention in prevention programming as the use of other substances could be impacted by delaying or preventing alcohol use.

NOW, THEREFORE BE IT RESOLVED, THAT

**I, Frank Bivona
Mayor of Franklin Lakes
in the State of New Jersey,
Do Hereby Declare April, 2016
*Alcohol Awareness Month***

**~ Talk Early, Talk Often: Parents Can Make a Difference in Teen
Alcohol Use ~**

I also call upon all citizens, parents, governmental agencies, public and private institutions, businesses, hospitals, schools and colleges in Bergen County, NJ to support efforts that will decrease stigma and increase community awareness and support for individuals and families coping with the disease of alcoholism in our community.

OLD BUSINESS

Ordinance 1668 Planning Board Comments

Borough Administrator, Greg Hart, summarized the status of Ordinance 1668 saying that it was introduced at the Mayor and Council meeting of March 1, 2016. On March 2, 2016 the Planning Board reviewed the Ordinance and came back with additional revisions. As per Borough Attorney, Bill Smith, the revisions are not substantial enough for the Ordinance to have to be re-Introduced. Today the Borough received a memo from the property owner's planner, Joe Burgis which had some general changes.

Mr. Hart reviewed Mr. Burgis' letter. Item #1 related to the width of the sidewalks in Section 6. After a brief discussion regarding the widths of the sidewalks, the Mayor and Council decided to keep the original language.

Item # 2 deals with buffer areas in section 6, paragraph J1. There should be a minimum buffer of 10 feet, but there could be only a 2 foot buffer where 10 feet would be impractical as long as it's not next to a residential use or district. The applicant proposes a 10 foot buffer next to residential zones only and completely removes the 2 foot buffer and evergreen plantings to screen the area. It was decided by the Mayor and Council to leave the current language.

Item #3 and Item #4 proposes a new paragraph K which discusses the size of the parking stalls, the amount of parking spots for each use and reserving spots for employees.

Item #5 has to do with the facade of the building on the first floor to accommodate for signage.

Mayor Bivona feels, generally speaking, that he and the Council do not agree with any of the changes proposed and does not think the Planning Board will either.

Joseph Basralian came forward and gave explanations to the proposed changes to the Ordinance. Mayor Bivona said that they will bring proposed changes to the Planning Board and Borough Planner. A Planning Board meeting will be scheduled before the April 5th adoption.

ORDINANCES FOR FINAL READING AND ADOPTION

Motion to Table Ordinance 1656 was made by Councilmember Kahwaty, seconded by Councilmember Cadicina.

ORDINANCE 1656

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

Summary – This ordinance would increase the penalty for violations of the property maintenance ordinance

Motion made by Councilmember Cadicina to take up Ordinance 1656R for consideration of adoption on second and final reading, and direct the Borough Clerk to read by title, seconded by Councilmember Kelly. On voice vote, all in favor.

The Borough Clerk read the Ordinance by title only.

ORDINANCE 1656R

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

Summary – This ordinance would increase the penalty for violations of the property maintenance ordinance

WHEREAS, Ordinance 1656R was introduced at a meeting of the Mayor and Council held on the 1st day of March, 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 1656R be and the same is hereby adopted on second and final reading; and,

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

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

No one from the public came forward at this time.

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

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

Roll Call Vote:

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

Nays:

Abstain:

Absent:

Motion Approved.

Motion made by Councilmember Kahwaty to take up Ordinance 1657 for consideration of adoption on second and final reading, and direct the Borough Clerk to read by title, seconded by Councilmember Kelly. On voice vote, all in favor.

The Borough Clerk read the Ordinance by title only.

ORDINANCE 1657

AN ORDINANCE AMENDING CHAPTER 300 “LAND USE AND

**DEVELOPMENT” OF THE CODE OF THE BOROUGH OF
FRANKLIN LAKES TO CLARIFY ENFORCEMENT PROVISIONS**

Summary – This ordinance clarifies the enforcement officer’s authority to enforce provisions of approved plans and conditions of approval.

WHEREAS, Ordinance 1657 was introduced at a meeting of the Mayor and Council held on the 16th 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 1657 be and the same is hereby adopted on second and final reading; and,

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

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

Resolution read and introduced by Councilmember Kelly, seconded by Councilmember Ramsey. Discussion – none.

Roll Call Vote:

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

Nays:

Abstain:

Absent:

Motion Approved.

Motion made by Councilmember Kahwaty to take up Ordinance 1658 for consideration of adoption on second and final reading, and direct the Borough Clerk to read by title, seconded by Council President Lambrix. On voice vote, all in favor.

The Borough Clerk read the Ordinance by title only.

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**

Summary – This ordinance establishes additional requirements for site and street maintenance on construction sites.

WHEREAS, Ordinance 1658 was introduced at a meeting of the Mayor and Council held on the 16th 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 1658 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 Cadicina, seconded by Council President Lambrix. On voice vote, all in favor.

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

Roll Call Vote:

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

Nays:

Abstain:

Absent:

Motion Approved.

Motion made by Councilmember Kelly to take up Ordinance 1659 for consideration of adoption on second and final reading, and direct the Borough Clerk to read by title, seconded by Councilmember Swist. On voice vote, all in favor.

The Borough Clerk read the Ordinance by title only.

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

Summary – This ordinance increases the fee for a continued certificate of occupancy.

WHEREAS, Ordinance 1659 was introduced at a meeting of the Mayor and Council held on the 16th 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 1659 be and the same is hereby adopted on second and final reading; and,

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

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

No one from the public came forward at this time.

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

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

Roll Call Vote:

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

Nays:

Abstain:

Absent:

Motion Approved.

Motion made by Council President Lambrix to take up Ordinance 1660 for consideration of adoption on second and final reading, and direct the Borough Clerk to read by title, seconded by Councilmember Kelly. On voice vote, all in favor.

The Borough Clerk read the Ordinance by title only.

ORDINANCE 1660

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

Summary – This ordinance prohibits clothing bins, except at the Borough’s Recycling Center.

WHEREAS, Ordinance 1660 was introduced at a meeting of the Mayor and Council held on the 16th 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 1660 be and the same is hereby adopted on second and final reading; and,

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

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

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

Roll Call Vote:

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

Nays:

Abstain:

Absent:

Motion Approved.

Motion made by Councilmember Kahwaty to take up Ordinance 1661 for consideration of adoption on second and final reading, and direct the Borough Clerk to read by title, seconded by Council President Lambrix. On voice vote, all in favor.

The Borough Clerk read the Ordinance by title only.

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

Summary – This ordinance provides for the annual appointment of a Clean Communities Coordinator, who administers the Clean Communities grant.

WHEREAS, Ordinance 1661 was introduced at a meeting of the Mayor and Council held on the 16th 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 1661 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 Kelly. On voice vote, all in favor.

No one from the public came forward at this time.

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

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

Roll Call Vote:

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

Nays:

Abstain:

Absent:

Motion Approved.

Motion made by Councilmember Kelly to take up Ordinance 1662 for consideration of adoption on second and final reading, and direct the Borough Clerk to read by title, seconded by Council President Lambrix. On voice vote, all in favor.

The Borough Clerk read the Ordinance by title only.

ORDINANCE 1662

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

Summary – This ordinance corrects an error in the language in the volunteer incentives ordinance.

WHEREAS, Ordinance 1662 was introduced at a meeting of the Mayor and Council held on the 16th 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 1662 be and the same is hereby adopted on second and final reading; and,

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

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

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.

Motion made by Councilmember Kahwaty to take up Ordinance 1663 for consideration of adoption on second and final reading, and direct the Borough Clerk to read by title, seconded by Councilmember Kelly. On voice vote, all in favor.

The Borough Clerk read the Ordinance by title only.

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

Summary – This ordinance corrects an error in the language in the sidewalk snow removal ordinance.

WHEREAS, Ordinance 1663 was introduced at a meeting of the Mayor and Council held on the 16th 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 1663 be and the same is hereby adopted on second and final reading; and,

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

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

No one from the public came forward at this time.

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

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

Roll Call Vote:

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

Nays:

Abstain:

Absent:

Motion Approved.

Motion made by Councilmember Kahwaty to take up Ordinance 1664 for consideration of adoption on second and final reading, and direct the Borough Clerk to read by title, seconded by Councilmember Swist. On voice vote, all in favor.

The Borough Clerk read the Ordinance by title only.

ORDINANCE 1664

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

Summary – This ordinance amends various provisions of the recycling ordinance, primarily to clarify responsibilities of commercial and residential property owners.

WHEREAS, Ordinance 1664 was introduced at a meeting of the Mayor and Council held on the 16th 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 1664 be and the same is hereby adopted on second and final reading; and,

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

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

No one from the public came forward at this time.

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

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

Roll Call Vote:

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

Nays:

Abstain:

Absent:

Motion Approved.

Motion made by Councilmember Kelly to take up Ordinance 1665 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 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

Summary – This ordinance regulates grease traps.

WHEREAS, Ordinance 1665 was introduced at a meeting of the Mayor and Council held on the 16th 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 1665 be and the same is hereby adopted on second and final reading; and,

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

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

No one from the public came forward at this time.

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

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

Roll Call Vote:

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

Nays:

Abstain:

Absent:

Motion Approved.

Motion made by Councilmember Kahwaty to take up Ordinance 1666 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 1666

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

Summary – This ordinance clarifies that construction work is permitted on Saturdays.

WHEREAS, Ordinance 1666 was introduced at a meeting of the Mayor and Council held on the 16th 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 1666 be and the same is hereby adopted on second and final reading; and,

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

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

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.

Motion made by Councilmember Kahwaty to take up Ordinance 1667 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 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

Summary – This ordinance amends the sewer flow charge for use of the sanitary sewer system.

WHEREAS, Ordinance 1667 was introduced at a meeting of the Mayor and Council held on the 16th 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 1667 be and the same is hereby adopted on second and final reading; and,

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

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

No one from the public came forward at this time.

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

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

Roll Call Vote:

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

Nays:

Abstain:

Absent:

Motion Approved.

OPEN THE TIME FOR PUBLIC COMMENT

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

Kate Sarfaty, 813 Old Mill Road. Mrs. Sarfaty came forward to express her concern regarding noise specifically from dogs and machines. Neighbors and other residents may not be aware of the noise ordinance, especially on Sundays. She has contacted the Police about the matter, but does not like to. Mrs. Sarfaty inquired about sending a reverse 9-1-1 and e-blast to the residents. Borough Administrator, Greg Hart, has prepared an article for Facebook and e-blast. He said he cannot use a reverse 9-1-1 for this type of non-emergency matter. Mrs. Sarfaty was concerned about the people in her neighborhood with the barking dogs. Mayor Bivona added that if a complaint is called in the neighbors will be notified by the Police.

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

INTRODUCTION OF ORDINANCES ON FIRST READING

Move to take up consideration of Ordinance 1669 for Introduction, and direct the Borough Clerk to read by title was made by Councilmember Cadicina, seconded by Councilmember Kahwaty. On voice vote, all in favor.

The Borough Clerk read the Ordinances by title only.

ORDINANCE 1669

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK**

WHEREAS, Ordinance 1669 was introduced at a meeting of the Mayor and Council held on the 15th day of March 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 1669 be and the same is hereby introduced on First Reading; and,

BE IT FURTHER RESOLVED that said Ordinance 1669 will be further considered for final passage at a meeting of the said Mayor and Council to be held on the 19th day of April 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 1669; and

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

Resolution read and introduced by Councilmember Cadicina, seconded by Councilmember Ramsey. Discussion – Greg Hart explained the Ordinance.

Roll Call Vote:

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

Nays:

Abstain:

Absent:

Motion Approved.

INTRODUCTION OF THE 2016 MUNICIPAL BUDGET

Resolution 93-16

Introduction of 2016 Municipal Budget

BE IT RESOLVED, that the following statements of Revenue and Appropriations shall constitute the local budget for the year 2016, and

BE IT FURTHER RESOLVED, that the said budget be published in the March 25, 2016 issue of The Ridgewood News, together with a notice to the public that the public hearing will be held in the Municipal Building on April 19, 2016 at 7:30 PM or as soon thereafter as the matter can be reached by the Governing Body of the Borough of Franklin Lakes, and does hereby appropriate the following as the budget for year 2016:

Appropriations	
Municipal Purposes in Cap	\$12,208,704.00
Municipal Purposes out Cap	4,381,550.00
Reserve for Uncollected Taxes	<u>885,000.00</u>
Total General Appropriations	<u>\$17,475,254.00</u>
Revenues	
Anticipated Revenues Other Than	
Current Property Taxes	\$ 5,872,196.00
Amount to be raised by taxation:	
Municipal Purposes	\$10,109,652.00
Library Tax	<u>1,493,406.00</u>
Total General Revenues	<u>\$17,475,254.00</u>

Resolution read and introduced by Council President Lambrix, seconded by Councilmember Cadicina. Discussion – Council President Lambrix said final revisions included using more money from the surplus. Tax increase is only 1.5% and the capital plan is being followed. Mayor Bivona said this is the 6th year that the tax increase is under 2%. Mr. Hart said he will send out a budget fact sheet tomorrow to the press. Council President Lambrix thanked Chief Financial Officer, Bill Pike and Borough Administrator, Greg Hart for their work on the 2016 Budget.

Roll Call Vote:

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

CONSENT RESOLUTION 94-16

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 95-16 Accept Report of the Finance Committee
- Resolution 96-16 Approve Fire Apparatus Loaner Program Agreement with County of Bergen
- Resolution 97-16 Approve GIS Data Exchange Agreement with County of Bergen
- Resolution 98-16 Civil Rights Resolution
- Resolution 99-16 Facilities Use Permit – Clash for Crown Tourney
- Resolution 100-16 Facilities Use Permit – Teels Summer Baseball and Softball Clinics
- Resolution 101-16 Tree Removal Permit – 670 Peachtree Lane
- Resolution 102-16 Tax Lien Redemption – 496 Cherry Street
- Resolution 103-16 Tax Refund – Breslow
- Resolution 104-16 Tax Refund – Arcot
- Resolution 105-16 Tax Refund – Piro
- Resolution 106-16 Emergency Temporary Appropriations – Sewer Utility
- Resolution 107-16 Emergency Temporary Appropriations
- Resolution 108-16 Budget Transfers
- Resolution 109-16 2016 Budget Self Examination

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

Roll Call Vote:

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

RESOLUTIONS

**Resolution 110-16
Change Order No. 4 – Police Department 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 #004 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
COST OF CHANGE ORDER #003	\$0
COST OF CHANGE ORDER #004	\$30,190.25
NEW CONTRACT SUM	\$831,215.25
CHANGE ORDER NUMBER	#004
NATURE OF CHANGES	Bathroom renovations

Resolution read and introduced by Council President Lambrix, seconded by Councilmember Ramsey. Discussion – Borough Administrator, Greg Hart, explained that this change order provides for a woman’s locker room. Mr. Hart also said there will be another change order anticipated for insulation in the roof.

Roll Call Vote:

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

**Resolution 111-16
 Endorse Drug Amnesty Policy**

WHEREAS, Franklin Lakes Police Chief Carmine Pezzuti has issued the following “Drug Amnesty Policy”:

“Individuals who advise the Franklin Lakes Police Department that they are addicted to opioids and need help will not be charged with a crime or prosecuted, but will, instead, be referred to appropriate drug counseling and addiction recovery services. If such opioid-dependent individuals are referred to us by parents, children, spouses, guardians or siblings, they will be treated in the same manner as if those individuals had themselves provided the advice to us.”

WHEREAS, the Mayor and Council of the Borough of Franklin Lakes fully endorse this policy in the belief that this policy can help to foster an environment in which those who are addicted to drugs can seek help without the fear of criminal prosecution; and,

WHEREAS, by relieving this fear of criminal prosecution, it is the hope and desire of the Mayor and Council that those that are addicted to drugs will seek help before their lives are jeopardized by their drug addiction;

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Franklin Lakes, County of Bergen and State of New Jersey hereby endorse the Drug Amnesty Policy issued by Police Chief Carmine Pezzuti; and,

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to each of the municipalities in Bergen County, the Borough’s representatives in the Federal and State legislatures, and the Franklin Lakes Municipal Alliance.

Resolution read and introduced by Councilmember Cadicina, seconded by Councilmember Ramsey. Discussion – Mayor Bivona said the idea is about communication. This policy is already enforced. A pamphlet will go out to households with the Drug Amnesty Policy. Mr. Hart said a press release will go out tomorrow too.

Roll Call Vote:

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

Nays:

Abstain:

Absent:

Motion Approved.

ACTION ON MINUTES

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

- February 2, 2016 Worksession
- February 16, 2016 Regular

Roll Call Vote:

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

Nays:

Abstain:

Absent:

Motion Approved.

NEW BUSINESS

Facilities Use Request – A League of Our Own

Borough Administrator, Greg Hart, said he emailed them last year letting them know that the Council would not approve their request for this year. Council President Lambrix said that they have had a year notice. Mr. Hart said the Recreation Director had denied the request last year, but has approved it for this year. Mayor Bivona added that the group has been encouraged to give back to the community and has not attempted to do so. Council members were polled on the issue and unanimously denied the request.

INTRODUCTION OF ORDINANCES ON FIRST READING

Move to take up consideration of Ordinances 1670, 1671, 1672, 1673 and 1674 for Introduction, and direct the Borough Clerk to read by title was made by Councilmember Kahwaty, seconded by Councilmember Cadicina. On voice vote, all in favor.

The Borough Clerk read the Ordinances by title only.

ORDINANCE 1670

AN ORDINANCE AMENDING SECTION 404-8 OF THE CODE OF THE BOROUGH OF FRANKLIN LAKES ENTITLED “SOIL REMOVAL PERFORMANCE BOND”

ORDINANCE 1671

AN ORDINANCE SUPPLEMENTING CHAPTER 300 “LAND USE AND DEVELOPMENT” OF THE CODE OF THE BOROUGH OF FRANKLIN LAKES TO PROHIBIT RENTAL OF CERTAIN DWELLING UNITS

ORDINANCE 1672
**AN ORDINANCE AMENDING CHAPTER 247 “FEES” AND
CHAPTER 347 “PARKING” OF THE CODE OF THE
BOROUGH OF FRANKLIN LAKES TO UPDATE CERTAIN FEES**

ORDINANCE 1673
**AN ORDINANCE SUPPLEMENTING CHAPTER 373 “PROPERTY MAINTENANCE”
OF THE CODE OF THE BOROUGH OF FRANKLIN LAKES TO REQUIRE
CLEARING OF SNOW AROUND HYDRANTS**

ORDINANCE 1674
**AN ORDINANCE RELATING TO SALARIES AND OTHER COMPENSATION
OF OFFICERS, MANAGERIAL STAFF, CONFIDENTIAL EMPLOYEES,
AND EMPLOYEES OF THE BOROUGH OF FRANKLIN LAKES,
COUNTY OF BERGEN, STATE OF NEW JERSEY FOR THE YEAR 2016**

WHEREAS, Ordinances 1670, 1671, 1672, 1673 and 1674 were introduced at a meeting of the Mayor and Council held on the 15th day of March 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 1670, 1671, 1672, 1673 and 1674 be and the same is 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 19th day of April 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 1670, 1671, 1672, 1673 and 1674; and

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

Resolution read and introduced by Councilmember Kahwaty, seconded by Councilmember 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, March 15, 2016 which begins at 7:30 PM, in the Council Chambers at the Municipal Building to discuss the following:

Closed meeting issues:

- Contractual – Child Care Center

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 at 9:20 PM by Council President Lambrix, seconded by Councilmember Kahwaty. On voice vote, all in favor.

At 9:40 PM, the Borough Council returned from Closed Session.

Motion to purchase the Child Care Center and award the child care contract to Children's Creative Learning Center, subject to closing documentation, was made by Councilmember Swist, seconded by Councilmember Kahwaty.

Roll Call Vote:

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

Nays:

Abstain:

Absent:

Motion Approved.

ADJOURNMENT

Motion to adjourn the meeting was made at 9:40 PM by Councilmember Kahwaty, seconded by Councilmember Kelly. On voice vote, all in favor.

Resolution 95-16 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 \$353,663.03 as shown on the Claims Bill List; \$4,216.00 as shown on the Soil Account Bill List and \$542.00 as shown on the Developers Escrow List.

Resolution 96-16 Approve Fire Apparatus Loaner Program Agreement with County of Bergen

BE IT RESOLVED by the Mayor and Council of the Borough of Franklin Lakes that the Mayor and Borough Clerk are hereby authorized to execute a Shared Services Agreement with the County of Bergen, One Bergen County Plaza, Hackensack, New Jersey, for short term emergency sharing of fire apparatus, subject to review and approval by the Borough Attorney; and,

BE IT FINALLY RESOLVED that a copy of this resolution be forwarded to the County of Bergen and the Fire Chief.

Resolution 97-16 Approve GIS Data Exchange Agreement with County of Bergen

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 County of Bergen, with mailing address of Public Safety Operations Center, 285 Campgaw Road, Mahwah, New Jersey, for the sharing of Geographical Information System data to the mutual benefit of the Borough and the County; subject to the review and approval of said Agreement by the Borough Attorney; and,

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the County of Bergen and Fire Chief.

Resolution 98-16 Civil Rights Resolution

WHEREAS, it is the policy of the Borough of Franklin Lakes to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to, the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act, and,

WHEREAS, the Mayor and Council of the Borough of Franklin Lakes has determined that certain procedures need to be established to accomplish this policy;

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 no official, employee, appointee or volunteer of the Borough, by whatever title known, or any entity that is in any way a part of the Borough, shall engage, either directly or indirectly in any act, including the failure to act, that constitutes discrimination, harassment or a violation of any person's constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the Borough's business or using the facilities or property of the Borough; and,

BE IT FURTHER RESOLVED that the prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the Borough to provide services that otherwise could be performed by the Borough; and,

BE IT FURTHER RESOLVED that discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights; and,

BE IT FURTHER RESOLVED that the Borough Administrator shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution, and such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints; and,

BE IT FURTHER RESOLVED that no person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline; and,

BE IT FURTHER RESOLVED that the Borough Administrator shall establish written procedures that require all officials, employees, appointees and volunteers of the Borough as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution; and,

BE IT FURTHER RESOLVED that the Borough Administrator shall establish a system to monitor compliance and shall report at least annually to the Mayor and Council the results of the monitoring; and,

BE IT FURTHER RESOLVED that, at least annually, the Borough Administrator shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the Borough, and this communication shall include a statement from the Mayor and Council expressing its unequivocal commitment to enforce this resolution, and this summary shall also be posted on the Borough's web site; and,

BE IT FURTHER RESOLVED that this resolution shall take effect immediately; and,

BE IT FINALLY RESOLVED that a copy of this resolution shall be published in the official newspaper of the Borough in order for the public to be made aware of this policy and the Borough's commitment to the implementation and enforcement of this policy.

Resolution 99-16 Facilities Use Permit – Clash for Crown Tourney

WHEREAS, Clash for Crown Tourney, 16 Meadows Lane, Ocean, NJ 07712, has requested the use of Borough Facilities, Municipal Fields, May 21, 2016 and May 22, 2016 for Boys Lacrosse Tourney; as described on the Field/Building Use Permit dated January 21, 2016, on file in the Borough Clerks Office; and

WHEREAS, the Recreation and Parks Director has reviewed the request and has no objection to the use of the Municipal Fields for the dates requested;

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 Clash for Crown Tourney Boys Lacrosse Tourney, is hereby granted permission to use Borough facilities as described on the Field/Building Use Permit dated January 21, 2016; provided the applicant complies with all requirements of the Borough's facilities use ordinance; and,

BE IT FINALLY RESOLVED that a copy of this resolution be forwarded to Clash for Crown Tourney and the Recreation and Parks Director.

Resolution 100-16 Facilities Use Permit – Teels Summer Baseball and Softball Clinics

WHEREAS, G. Teels Baseball & Softball Training Center, 445 Braen Avenue, Wyckoff, NJ 07481, has requested the use of Borough Facilities, Pulis Field, June 27th through July 1st ; July 18th through July 22nd ; August 1st through August 5th and August 15th through August 19th for baseball and softball camps; as described on the Field/Building Use Permit dated February 3, 2016, on file in the Borough Clerks Office; and

WHEREAS, the Recreation and Parks Director has reviewed the request and has no objection to the use of the Pulis Avenue field for the dates requested;

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 G. Teels Baseball & Softball Training Center, is hereby granted permission to use Borough facilities as described on the Field/Building Use Permit dated February 3, 2016; provided the applicant complies with all requirements of the Borough's facilities use ordinance; and,

BE IT FINALLY RESOLVED that a copy of this resolution be forwarded to G. Teels Baseball & Softball Training Center and the Recreation and Parks Director.

Resolution 101-16 Tree Removal Permit – 670 Peachtree Lane

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

WHEREAS, in accordance therewith, Mr. Stoupakis, who resides at 670 Peach Tree Lane, has requested permission to remove trees in excess of those permitted by paragraph B of Borough Code §300-150; and,

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

WHEREAS, the Shade Tree Commission has recommended approval of the application with certain conditions, as set forth in the memo from the Shade Tree Commission dated February 10, 2016;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Franklin Lakes, County of Bergen and State of New Jersey that the recommendation of the Shade Tree Commission as set forth in its memo dated February 10, 2016 is hereby approved, and the tree removal application for 670 Peach Tree Lane be and is hereby approved, subject to the conditions in said Shade Tree Commission memo; and,

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

Resolution 102-16 Tax Lien Redemption – 496 Cherry Street

WHEREAS, at the Tax Sale held on November 30, 2015, the Borough of Franklin Lakes sold a tax lien on Block 2506, Lot 3, also known as 496 Cherry Street, for delinquent 2014 taxes, owned by Louis & Gladys M. Dolloway and;

WHEREAS, this Tax Lien Certificate #15-00005 was sold to TWR as CST EBURY FUND 1 NJ LLC, at P.O. Box 37695, Baltimore, MD 21297-3695 at zero percent interest rate and a premium of \$21,000;

WHEREAS, Richard Davis & Jaclyn Christopher, the new property owner has redeemed Certificate #15-00005 in the amount of \$13,352.39, and

NOW, THEREFORE, BE IT RESOLVED, that the Chief Financial Officer be authorized to issue check in the amount of \$34,352.39 to TWR as CST EBURY FUND 1 NJ LLC, at P.O. Box 37695, Baltimore, MD 21297-3695.

Principal	\$ 12,791.77
Redemption Penalty	243.15
Interest	262.47
Recording Fees	43.00
Other Fees	12.00

Redemption Total: **\$ 13,352.39**

Plus Premium: **\$ 21,000.00**

Grand Total: **\$ 34,352.39**

Resolution 103-16 Tax Refund – Breslow

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, and that the Freeze Act shall be applicable for 2016 on Block 2101.13 Lot 16 whose property location is 883 Apache Road, homeowner Breslow, Loren M.,

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>
2101.13	16	\$ 186,400 (2015)	\$ 2,980.54

Total Refund \$ 2,980.54

Preliminary 1Q 2016 Taxes paid in full	Credit \$ 745.13
Preliminary 2Q 2016 Taxes unpaid	Credit \$ 745.13
Total to be credited for 2Q 2016	<u>Credit \$1,490.26</u>

Resolution 104-16 Tax Refund – Arcot

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

WHEREAS, the Tax Court reduced their assessment therefore reducing the property taxes previously paid for the year(s) 2013, 2014 & 2015, and that the Freeze Act shall be applicable for 2014 on Block 1308 Lot 1.02 whose property location is 228 Woodmere Court, homeowner Arcot, Ravi,

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>
1308	1.02	\$ 125,900.00 (2013)	\$ 1,960.26
		\$ 125,900.00 (2014)	\$ 1,979.15
		\$ 275,900.00 (2015)	\$ 4,411.64
Total Refund			<u>\$ 8,351.05</u>

Resolution 105-16 Tax Refund – Piro

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) 2010, 2012, 2013, 2014 and 2015, on Block 1106 Lot 20 whose property location is 714 Somerset Street, property owner Piro, Richard N. & Rispoli, Lauren,

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>
1106	20	\$ 213,700 (2010)	\$ 2,662.70
		\$ 33,500 (2012)	\$ 513.56
		\$ 83,500 (2013)	\$ 1,300.10
		\$ 83,500 (2014)	\$ 1,312.62
		\$ 83,500 (2015)	\$ 1,335.17
Total Refund			<u>\$ 7,124.15</u>

Resolution 106-16 Emergency Temporary Appropriations – Sewer Utility

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 \$5,500.00;

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	2,000.00
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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 107-16 Emergency Temporary Appropriations

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 \$1,321,209.00;

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:

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

Salaries & Wages:	Municipal Clerk	1,000.00
	Finance Admin.	1,000.00
	Tax Collection	1,000.00
	Engineering	1,000.00
	Zoning Board	200.00
	Planning Board	400.00
	Construction Dept.	1,000.00
	Electrical Inspector	3,000.00
	Fire Protection	1,000.00
	Zoning Official	1,000.00
	Police	50,000.00
	Fire Department	1,000.00
	Road Repairs& Maint.	30,000.00
	Shade Tree	2,500.00
	Board of Health	1,000.00
Recreation	1,500.00	
Other Expenses:	Social Security	10,000.00
	Garbage Removal	35,000.00
	Environmental Comm.	100.00
	Insurance	110,000.00
	Group Ins. Employees	165,000.00
	Police	20,000.00
	Uniform Fire Safety	40,000.00
	Municipal Prosecutor	1,500.00
	Senior Citizens Prog.	3,500.00
	Maint. Public Library	125,000.00
	Street Lighting	2,000.00
	Telephone	4,000.00
	Gasoline	5,000.00
	PERS	252,567.00
	PFRS	415,022.00
Animal Control	2,400.00	
Public Defender	300.00	

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 108-16 Budget Transfers

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>	<u>From</u>	<u>To</u>
Group Health Ins. Plan	12,000	
<u>To</u>		
Roads Repairs & Maintenance-S&W		6,000
Police-S&W		6,000
	<u>12,000</u>	<u>12,000</u>

Resolution 109-16 2016 Budget Self Examination

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the *Borough of Franklin Lakes* has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2016 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the *Borough of Franklin Lakes* that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate and correctly stated,
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments, if any, have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

Respectfully submitted,

Sally T. Bleeker

Sally T. Bleeker, Borough Clerk