

MEETING OF THE MAYOR AND COUNCIL

May 17, 2016

7:30 P.M.

A regular meeting of the Mayor and Council was held on Tuesday, May 17, 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

PROCLAMATION

Click It or Ticket

WHEREAS, there were 560 motor vehicle fatalities in New Jersey in 2015; and

WHEREAS, a large percentage of the motor vehicle occupants killed in traffic crashes were not wearing a seat belt; and

WHEREAS, use of a seat belt remains the most effective way to avoid death or serious injury in a motor vehicle crash; and

WHEREAS, the National Highway Traffic Safety Administration estimates that 135,000 lives were saved by safety belt usage nationally between 1975-2000; and

WHEREAS, the State of New Jersey will participate in the nationwide *Click It or Ticket* seat belt mobilization from May 23 – June 5, 2016 in an effort to raise awareness and increase seat belt usage through a combination of high visibility enforcement and public education; and

WHEREAS, the Division of Highway Traffic Safety has set a goal of increasing the seat belt usage rate in the state from the current level of 91% to 93%; and

WHEREAS, a further increase in seat belt usage in New Jersey will save lives on our roadways;

THEREFORE, be is resolved that the Borough of Franklin Lakes declares its support for the *Click It or Ticket* seat belt mobilization both locally and nationally from May 23 – June 5, 2016 and pledges to increase awareness of the mobilization and the benefits of seat belt use.

APPOINTMENTS

Anthony J. DeCotiis – Franklin Lakes Fire Department

Motion made by Councilmember Ramsey to appoint Anthony J. DeCotiis to the Franklin Lakes Fire Department, seconded by Councilmember Kahwaty.

Roll Call Vote:

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

Nays:

Abstain:
Absent:
Motion Approved.

John Bakelaar – Captain Franklin Lakes Police Department

Motion made by Councilmember Kahwaty to appoint John Bakelaar as the Captain of the Franklin Lakes Police Department, seconded by Councilmember Ramsey.

Roll Call Vote:

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

Robert Lyon – Lieutenant Franklin Lakes Police Department

Motion made by Councilmember Ramsey to appoint Robert Lyon as the Lieutenant of the Franklin Lakes Police Department, seconded by Councilmember Kahwaty.

Roll Call Vote:

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

At this time, Police Chief Pezutti came forward and spoke of both John Bakelaar and Robert Lyon. Immediately after, John Bakelaar was sworn in as a Captain of the Franklin Lakes Police Department and Robert Lyon was sworn in as a Lieutenant of the Franklin Lakes Police Department.

ORDINANCES FOR FINAL READING AND ADOPTION

Motion made by Councilmember Cadicina to take up Ordinance 1676 for consideration of adoption on second and final reading, and direct the Borough Clerk to read by title, seconded by Councilmember Kahwaty. On voice vote, all in favor.

ORDINANCE 1676

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE PURCHASE OF VARIOUS ITEMS AND CERTAIN CAPITAL IMPROVEMENTS, AND APPROPRIATING \$310,000.00 FOR SAID PURCHASES AND IMPROVEMENTS AUTHORIZED TO BE UNDERTAKEN IN, BY AND FOR THE BOROUGH OF FRANKLIN LAKES, IN THE COUNTY OF BERGEN, NEW JERSEY

Summary – This ordinance appropriates \$310,000 for digital tax maps, Police Headquarters renovations and improvements to Huron Road and Old Mill Road (Borough will be reimbursed \$155,000 for this project)

WHEREAS, Ordinance 1676 was introduced at a meeting of the Mayor and Council held on the 3rd day of May, 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 1676 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 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 Council President Lambrix, seconded by Councilmember Kelly. On voice vote, all in favor.

Resolution read and introduced by Council President Lambrix, seconded by Councilmember Ramsey. Discussion – Borough Administrator Greg Hart clarified, for the record, the source of funding is from the Capital Improvement Fund.

Roll Call Vote:

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

Nays:

Abstain:

Absent:

Motion Approved.

Motion made by Councilmember Cadicina to take up Ordinance 1677 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.

ORDINANCE 1677

AN ORDINANCE AMENDING AND SUPPLEMENTING ORDINANCE NO. 1650 AND ORDINANCE NO. 1674 ESTABLISHING SALARIES AND OTHER COMPENSATION OF OFFICERS, MANAGERIAL STAFF, CONFIDENTIAL EMPLOYEES, AND EMPLOYEES OF THE BOROUGH OF FRANKLIN LAKES FOR THE YEARS 2015 AND 2016

Summary – This ordinance establishes a salary for Police Captain and Lieutenant, and amends errors in salaries for certain positions

WHEREAS, Ordinance 1677 was introduced at a meeting of the Mayor and Council held on the 3rd day of May, 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 1677 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 Kahwaty. 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 Council President Lambrix. 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 Swist. On voice vote, all in favor.

No one from the public came forward at this time.

CONSENT RESOLUTION 146-16

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.*

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|-------------------|---|
| Resolution 147-16 | Accept Report of the Finance Committee |
| Resolution 148-16 | Amend Personnel Policies and Procedures Manual |
| Resolution 149-16 | Amendment to By-Laws – Press Release |
| Resolution 150-16 | Approve Collective Bargaining Agreement – Lieutenants |
| Resolution 151-16 | Award Contract – Fire Department Testing |
| Resolution 152-16 | Award Contract – Hotbox Blacktop Patcher |
| Resolution 153-16 | Award Contract – Laserfiche Upgrade |
| Resolution 154-16 | CAC DOT LAIF Authorizing – Colonial Road School Safety Improvements |
| Resolution 155-16 | Capital Budget Amendment |
| Resolution 156-16 | Change Order No. 5 – Police Headquarters |
| Resolution 157-16 | Colonial Road School Safety Improvement SAGE |
| Resolution 158-16 | Facilities Use Permit – Becton Dickinson Soccer |
| Resolution 159-16 | Facilities Use Permit – Drew Gibbs Camp |
| Resolution 160-16 | Facilities Use Permit – Woodside Avenue School PTA |
| Resolution 161-16 | Online Auction – GovDeals |
| Resolution 162-16 | Parsons Pond Park |
| Resolution 163-16 | Police Captain Appointment |
| Resolution 164-16 | Tax Refund – Corelogic |
| Resolution 165-16 | Tree Removal Permit – 684 Navaho Trail Drive |
| Resolution 166-16 | Chapter 159 – Clean Communities Grant |

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 167-16 Supporting Senate Bill 969

WHEREAS, Senate Bill 969, recently passed by both houses of the New Jersey Legislature, if signed into law by Governor Christie, would implement the constitutional dedication of Corporate Business Tax revenues for open space, farmland and historic preservation; and,

WHEREAS, this dedication of four percent of Corporate Business Tax revenues for these purposes effectuates the taxpayers' directive pursuant to the approved November 2014 ballot question; and,

WHEREAS, as it pertains to the Borough of Franklin Lakes, this bill, if enacted into law, would allocate 24.32% (38% of the 64% allocated to the Green Acres Program) for grants and loans to fund local government open space acquisition and development projects; and,

WHEREAS, this source of Green Acres funding would allow Green Acres to open a new application round for municipal acquisition projects, giving municipalities, such as Franklin Lakes, the much needed resources to fund acquisition projects; and,

WHEREAS, the voters approved the ballot question to provide a dedicated funding source for Green Acres because voters want municipalities to be able to take advantage of opportunities to preserve open space;

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 urge Governor Chris Christie to sign Senate Bill 969 into law in order to effectuate the voters' desire to fund Green Acres projects; and

BE IT FINALLY RESOLVED that a copy of this resolution be forwarded to Senator Kevin O'Toole, Assemblyman Scott Rumana, Assemblyman David Russo, Senate and Assembly Sponsors of S969, and all Bergen County municipalities.

Resolution read and introduced by Council President Lambrix, seconded by Councilmember Cadicina. Discussion – Mayor Bivona advised that he wrote a letter in support of this.

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:

- April 5, 2016 Worksession
- April 5, 2016 Budget Meeting
- April 5, 2016 Closed Session
- April 19, 2016 Regular Meeting
- April 19, 2016 Closed Session
- May 3, 2016 Closed Session

Roll Call Vote:

Ayes: Cadicina, Kahwaty, Kelly, Lambrix, Ramsey (with exceptions), Swist

Nays:

Abstain: Ramsey – May 3, 2016 Closed Session

Absent:

Motion Approved.

OLD BUSINESS

Bike Rack

Council President Lambrix said he drove by the VFW Parking Plaza and he can't find the bike rack. Borough Administrator Hart will look into it.

NEW BUSINESS

Drug Initiative Letter

Mayor Bivona reported that the Drug Initiative Letter has been mailed with a brochure and letter.

Baskets for Franklin Lakes

Mayor Bivona announced that Baskets for Franklin Lakes will take place Saturday, June 4th. It is part of Mayor's Wellness and is put together by Dina Robinson. Part of the proceeds will benefit Denise Casalino of Upper Saddle River who tragically lost her husband and is now battling ovarian cancer.

Nature Preserve Boat Rentals

Borough Administrator, Greg Hart, reported that Ramsey Outdoor would like to run the boat rentals during the week, as well as, the weekends. The hours would be the same as the weekend 10 am – 4pm from June 20th through Labor Day weekend. Mayor and Council approved. Paddle Day is May 21st.

Mill Pond Parking

The parking lot of Mill Pond Townhouses is being paved and they requested to be able to park in some spots at the Tennis Courts. Traffic Officer, Denny Knubel approved. Mayor and Council approved.

McBride Field Planting Beds

Borough Administrator, Greg Hart, inquired with the Mayor and Council about using the Borough's Beautification Fund to landscape a small planting bed on the corner of McBride Field. The materials are costing \$4,000 and will be purchased from Twin Brook Nursery and installed by the DPW. Mayor and Council approved.

DOT – Colonial Road

Mr. Hart also reported that based on advice from the Grant Consultants the CAC DOT LAIF grant was a better source of funding for the Colonial Road project.

INTRODUCTION OF ORDINANCES ON FIRST READING

Move to take up consideration of Ordinance 1678 for Introduction, and direct the Borough Clerk to read by title was made by Councilmember Cadicina, seconded by Council President Lambrix. On voice vote, all in favor.

The Borough Clerk read the Ordinance by title only.

ORDINANCE 1678

AN ORDINANCE AMENDING PROVISIONS OF CHAPTER 300 “LAND USE AND DEVELOPMENT” OF THE CODE OF THE BOROUGH OF FRANKLIN LAKES PERTAINING TO PLACEMENT OF HVAC UNITS AND GENERATORS ON RESIDENTIAL PROPERTIES

WHEREAS, Ordinance 1678 was introduced at a meeting of the Mayor and Council held on the 17th day of May 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 1678 be and the same is hereby introduced on First Reading; and,

BE IT FURTHER RESOLVED that said Ordinance will be further considered for final passage at a meeting of the said Mayor and Council to be held on the 21st day of June 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 1678; 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 – Borough Attorney explained the Ordinance is being amended to allow the accessory structure to be as close to the main structure as possible according to manufacturer’s recommendations.

Roll Call Vote:

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

Nays:

Abstain:

Absent:

Motion Approved.

Move to take up consideration of Ordinance 1679 for Introduction, and direct the Borough Clerk to read by title was made by Councilmember Kahwaty, seconded by Councilmember Kelly. On voice vote, all in favor.

The Borough Clerk read the Ordinance by title only.

ORDINANCE 1679

AN ORDINANCE AMENDING CHAPTER 220 “UNIFORM CONSTRUCTION CODES” AND CHAPTER 259 “FIRE PREVENTION” OF THE CODE OF THE BOROUGH OF FRANKLIN LAKES TO REDUCE FEES FOR BOROUGH-SPONSORED EVENTS

WHEREAS, Ordinance 1679 was introduced at a meeting of the Mayor and Council held on the 17th day of May 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 1679 be and the same is hereby introduced on First Reading; and,

BE IT FURTHER RESOLVED that said Ordinance will be further considered for final passage at a meeting of the said Mayor and Council to be held on the 21st day of June 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 1679; 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 Kahwaty. Discussion – Mayor Bivona explained we are lowering fees for borough-sponsored events to attract more food vendors.

Roll Call Vote:

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

Move to take up consideration of Ordinance 1680 for Introduction, and direct the Borough Clerk to read by title was made by Councilmember Cadicina, seconded by Council President Lambrix. On voice vote, all in favor.

The Borough Clerk read the Ordinance by title only.

ORDINANCE 1680

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE PURCHASE OF DPW EQUIPMENT, AND APPROPRIATING \$215,000.00 FOR SAID PURCHASE AUTHORIZED TO BE UNDERTAKEN IN, BY AND FOR THE BOROUGH OF FRANKLIN LAKES, IN THE COUNTY OF BERGEN, NEW JERSEY

WHEREAS, Ordinance 1680 was introduced at a meeting of the Mayor and Council held on the 17th day of May 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 1680 be and the same is hereby introduced on First Reading; and,

BE IT FURTHER RESOLVED that said Ordinance will be further considered for final passage at a meeting of the said Mayor and Council to be held on the 21st day of June 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 1680; 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.

Move to take up consideration of Ordinance 1681 for Introduction, and direct the Borough Clerk to read by title was made by Councilmember Cadicina, seconded by Council President Lambrix. On voice vote, all in favor.

The Borough Clerk read the Ordinance by title only.

ORDINANCE 1681

AN ORDINANCE AMENDING CHAPTER 247 “FEES” OF THE CODE OF THE BOROUGH OF FRANKLIN LAKES TO ESTABLISH FEE FOR THE GOLF PROGRAM

WHEREAS, Ordinance 1681 was introduced at a meeting of the Mayor and Council held on the 17th day of May 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 1681 be and the same is hereby introduced on First Reading; and,

BE IT FURTHER RESOLVED that said Ordinance will be further considered for final passage at a meeting of the said Mayor and Council to be held on the 21st day of June 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 1681; 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 – Mr. Hart advised that Recreation Director, Jason Robinson, has suggested a new golf program for 5th to 8th grade children. The Recreation Committee was in favor of it. In order to charge a fee there must be an Ordinance. The fees cover the cost of the program.

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, May 17, 2016 which begins at 7:30 PM, in the Conference Room at the Municipal Building to discuss the following:

Closed meeting issues:

- 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 Councilmember Kahwaty, seconded by Councilmember Cadicina. On voice vote, all in favor.

Upon return from the Closed Session meeting, Anthony J. DeCotiis was sworn into the Franklin Lakes Fire Department.

ADJOURNMENT

Motion to adjourn the meeting was made at 8:34 PM by Councilmember Cadicina, seconded by Councilmember Kahwaty. On voice vote, all in favor.

Resolution 147-16 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 \$182,940.58 as shown on the Claims Bill List; \$0.00 as shown on the Soil Account Bill List and \$283.00 as shown on the Developers Escrow List.

Resolution 148-16 Amend Personnel Policies and Procedures Manual

BE IT RESOLVED by the Mayor and Council of the Borough of Franklin Lakes, County of Bergen and State of New Jersey, that the Personnel Policies and Procedures Manual and the Employee Handbook are hereby supplemented by the addition of the following:

31B) *Procedure for Issuance of Press Releases*

Proposed press releases may be prepared by Borough employees, boards, committees and commissions and department heads. Any proposed press release shall first be reviewed and approved by the department head or chairperson or head of the board, committee or commission. The proposed press release shall then be forwarded to the Borough Administrator for review and approval, except as provided hereinbelow. Upon approval of the proposed press release by the Borough Administrator, it may then be released to the press. For press releases on criminal arrests and investigations, the Police Chief shall review, approve and authorize the release of the press release, provided that the information being provided is limited to the information required to be made available to the public pursuant to Executive Order #69, as same may be amended.

31C) *Procedure for Issuance of Departmental Policy Directives*

For purposes of this policy, a departmental policy directive shall be considered a written statement which is issued to communicate information about and/or implementing policies, procedures and processes relating to matters of a department. Departmental policy directives shall only be issued by a department head or the Borough Administrator. Prior to issuance of a departmental policy directive by a department head, the proposed departmental policy directive shall be forwarded to the Borough Administrator for review and approval; except that routine day-to-day oral or written directives need not be reviewed and approved by the Borough Administrator. Upon approval of the proposed departmental policy directive by the Borough Administrator, if required, it may then be issued to the members of the department. All departmental policy directives shall be in accordance with applicable law. Nothing in this policy shall be interpreted in a manner that conflicts with the provisions of Borough Code Section 89-3, as same may be amended from time to time, which provides, in pertinent part, as follows:

“Subject to the approval of the Mayor and Council, the Police Committee shall provide for the maintenance, regulation and control of the Police Department and may further promulgate and adopt rules and regulations for the government of the Police Department.... Subject to the approval of the Mayor and Council, the Police Committee, through its Chairman, or the Borough Administrator, shall prescribe the policy and have general administrative control over the Department.”

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

Resolution 149-16 Amendment to By-Laws – Press Release

BE IT RESOLVED by the Mayor and Council of the Borough of Franklin Lakes, County of Bergen, State of New Jersey, that Section 30 “Procedure for issuance of press releases” of the “By-Laws of Borough Council” is hereby amended to read as follows:

§ 30. Procedure for issuance of press releases.

Official Borough press releases shall be issued by the Borough Administrator or his or her designee. Press releases other than official Borough press releases shall not be prepared on Borough letterhead.

Resolution 150-16 Approve Collective Bargaining Agreement – Lieutenants

WHEREAS, the Borough of Franklin Lakes and the Franklin Lakes Police Department Lieutenants have reached an agreement on a new Collective Bargaining Agreement for the period January 1, 2015 through December 31, 2018;

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 said Collective Bargaining Agreement is hereby approved; and,

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized and directed to execute on behalf of the Borough the Collective Bargaining Agreement for the period January 1, 2015 through December 31, 2018 with the Franklin Lakes Police Department Lieutenants; and,

BE IT FINALLY RESOLVED that a copy of this resolution be forwarded to Franklin Lakes Police Department Lieutenants and the Borough's Labor Attorney.

Resolution 151-16 Award Contract – Fire Department Testing

WHEREAS, the Fire Chief for the Borough of Franklin Lakes received three (3) proposals for a testing of certain Fire Department equipment; and,

WHEREAS, Fire Chief Ryan Dodd recommends that the contract for the testing of Fire Department equipment be awarded to the vendor that submitted the lowest proposal, Technical Fire Services, Inc., 21 South Taylor Street, Bergenfield, New Jersey 07621, for the proposal amount of \$6,573.93;

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 contract for the testing of certain Fire Department equipment be and is hereby awarded to Technical Fire Services, Inc., for the proposal amount of \$6,573.93; and,

BE IT FURTHER RESOLVED that a Certification of Funds has been prepared and authorized by the Chief Financial Officer for the said contract assuring that there is a sufficient appropriation to fund the purchase authorized in this resolution as an express and mandatory condition of the award of this contract; and,

BE IT FINALLY RESOLVED that a copy of this resolution be forwarded to Technical Fire Services, Inc., and the Fire Chief.

Resolution 152-16 Award Contract – Hotbox Blacktop Patcher

WHEREAS, the Superintendent of Public Works for the Borough of Franklin Lakes received three (3) proposals for a hotbox blacktop patcher; and

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

WHEREAS, the Borough Administrator has reviewed the proposals submitted and has determined that the proposals meet the specifications and recommends the award of a contract to apparent low proposal to Falcon/McGrath Municipal Equipment.

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

1. Falcon/McGrath Municipal Equipment, PO Box 422, Springfield, NJ 07081 is hereby awarded a contract in the amount of \$36,266.00
2. A Certification of Funds has been prepared and authorized by the Chief Financial Officer for the said contract assuring that there is a sufficient appropriation to fund the purchase authorized in this resolution as an express and mandatory condition of the award of this contract

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

Resolution 153-16 Award Contract – Laserfiche Upgrade

WHEREAS, N.J.S.A. 40A:11-5(1)(dd) provides that the Mayor and Council may award a contract for the provision of good for the support or maintenance of proprietary computer software without public advertising for bids; and,

WHEREAS, the Borough Administrator has recommended the purchase of an upgrade to the Borough’s existing proprietary electronic document management software system, from General Code, LLC, 781 Elmgrove Road, Rochester, New York 14624, in accordance with its October 28, 2015 proposal, for the proposal amount of \$11,631;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Franklin Lakes that the recommendation of the Borough Administrator is approved and the contract for the purchase of an upgrade to the Borough’s existing proprietary electronic document management software system be and is hereby awarded to General Code, LLC, for the proposal amount of \$11,631; and,

BE IT FURTHER RESOLVED that a Certification of Funds has been prepared and authorized by the Chief Financial Officer for the said contract assuring that there is a sufficient appropriation to fund the purchase authorized in this resolution as an express and mandatory condition of the award of this contract; and,

BE IT FINALLY RESOLVED that a copy of this resolution be forwarded to General Code, LLC.

Resolution 154-16 CAC DOT LAIF Authorizing – Colonial Road School Safety Improvements

BE IT RESOLVED by the Mayor and Council of the Borough of Franklin Lakes that application is made to the Commissioner of Transportation for aid under the 2016 Local Aid Infrastructure Trust program for Colonial Road School Safety Improvements.

WHEREAS, the Council has determined that such application(s) should be prepared by Capital Alternatives Corporation, the grants specialists engaged by the borough for assistance in such matters.

RESOLVED, that Capital Alternatives Corporation is authorized to prepare, assemble, and submit the necessary documentation on behalf of the Borough of Franklin Lakes for the stated project(s).

Resolution 155-16 Capital Budget Amendment

– See Attached –

Resolution 156-16 Change Order No. 5 – Police Headquarters

BE IT RESOLVED by the Mayor and Council of the Borough of Franklin Lakes, County of Bergen and State of New Jersey that Change Order #005 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
COST OF CHANGE ORDER #005	\$17,512.40
NEW CONTRACT SUM	\$848,727.65
CHANGE ORDER NUMBER	#005
NATURE OF CHANGES	Insulation and fascia, soffit and gutters

Resolution 157-16 Colonial Road School Safety Improvement SAGE

NOW, THEREFORE, BE IT RESOLVED that Council of the Franklin Lakes Borough formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as LAIF-2016-Colonial Road School Safety Improvements-00076 to the New Jersey Department of Transportation on behalf of the Franklin Lakes Borough.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Franklin Lakes Borough and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Resolution 158-16 Facilities Use Permit – Becton Dickinson Soccer

WHEREAS, Becton Dickinson has requested the use of Borough facilities, Pulis Avenue Field, for its employees team building activities to be held Tuesday evenings June 28, 2016 – August 16, 2016 from 7:00 PM till 8:00 PM;

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 Becton Dickinson is hereby granted permission to use Borough facilities for its employees team building activities to be held Tuesday evenings June 28, 2016 – August 16, 2016 from 7:00 PM till 8:00 PM 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 Becton Dickinson and the Recreation and Parks Director

Resolution 159-16 Facilities Use Permit – Drew Gibbs Camp

WHEREAS, the Drew Gibbs Football Camp has requested the use of Borough facilities, for its Football Camp to be held June 27, 2016 – July 01, 2016; and

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 Drew Gibbs Football Camp is hereby granted permission to use Borough facilities for its Football Camp to be held June 27,

2016 – July 01, 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 Drew Gibbs Football Camp and the Recreation and Parks Director.

Resolution 160-16 Facilities Use Permit – Woodside Avenue School PTA

WHEREAS, Woodside Avenue School PTA has requested the use of Borough facilities, Old Mill road Tennis Courts, for 5th Grade Picnic to be held Friday June 10, 2016 with a rain date of Monday June 13, 2016, 8:00 AM till 3:00 PM;

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 Woodside Avenue School PTA is hereby granted permission to use Borough facilities for 5th Grade Picnic to be held Friday June 10, 2016 with a rain date of Monday June 13, 2016, 8:00 AM till 3:00 PM 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 Woodside Avenue School PTA and the Recreation and Parks Director

Resolution 161-16 Online Auction – GovDeals

WHEREAS pursuant to N.J.S.A. 40A:11-36 and Local Finance Notice 2008-9, the Mayor and Council of the Borough of Franklin Lakes is desirous of selling the vehicles and items listed below by online auction;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Franklin Lakes, County of Bergen and State of New Jersey, the items listed below are hereby authorized to be sold at an online auction to be held on GovDeals:

- 1997 International 2674 Tandem Dump Truck
- 8.5 Western Power Angel Plow & Frame
- 47 inch Snow Blower Attachment
- ½ Ton Wheel Dolly
- Monmouth Tool Box for Truck – Quantity 2
- 60 inch Simplicity Plow Attachment
- Robin Air – Air Conditioner Charger
- Wisconsin Water Pump

BE IT FURTHER RESOLVED that the items are no longer needed for public use; and,

BE IT FURTHER RESOLVED that the sale will be held on GovDeals, at www.govdeals.com; and,

BE IT FURTHER RESOLVED that the sale is being conducted pursuant to Local Finance Notice 2008-9; and,

BE IT FINALLY RESOLVED that the terms and conditions of the agreement entered into with the vendor are available on the vendor's website and available in the office of the Borough Clerk.

Resolution 162-16 Parsons Pond Park

WHEREAS, Express Scripts, the owner of property located on Parsons Pond Road, is donating approximately 84 acres of its land, consisting of pristine parkland, Parsons Pond, ballfields, tennis courts, handball court, basketball court and certain buildings and other facilities, to the Borough of Franklin Lakes; and,

WHEREAS, the Mayor and Council are desirous of naming this new Borough parkland;

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 parkland being donated by Express Scripts to the Borough of Franklin Lakes is hereby named “Parsons Pond Park”; and,

BE IT FURTHER RESOLVED that this resolution shall be effective upon the transfer of title by Express Scripts to the Borough of Franklin Lakes of the parkland; and,

BE IT FINALLY RESOLVED that a copy of this resolution be forwarded to Express Scripts.

Resolution 163-16 Police Captain Appointment

BE IT RESOLVED by the Mayor and Council of the Borough of Franklin Lakes, County of Bergen, State of New Jersey that Lieutenant John Bakelaar be and is hereby promoted to the rank of Captain of the Franklin Lakes Police Department effective May 18, 2016 in accordance with a Terms of Employment letter prepared by Gregory C. Hart, Borough Administrator, dated April 28, 2016.

Resolution 164-16 Tax Refund – Corelogic

WHEREAS, First American Title for homeowner Jeremy S. Piccini, whose property location is 149 Pulis Avenue; Town Title Agency for homeowner Theodore & Anne Jadick, whose property location is 863 Tequesta Drive; and homeowner Emil Geering, whose property location is Birch Road, and the lender for the above three homeowners Corelogic, made payments for the 2Q 2016 taxes and,

WHEREAS, the above leaves an overpayment on the 2Q 2016 taxes on all three properties and,

WHEREAS, the lender Corelogic is seeking a refund for the payment done in error,

NOW, THEREFORE, BE IT RESOLVED, that the Chief Financial Officer be authorized to issue a check for the following amount and the same to be charged to Tax Overpayments Refunded.

<u>Block</u>	<u>Lot</u>	<u>Address</u>	<u>Refund Duplicate Payment</u>
1610	4	149 Pulis Avenue	\$ 6,077.00
2201.02	10	863 Tequesta Drive	\$ 2,990.00
2707	3	Birch Road	\$ 138.00

Made payable to:
Corelogic Real Estate Tax Service
Attn: Refund Department
PO Box 961250
Fort Worth, TX 76161-9887

Resolution 165-16 Tree Removal Permit – 684 Navaho Trail Drive

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

WHEREAS, in accordance therewith, Mr. & Mrs. Kearney, who resides at 684 Navaho Trail Drive, 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 April 15, 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 April 15, 2016 is hereby approved, and the tree removal application for 684 Navaho Trail Drive 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. Kearney, the Tree Specialist and the Shade Tree Commission.

Resolution 166-16 Chapter 159 – Clean Communities Grant

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for an equal amount; and

WHEREAS, the Borough of Franklin Lakes has received a \$33,665.44 Clean Communities Grant and wishes to amend its 2016 Budget to include said amount as a revenue;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Franklin Lakes, that permission be requested by the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the 2016 Budget in the sum of \$33,665.44 which will be available as a revenue from:

Miscellaneous Revenues:

Public and Private Programs Offset by Appropriations:	
Clean Communities Grant	\$33,665.44

BE IT FURTHER RESOLVED that a sum of \$33,665.44 and the same is hereby appropriated under the caption of:

General Appropriations:

(a) Operations Excluded from "CAPS":

Public and Private Programs Offset by Revenues:	
Clean Communities Grant	\$33,665.44

BE IT FURTHER RESOLVED that the Chief Financial Officer will file this resolution and accompanying documents electronically with the Director of Local Government Services.

Respectfully submitted,



Sally T. Bleeker, Borough Clerk