

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

A regular meeting of the Mayor and Council was held on July 19, 2016, in the Municipal Building.

**MEETING CALLED TO ORDER**

**ROLL CALL**

The following Council Members and Professional Staff responded to the roll call: Mayor Bivona, Councilmember Cadicina, Councilmember Kahwaty, Councilmember Kelly, Council President Lambrix and Councilmember Swist. Also present were Borough Administrator Hart, Borough Attorney Smith and Borough Clerk Sally Bleeker. Absent was Councilmember Ramsey

**SUNSHINE LAW STATEMENT**

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

**FLAG SALUTE**

**MOMENT OF SILENT REFLECTION**

**APPOINTMENTS**

- Substitute Crossing Guard – Rose Marie Huth
- Fire Department Lieutenant – Brian Comitto
- DPW Seasonal Employee – Abel Torres

Motion to make the above-referenced appointments was made by Councilmember Kahwaty, seconded by Councilmember Kelly.

Roll Call Vote:

Ayes: Cadicina, Kahwaty, Kelly, Lambrix, Swist

Nays:

Abstain:

Absent:

Motion Approved.

**PRESENTATION**

Girl Scout Gold Star Award Project – Julia Helliesen

Girl Scout, Julia Helliesen, came forward and presented her Gold Star Award Project. Ms. Helliesen explained that she will bring awareness to the community regarding proper flag etiquette and proper flag disposal. She also plans on establishing an informational web page and you tube video on the Borough's website to further build awareness on the proper handling, displacing and disposing of the flag. Ms. Helliesen's project plans also include creating a retired flag drop-off box with hand-outs about flag etiquette.

Council President Lambrix asked where the flag drop-off box would be located. Ms. Helliesen said the box would be located at the Bender Court Fire House.

**PROCLAMATIONS**

**Eagle Scout – John Riccobene**

**WHEREAS**, July 23, 2016, Boy Scout John Riccobene will be recognized by the Boy Scouts of America for successfully completing all requirements for Scouting's highest rank; and,

**WHEREAS**, we are gathered here on this occasion, as friends, family and members of the Scouting community to support him on his attainment of the rank of Eagle Scout and to recognize the faithful and steady path taken within the Scouting organization; and,

**WHEREAS**, Scouting, for both boys and girls, has been an integral part of the community of Franklin Lakes as well as a positive influence for many years; and,

**WHEREAS**, we commend John on his Eagle Scout project, the conception, planning and construction of a foundation and outdoor cross used during Lent and Easter at Most Blessed Sacrament Church in Franklin Lakes;

**NOW THEREFORE, I, FRANK BIVONA**, Mayor of the Borough of Franklin Lakes, on behalf of the Mayor and Council and the residents of the Borough, do hereby recognize and congratulate **JOHN RICCOBENE, EAGLE SCOUT**, for this outstanding accomplishment, extend to him our deepest appreciation for all of his hard work, and wish him the best in all of his future endeavors.

**IN WITNESS HEREOF**, I have hereunto set my Hand and caused the Seal of the Borough of Franklin Lakes to be affixed this 19<sup>th</sup> day of July, 2016.

### **Eagle Scout – Kyle Massood**

**WHEREAS**, July 23, 2016, Boy Scout Kyle Massood will be recognized by the Boy Scouts of America for successfully completing all requirements for Scouting's highest rank; and,

**WHEREAS**, we are gathered here on this occasion, as friends, family and members of the Scouting community to support him on his attainment of the rank of Eagle Scout and to recognize the faithful and steady path taken within the Scouting organization; and,

**WHEREAS**, Scouting, for both boys and girls, has been an integral part of the community of Franklin Lakes as well as a positive influence for many years; and,

**WHEREAS**, we commend Kyle on his Eagle Scout project, planning and running a blood drive at the Franklin Lakes Ambulance Corps building for Community Blood Services, a New Jersey Blood Bank;

**NOW THEREFORE, I, FRANK BIVONA**, Mayor of the Borough of Franklin Lakes, on behalf of the Mayor and Council and the residents of the Borough, do hereby recognize and congratulate **KYLE MASSOOD, EAGLE SCOUT**, for this outstanding accomplishment, extend to him our deepest appreciation for all of his hard work, and wish him the best in all of his future endeavors.

**IN WITNESS HEREOF**, I have hereunto set my Hand and caused the Seal of the Borough of Franklin Lakes to be affixed this 19<sup>th</sup> day of July, 2016.

### **Eagle Scout – Sean Reilly**

**WHEREAS**, July 23, 2016, Boy Scout Sean Reilly will be recognized by the Boy Scouts of America for successfully completing all requirements for Scouting's highest rank; and,

**WHEREAS**, we are gathered here on this occasion, as friends, family and members of the Scouting community to support him on his attainment of the rank of Eagle Scout and to recognize the faithful and steady path taken within the Scouting organization; and,

**WHEREAS**, Scouting, for both boys and girls, has been an integral part of the community of Franklin Lakes as well as a positive influence for many years; and,

**WHEREAS**, we commend Sean on his Eagle Scout project, the conception, planning, cleanup and construction of a butterfly garden, including replanting milkweed to attract and aid Monarch butterflies during their migration at the Lorrimer Sanctuary in Franklin Lakes;

**NOW THEREFORE, I, FRANK BIVONA**, Mayor of the Borough of Franklin Lakes, on behalf of the Mayor and Council and the residents of the Borough, do hereby recognize and congratulate **SEAN REILLY, EAGLE SCOUT**, for this outstanding accomplishment, extend to him our deepest appreciation for all of his hard work, and wish him the best in all of his future endeavors.

**IN WITNESS HEREOF**, I have hereunto set my Hand and caused the Seal of the Borough of Franklin Lakes to be affixed this 19<sup>th</sup> day of July, 2016.

**ORDINANCES FOR FINAL READING AND ADOPTION**

Motion made by Councilmember Kelly to take up Ordinance 1682 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 1682**

**AN ORDINANCE SUPPLEMENTING ORDINANCE 1674 ESTABLISHING SALARIES AND OTHER COMPENSATION OF OFFICERS, MANAGERIAL STAFF, CONFIDENTIAL EMPLOYEES, AND EMPLOYEES OF THE BOROUGH OF FRANKLIN LAKES FOR THE YEAR 2016**

*Summary – This ordinance amends the 2016 salary ordinance to include the salary for Construction Assistant which was inadvertently omitted from the original ordinance.*

**WHEREAS**, Ordinance 1682 was introduced at a meeting of the Mayor and Council held on the 21<sup>st</sup> day of June, 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 1682 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 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 Cadicina. On voice vote, all in favor.

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

Roll Call Vote:

Ayes: Cadicina, Kahwaty, Kelly, Lambrix, Swist

Nays:

Abstain:

Absent: Ramsey

Motion Approved.

Motion made by Councilmember Kahwaty to take up Ordinance 1683 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 1683**

**AN ORDINANCE AMENDING PROVISIONS OF CHAPTER 71  
“OFFICERS AND EMPLOYEES” OF THE CODE OF THE BOROUGH  
OF FRANKLIN LAKES PERTAINING TO EMPLOYEE DISCIPLINE**

*Summary – This ordinance amends and clarifies the authority of the Borough Administrator for disciplining employees.*

**WHEREAS**, Ordinance 1683 was introduced at a meeting of the Mayor and Council held on the 21<sup>st</sup> day of June, 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 1683 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 Councilmember Kahwaty, seconded by Councilmember Kelly. On voice vote, all in favor.

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

Roll Call Vote:

Ayes: Cadicina, Kahwaty, Kelly, Lambrix, Swist

Nays:

Abstain:

Absent: Ramsey

Motion Approved.

Motion made by Council President Lambrix to take up Ordinance 1684 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.

The Borough Clerk read the Ordinance by title only.

**ORDINANCE 1684**

**AN ORDINANCE AMENDING AND SUPPLEMENTING  
PROVISIONS OF CHAPTER 356 “PARKS AND PUBLIC LANDS”  
OF THE CODE OF THE BOROUGH OF FRANKLIN LAKES**

*Summary – This ordinance establishes rules and regulations for Parsons Pond Park.*

**WHEREAS**, Ordinance 1684 was introduced at a meeting of the Mayor and Council held on the 21<sup>st</sup> day of June, 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 1684 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 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 Council President Lambrix, seconded by Councilmember Kahwaty. Discussion – none.

Roll Call Vote:

Ayes: Cadicina, Kahwaty, Kelly, Lambrix, Swist

Nays:

Abstain:

Absent: Ramsey

Motion Approved.

Motion made by Councilmember Swist to take up Ordinance 1685 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 1685**

**AN ORDINANCE AMENDING ORDINANCE NO. 1676 TO INCREASE THE APPROPRIATION FOR THE PURCHASE OF VARIOUS ITEMS AND CERTAIN CAPITAL IMPROVEMENTS FROM \$310,000 TO \$318,000**

*Summary – This ordinance increases the appropriation for the Huron Road/Old Mill Road improvements project by \$8,000 to cover the cost of the grant professional's fee.*

**WHEREAS**, Ordinance 1685 was introduced at a meeting of the Mayor and Council held on the 21<sup>st</sup> day of June, 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 1685 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 Council President Lambrix, seconded by Councilmember Kahwaty. Discussion – none.

Roll Call Vote:

Ayes: Cadicina, Kahwaty, Kelly, Lambrix, Swist

Nays:

Abstain:

Absent: Ramsey

Motion Approved.

Motion made by Councilmember Kahwaty to take up Ordinance 1686 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 1686**

#### **AN ORDINANCE AUTHORIZING AND PROVIDING FOR CERTAIN PARK IMPROVEMENTS, AND APPROPRIATING \$46,970.00 FOR SAID 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 \$46,970 for improvements to tennis courts and installation of a dog park at Old Mill Woodlands, of which \$23,985 is eligible for reimbursement under the Bergen County Municipal Park Improvements grant program.*

**WHEREAS**, Ordinance 1686 was introduced at a meeting of the Mayor and Council held on the 5<sup>th</sup> day of July, 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 1686 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 Councilmember Cadicina, 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, Swist

Nays:

Abstain:

Absent: Ramsey

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.

Loretta Stadler, 307 Freemans Lane. Mrs. Stadler came forward to express her concerns regarding the upcoming bear hunt in New Jersey. The territory has been extended as well as the amount of days. She does not feel hunting has a place in Franklin Lakes. She is concerned for the safety and well being of the residents in town. She walks about 5 miles a day and is concerned about her safety. She is concerned about a wounded bear coming into her yard or a neighbor's yard. She feels the hunt is a drastic solution to a small problem. She has seen very few bears in the years she has resided in Franklin Lakes. She is asking for a resolution or an ordinance that would ban bear hunting in our town.

Mayor Bivona said that the bear hunts are not anywhere near where Franklin Lakes is. They do have the expanded maps and the territory is not near Franklin Lakes. There is already an Ordinance prohibiting the discharge of fire arms in Franklin Lakes. There will never be a bear hunt in Franklin Lakes. Mayor Bivona also informed Mrs. Stadler that the Borough has always educated the public on bear awareness and anytime a bear is sighted the State is contacted. Mrs. Stadler suggested giving people who are leaving their garbage out all the time warnings. Mayor Bivona said the Borough will continue to educate the general public.

Cheryl D'Angelica, 701 Shawnee Drive. Mrs. D'Angelica also came forward regarding concerned about bear hunts. This is a personal matter since her cousin was killed in a hunting accident in Connecticut while he was walking his dog. She is concerned that the hunt is in portions of Wayne. Mayor Bivona said that the territory is not near Franklin Lakes.

Doreen Frega, Saddle Brook, NJ. She offered the Mayor and Council sample resolutions banning bear hunts if they are interested.

Laurie Burnette, 746 Lawlins Road. Mrs. Burnette asked if there were people looking for a dog park. Mayor Bivona said several people had expressed interest. Mrs. Burnette also asked about the sidewalks on Colonial Road. Mr. Hart explained the Borough is applying for a grant for the project. Mr. Hart said it is a large project and more traffic signals would be needed. He is not sure if the Borough would be awarded the grant.

Mrs. Burnette also asked about the timing of the special needs housing project. Mr. Hart said that the ground breaking should be this year and that the construction would be completed 12 months later.

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

**CONSENT RESOLUTION 203-16**

**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 204-16      Accept Report of the Finance Committee
- Resolution 205-16      Award Contract – Book Recycling
- Resolution 206-16      Award Contract – Impact Testing
- Resolution 207-16      Award Proposal – Fire Truck Radio Equipment
- Resolution 208-16      Award Contract – Musketeer Lacrosse Clinic
- Resolution 209-16      Award State Contract – Police Vehicles
- Resolution 210-16      Bus Stop Designations
- Resolution 211-16      Colonial Road and Pulis Ave School Safety Improvements
- Resolution 212-16      Mayors Wellness Campaign Gift
- Resolution 213-16      Medical Benefits – Family of John Keene
- Resolution 214-16      NBCUA Shared Services Agreement – Sewer Operator
- Resolution 215-16      Stipulation of Settlement – LaPietra
- Resolution 216-16      Tax Bill Extension
- Resolution 217-16      Treatment Works Approval – Franklin Lakes Supportive Housing
- Resolution 218-16      Tree Removal Permit – Simmers

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

Roll Call Vote:

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

**ACTION ON MINUTES**

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

- June 8, 2016 Work Session
- June 21, 2016 Regular
- July 5, 2016 Closed Session

Roll Call Vote:

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

Nays:

Abstain: Lambrix – June 8, 2016 Work Session

Absent: Ramsey

Motion Approved.

**OLD BUSINESS**

**Trash Rack – Indian Trail Drive**

Mr. Hart said the trash rack has been installed on Indian Trail Drive.

**NEW BUSINESS**

**Memorial Pond Fund**

A fundraiser is being worked on for the Memorial Pond Fund. There is a trust fund for the maintenance of Memorial Pond which is almost or close to depletion. A mailing will be sent out to all residents asking for donations to the Memorial Pond Fund. This will be in conjunction with the 15<sup>th</sup> anniversary of September 11<sup>th</sup>. This will help to replenish the fund. The Mayor and Council are in support of the fundraiser.

**INTRODUCTION OF ORDINANCES ON FIRST READING**

At this time, it was recommended by Mr. Hart to defer the Introduction of Ordinance 1687 until August.

**ORDINANCE 1687**

**AN ORDINANCE AMENDING CHAPTER 300 “LAND USE AND DEVELOPMENT” OF THE CODE OF THE BOROUGH OF FRANKLIN LAKES TO AMEND REFERENCE TO IMPERVIOUS COVERAGE IN AREA AND BULD REGULATIONS SCHEDULE**

Motion to take up consideration of Ordinance 1688 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 Ordinance by title only.

**ORDINANCE 1688**

**AN ORDINANCE SUPPLEMENTING THE CODE OF THE BOROUGH OF FRANKLIN LAKES TO ESTABLISH CHAPTER 137 “AIRCRAFT, SMALL UNMANNED”**

**WHEREAS**, Ordinance 1688 was introduced at a meeting of the Mayor and Council held on the 19<sup>th</sup> day of July 2016;

**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 1688 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 16<sup>th</sup> day of August 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 1688; 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 – Councilmember Kahwaty wanted to note that the drones are being miniaturized in such an extent that it may be hard to regulate them in the future. Mayor Bivona believes this Ordinance is good first step.

Roll Call Vote:

Ayes: Cadicina, Kahwaty, Kelly, Lambrix, Swist

Nays:

Abstain:

Absent: Ramsey

Motion Approved.

Motion to take up consideration of Ordinance 1689 for Introduction, and direct the Borough Clerk to read by title was made by Councilmember Cadicina, seconded by Councilmember Kelly. On voice vote, all in favor.

The Borough Clerk read the Ordinance by title only.

**ORDINANCE 1689**

**AN ORDINANCE AUTHORIZING AND PROVIDING FOR CERTAIN IMPROVEMENTS AT PARSONS POND PARK, AND APPROPRIATING \$25,000.00 FOR SAID IMPROVEMENTS AUTHORIZED TO BE UNDERTAKEN IN, BY AND FOR THE BOROUGH OF FRANKLIN LAKES, IN THE COUNTY OF BERGEN, NEW JERSEY**

**WHEREAS**, Ordinance 1689 was introduced at a meeting of the Mayor and Council held on the 19<sup>th</sup> day of July 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 1689 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 16<sup>th</sup> day of August 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 1689; 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, Swist

Nays:

Abstain:

Absent: Ramsey

Motion Approved.

Motion to take up consideration of Ordinance 1690 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 1690**

### **AN ORDINANCE CREATING A NEW CHAPTER 370 OF THE CODE OF THE BOROUGH OF FRANKLIN LAKES ENTITLED “PROPERTY, REHABILITATION OF ABANDONED”**

**WHEREAS**, Ordinance 1690 was introduced at a meeting of the Mayor and Council held on the 19<sup>th</sup> day of July 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 1690 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 16<sup>th</sup> day of August 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 1690; 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 – Mr. Hart explained the language in this Ordinance is verbatim from the legislation. He further explained the 2 sections of the Ordinance. The first being the registration when the property is in default on their mortgage. The second section is the broader category of what might be considered an abandoned property. This also gives the Construction Official more tools. Borough Attorney Smith said this Ordinance would be used as a last resort.

#### Roll Call Vote:

Ayes: Cadicina, Kahwaty, Kelly, Lambrix, Swist

Nays:

Abstain:

Absent: Ramsey

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, July 19, 2016 which begins at 7:30 PM, in the Conference Room at the Municipal Building to discuss the following:

Closed meeting issues:

- Personnel – DPW Hires
  - Keith Mistretta
  - Matthew Emmerson
  - Sebastian Wolff
- Personnel – Municipal Alliance

**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 at 8:44 PM was made by Council President Lambrix, seconded by Councilmember Cadicina. On voice vote, all in favor.

#### **ADJOURNMENT**

Motion to adjourn the meeting was made at 8:50 PM by Councilmember Cadicina, seconded by Councilmember Kahwaty. On voice vote, all in favor.

#### **Resolution 204-16 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 \$378,210.92 as shown on the Claims Bill List; \$865.25 as shown on the Soil Account Bill List and \$930.00 as shown on the Developers Escrow List.

#### **Resolution 205-16 Award Contract – Book Recycling**

**WHEREAS**, the Recycling Coordinator for the Borough of Franklin Lakes has solicited proposals for the placement of a book recycling bin at the Borough's recycling depot; and,

**WHEREAS**, by memo dated June 21, 2016, the Recycling Coordinator has recommended the award of a contract to a non-profit organization, Planet Aid, 3 Lincoln Drive, Fairfield, New Jersey 07004, upon such terms and conditions as described in said memo;

**NOW THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Franklin Lakes that the recommendation of the Recycling Coordinator is hereby approved and a contract for placement of a book recycling bin at the Borough's recycling depot is hereby awarded to Planet Aid, upon such terms and conditions as set forth in the Recycling Coordinator's memo dated June 21, 2016, subject to approval of the form of the Agreement by the Borough Attorney; and,

**BE IT FINALLY RESOLVED** that a copy of this resolution be forwarded to Planet Aid and the Recycling Coordinator.

#### **Resolution 206-16 Award Contract – Impact Testing**

**WHEREAS**, the Borough of Franklin Lakes has a need to acquire IMPACT testing (concussion testing) as a professional service pursuant to the provisions of N.J.S.A. 40A:11-5, and,

**WHEREAS**, this agreement shall commence on or about July 19, 2016 and shall continue in effect until September 19, 2016; and,

**WHEREAS**, the cost of these services shall not exceed \$17,500 and therefore "Pay to Play" requirements do not apply; and,

**WHEREAS**, New Jersey Pediatric Neuroscience Institute (NJPNI) 131 Madison Avenue, Suite 140 Morristown, New Jersey 07960 has submitted a proposal indicating they will provide concussion testing for \$20 per test, for a total estimated amount of \$4,600, and,

**WHEREAS**, 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,

**NOW THEREFORE BE IT RESOLVED**, that the Mayor and Council of the Borough of Franklin Lakes authorizes the Borough Administrator to enter into a contract with New Jersey Pediatric Neuroscience Institute for concussion testing for \$20 per test, for a total estimated amount of \$4,600; and,

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

**Resolution 207-16 Award Proposal – Fire Truck Radio Equipment**

**WHEREAS**, the Fire Chief for the Borough of Franklin Lakes received three (3) proposals for removal and installation of Radio Equipment for the new fire apparatus; 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 Goosetown Communications.

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

1. Goosetown Communications, 58 North Harrison Ave. Congers, NY 10920 is hereby awarded a contract in the amount of \$7,374.13.
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 208-16 Award Contract – Musketeer Lacrosse Clinic**

**WHEREAS**, the Recreation and Parks Director received three proposals for lacrosse training; and,

**WHEREAS**, the Recreation and Parks Director recommends that the contract for lacrosse training be awarded to the contractor that submitted the lowest proposal, Musketeer Lacrosse, LLC, P. O. Box 286, Ridgewood, New Jersey 07450, for the proposal amount of \$4,000; and

**NOW THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Franklin Lakes, County of Bergen and State of New Jersey that the recommendation of the Recreation and Parks Director be accepted and the contract for lacrosse training be and is hereby awarded to Musketeer Lacrosse, LLC, for the proposal amount of \$7,600; 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

**BE IT FINALLY RESOLVED** that a copy of this resolution be forwarded to Musketeer Lacrosse, LLC, and the Recreation and Parks Director.

**Resolution 209-16 Award State Contract – Police Vehicles**

**WHEREAS**, the Borough of Franklin Lakes wishes to purchase two (2) vehicles for the Police Department from an authorized vendor under the State of New Jersey Cooperative Purchasing Program 1-NJCP; and

**WHEREAS**, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, N.J.S.A 40A:11-12; and

**WHEREAS**, Winner Ford, 250 Haddonfield-Berlin Road, Cherry Hill, NJ 08034 has been awarded New Jersey State Contract number A88728 for 2017 Ford Police Interceptor Utility AWD vehicles, with an expiration date of March 15, 2017; and

**WHEREAS**, the Police Chief and Borough Administrator recommend the utilization of this contract on the grounds that it represents the best price available; and

**WHEREAS**, the cost for the purchase of each vehicle is \$26,443.00 for a total cost \$52,886.00; and

**WHEREAS**, the total cost of the vehicles is to be financed utilizing funds received from the Aaron and Rachel Meyer Foundation; and

**WHEREAS**, the Chief Financial Officer has certified the availability of funds for this purchase,

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Franklin Lakes that two (2) 2017 Ford Police Interceptor Utility AWD vehicles be purchased from Winner Ford, 250 Haddonfield-Berlin Road, Cherry Hill, NJ 08034.

**Resolution 210-16 Bus Stop Designations**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Franklin Lakes, County of Bergen and State of New Jersey.

That pursuant to N.J.S.A. 39-4-8(e) the following described locations are **designated as bus stops**:

**FRANKLIN LAKES COUNTY ROADS**

**1. Along Franklin Avenue (CR 502), eastbound on the southerly side  
Thereof at**

- a. Lakeside Boulevard – (far side) (prolongation)  
Beginning at the prolongation of the easterly curblineline of Lakeside Boulevard and extending 100 feet easterly therefrom (location 11941).
- b. Between Circle Avenue and Courter Road – (mid-block) (prolongation)  
Beginning 221 feet east of the prolongation of the easterly curblineline of Circle Avenue and extending 135 feet easterly therefrom (location 11942).
- c. Connie Avenue – (near side)  
Beginning at the westerly curblineline of Connie Avenue and extending 105 feet westerly therefrom (location 11943).
- d. Bowers Lane – (far side) (prolongation)  
Beginning at the prolongation of the easterly curblineline of Bowers Lane and extending 100 feet easterly therefrom (location 11944).
- e. Summit Avenue – (near side)  
Beginning at the westerly curblineline of Summit Avenue and extending 105 feet westerly therefrom (location 11945).
- f. Blue Hill Terrace – (near side)(prolongation)  
Beginning at the prolongation of the westerly curblineline of Blue Hill Terrace and extending 105 feet westerly therefrom (location 11946).
- g. Haddon Place – (near side)  
Beginning at the westerly curblineline of Haddon Place and extending 105 feet westerly therefrom (location 11947).

2. **Along Franklin Avenue (CR 502), westbound on the northerly side thereof at**

- a. Between Packer Avenue and Ewing Avenue – (mid-block)  
Beginning 323 feet west of the westerly curbline of Packer Avenue and extending 135 feet westerly therefrom (location 11948).
- a. Blue Hill Terrace – (far side)  
Beginning at the westerly curbline of Blue Hill Terrace and extending 100 feet westerly therefrom (location 11949).
- c. Between Old Mill Road and DeKorte Drive – (mid-block)  
Beginning 421 feet west of the westerly curbline of Old Mill Road and extending 135 feet westerly therefrom (location 11950).
- d. Between Bowers Lane and Cherry Street – (mid-block)  
Beginning 200 feet west of the westerly curbline of Bowers Lane and extending 135 feet westerly therefrom (location 11951).
- e. Campgaw Plaza – (far side)  
Beginning at the westerly curbline of Campgaw Plaza and extending 100 feet westerly therefrom (location 11952).
- f. Between Circle Avenue and Courter Road – (mid-block)  
Beginning 221 feet east of the easterly curbline of Circle Avenue and extending 135 feet easterly therefrom (location 11953).
- g. Lakeside Boulevard – (far side)  
Beginning at the westerly curbline of Lakeside Boulevard and extending 100 feet westerly therefrom (location 11954).

That the Mayor and Council of the Borough of Franklin Lakes will enforce the needed traffic regulations governing the aforementioned bus stop location and provide the necessary police security to ensure the safety of the traveling public.

**Resolution 211-16 Colonial Road and Pulis Ave School Safety Improvements**

**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 and Pulis Avenue 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 212-16 Mayors Wellness Campaign Gift**

**WHEREAS**, the Mayors Wellness Campaign organizes the Baskets 4 Franklin Lakes basketball tournament to raise money for the Mayors Wellness Campaign and to benefit persons in need; and,

**WHEREAS**, Dina Robinson, Mayors Wellness Coordinator, has recommended that \$5,000 from the proceeds of the 2016 Baskets 4 Franklin Lakes basketball tournament be gifted to Denise Casalino, who resides at 16 Pine Hill Road, in Upper Saddle River, New Jersey, who is a person in need as detailed in Ms. Robinson's June 23, 2016 email to Kelly Semrau;

**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 Mayors Wellness Coordinator be and is hereby approved and a gift of \$5,000 from the proceeds of the 2016 Baskets 4 Franklin Lakes basketball tournament to Denise Casalino is hereby authorized from the Mayors Wellness Campaign account; and,

**BE IT FINALLY RESOLVED** that a copy of this resolution be forwarded to the Mayors Wellness Coordinator and the Chief Financial Officer.

**Resolution 213-16 Medical Benefits – Family of John Keene**

**WHEREAS**, in recognition of the dedicated long term service to the Borough as an employee and as a volunteer by John Keene, who recently passed away, the Mayor and Council are desirous of extending the time period for providing medical and dental benefits to his widow and their daughter for a period of up to three months;

**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 medical and dental benefits be provided to Jenny Keene, the widow of John Keene, and their daughter through and including September 30, 2016, or such time as Jenny Keene is able to obtain medical benefits through her employer, whichever is sooner; and,

**BE IT FINALLY RESOLVED** that a copy of this resolution be forwarded to Jenny Keene and the Assistant to the Administrator.

**Resolution 214-16 NBCUA Shared Services Agreement – Sewer Operator**

**WHEREAS**, the Borough must provide for certain services in connection with the operation and maintenance of a sanitary sewer collection system when it owns such a collection system; and,

**WHEREAS**, the Northwest Bergen County Utilities Authority, 30 Wyckoff Avenue, Waldwick, New Jersey, has submitted a shared services proposal dated June 29, 2016 to provide such services;

**WHEREAS**, this agreement shall commence on or about June 1, 2016 and shall continue in effect until May 31, 2017; and,

**NOW THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Franklin Lakes that Northwest Bergen County Utilities Authority be and is hereby awarded the shared services contract for operation and maintenance of the Borough's sanitary sewer collection system, including an annual fee of \$4,600 for Licensed Collection System Operator services and such other itemized services as set forth in its proposal dated June 29, 2016; and

**BE IT FINALLY RESOLVED** that a copy of this resolution be forwarded to the Northwest Bergen County Utilities Authority.

**Resolution 215-16 Stipulation of Settlement – LaPietra**

**Block:** 2608  
**Lot:** 2  
**Street Address:** 327 Woodside Avenue  
**Owner:** LaPietra, Ross

**WHEREAS**, an appeal of the tax assessment for the year 2015 has been filed for the above-noted property; and

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

**IT IS HEREBY RESOLVED** by the Mayor and Council of the Borough of

Franklin Lakes that the tax assessment for the above-referenced property is hereby adjusted for the following year, and the Borough Attorney is authorized to execute an appropriate Stipulation of Settlement agreeing to the entry of a judgment reflecting these adjustments/this adjustment.

**Tax Year: 2015**

	Original <u>Assessment</u>	Tax Court <u>Judgment</u>
Land	\$475,000	\$475,000
Improvements	\$483,000	\$385,000
Total	\$958,000	\$860,000

**Resolution 216-16 Tax Bill Extension**

**WHEREAS**, tax bills are expected to be mailed on or about July 22, 2016; and,

**WHEREAS**, per N.J.S.A. 54:4-66, et seq., no interest is to be charged up to the 25<sup>th</sup> calendar day after the date the tax bill was mailed; and,

**WHEREAS**, the Mayor and Council wished to extend the grace period to the 25<sup>th</sup> calendar day after the date of the tax bill was mailed, which shall be August 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 grace period for the payment of 3<sup>rd</sup> quarter taxes for 2016 be and is hereby extended to August 15, 2016.

**Resolution 217-16 Treatment Works Approval – Franklin Lakes Supportive Housing**

**WHEREAS**, the applicant, Franklin Lakes Supportive Housing Urban Renewal, LP, must apply to the State of New Jersey Department of Environmental Protection for a Treatment Works Approval Permit (TWA-1) for the Borough’s property located at the corner of McCoy Road and Colonial Road ; and,

**WHEREAS**, the Borough Engineer prepared the plans in conformance with the requirements of the Borough,

**NOW THEREFORE, BE IT RESOLVED** by the Mayor and the Council of the Borough of Franklin Lakes that the Mayor is hereby authorized and directed to execute the Treatment Works Approval Permit Application (TWA-1) and the Statement of Consent Form (WQM-003) on behalf of the Governing Body for the property referenced above.

**Resolution 218-16 Tree Removal Permit – Simmers**

**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. Matthew Simmers, who resides at 822 Colonial Road, 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 June 9, 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 June 9, 2016 is hereby approved, and the tree removal application for 822 Colonial Road 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. Simmers, the Tree Specialist and the Shade Tree Commission.

Respectfully submitted,

A handwritten signature in black ink that reads "Sally T. Bleeker". The signature is written in a cursive style with a large, looping initial 'S'.

Sally T. Bleeker, Borough Clerk