

**MEETING OF THE MAYOR AND COUNCIL  
SEPTEMBER 6, 2016  
7:30 P.M.**

A regular meeting of the Mayor and Council was held on September 6, 2016, in the Municipal Building.

**MEETING CALLED TO ORDER**

**ROLL CALL**

The following Council Members and Professionals responded to the roll call: Mayor Bivona, Councilperson Cadicina, Councilperson Kahwaty (7:50 P.M.), Council President Lambrix, Councilperson Kelly, Councilperson Ramsey, Councilperson Swist, Borough Administrator Greg Hart, Borough Attorney Smith and Borough Clerk Sally Bleeker.

**SUNSHINE LAW STATEMENT**

The Borough Clerk read the Sunshine Law Statement.

**FLAG SALUTE**

**MOMENT OF SILENT REFLECTION**

**APPOINTMENT**

- **Matthew McNally – Franklin Lakes Fire Department**
- **Daniel Gormley-Rahn – Franklin Lakes Fire Department**

Councilperson Ramsey made a motion to appoint Matthew McNally and Daniel Gormley-Rahn as members of the Franklin Lakes Fire Department. Councilperson Kelly seconded the motion.

Roll Call Vote

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

Matthew McNally and Daniel Gormley-Rahn were sworn in as Firefighters by Mayor Bivona.

**OPEN TIME FOR PUBLIC COMMENT**

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

No one from the public came forward. Motion to close the time for public comment was made by Councilperson Kelly, seconded by Councilperson Cadicina.

**BOROUGH ENGINEER'S REPORT**

Kevin Boswell of Boswell Engineering stated that the digital maps have been completed and were submitted to the Tax Assessor. He reported that the dredging at Kings Pond is taking place.

Mr. Boswell said that the Treatment Works Approval application and design for the pump station was completed and endorsed by the Borough for the Special Needs Housing. This non-profit housing project qualifies for a 50% reduction in the cost of the hook-up fee by Northwest Bergen Utilities Authority. There is a check from Joe Alpert for \$48,000 and there is a meeting of the utility authority on September 20<sup>th</sup>. The entire

package and a certified copy of the resolution will be submitted to NJDEP. Mr. Boswell expects to proceed with the project in less than 90 days.

Mr. Boswell confirmed that the improvement work on Huron Road has been completed and the final payment requisition documents have been prepared and submitted to the Borough.

Councilperson Ramsey recalled that the Planning Board had allowed Mill Brook Farms to install a water tank in lieu of fire hydrants and a water connection. Mr. Boswell said that a 15,000 gallon water tank will be buried in the right-of-way in the Birch Road area. The developer will fill the tank initially; however, maintenance of this tank will eventually fall to the Borough. He added that it is unlikely the tank will ever be used.

Regarding the Bergen County Municipal Park Improvement Grant, Mr. Hart stated that he has been advised that the New Jersey Trail Conference may not be able to do the work. He is getting cost estimates from a company that has done work for Boswell Engineering in particular work on a culvert and dam in Elmwood Park. Mr. Hart stated that a public hearing will be necessary on the application for cost estimate purposes, which will probably be held during the first meeting in October.

**RESOLUTION 239-16  
CONSENT AGENDA RESOLUTION**

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

- Resolution 240-16 Accept Report of the Finance Committee
- Resolution 241-16 Tax Refund – LaPietra
- Resolution 242-16 Tax Refund – Corelogic
- Resolution 243-16 2016 Road Improvement Program - Change Order No. 1
- Resolution 244-16 Authorize Advertisement for Bid – Snowplowing
- Resolution 245-16 Authorize Advertisement for Bid – Cleaning Services
- Resolution 246-16 Authorize Advertisement for Bid – Lawn Maintenance
- Resolution 247-16 Authorize Release of Letter of Credit Excelsior at Franklin Lakes
- Resolution 248-16 Authorize Release of Tree Removal Bond – 901 Pinecroft Court
- Resolution 249-16 Award Proposal – Firefighting Equipment
- Resolution 250-16 Facilities Use Request – Market Basket-Oktoberfest

Resolution introduced by Council President Lambrix. Seconded by Councilperson Cadicina.

Roll Call Vote

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

**MAYOR’S REPORT**

Mayor Bivona thanked the employees in the Construction Office for stepping up during this time when the office is short-handed due to several illnesses. He wished the two employees who have fallen ill quick recoveries and said that everyone is looking forward to their return. Mr. Hart thanked JoAnn Carroll for her assistance with the Planning Board.

Mayor Bivona reviewed the active September schedule, which includes the presentation of awards this Saturday morning at the Indian Trail Club. There will be a ceremony commemorating 9/11 on Sunday and he thanked those involved in organizing that event.

He added that they are amazed at the amount of money raised for Memorial Park and he thanked Councilwoman Swist for her efforts in this area. He noted the half marathon 5 K event that will take place in a couple of weeks and the Heart Walk in October. The Town Festival and Car Show are also coming up shortly.

Mayor Bivona noted that the recent Movie under the Stars was the most success movie night so far and he said that everyone had a wonderful time at the new park. Mayor Bivona referred to correspondence from Mr. Jeffrey Surenian, Borough Affordable Housing attorney who has informed the borough that immunity has been extended to November. He noted that the Borough won the appeal relative to Shirley Avenue.

## **COMMITTEE/LIAISON REPORTS**

### **ADMINISTRATION AND FINANCE**

- **Refunding Bond Ordinance**

Councilman Lambrix recalled that at the last meeting they discussed the opportunity to take advantage of refinancing for the 2008 bonds at a lower interest rate. Mr. Hart added that the Borough CFO has recommended proceeding with the Raymond James proposal which he and the Borough Auditor have reviewed. The ordinance will be introduced at the September 20<sup>th</sup> meeting and it is anticipated that the Borough will save \$300,000..

### **PUBLIC WORKS**

Councilman Cadicina reported that the Crack and Seal program is ongoing and 44 roads and three walking paths have been completed. Thirty three tons of asphalt has been used to patch potholes on thirteen roads. The playground has been brought up to acceptable standards and looks great.

- **Buildings and Grounds**

Councilwoman Swist reported on a meeting today, which included Ms. Bleeker, Mr. Hart and Camille Waldren, an interior designer, as well as herself. Ms. Waldren is a former Planning Board member who was involved in the community beautification project. They reviewed information from the architect relative to improvements in the Court Room which would include the lowering of the front wall at the front of the dais by 6 ½ inches. The architect suggested the repositioning of the door to the other side in order to allow for the possible video screen on a solid wall.

Councilperson Swist said that the reconfiguration of the front panel would mean that computer and other items such as water bottles and papers would be in full view of the audience. The plugs on the surface would be cumbersome and there wouldn't be adequate room available to spread out plans and other large papers. Councilperson Swist spoke to Judge Leddy about these recommendations and Judge Leddy said he wouldn't be in favor of lowering the front dais wall because he often has books and other reference materials there that he refers to. He did add that he would not oppose anything that the Borough decides to do.

Ms. Waldron was not in favor of lowering the dais. She said that the ceiling lights are old and Ms. Bleeker added that these lights have never been replaced to her knowledge. The lights, which are no longer being made, are covered by plastic sheets. Ms. Bleeker said it would be a big improvement to install new lights and change the ceiling tiles. Ms. Waldron suggested developing a plan to do the work required in this room in phases. She said the wood front should be preserved and molding should be added along with new ceiling tiles and lighting along with the replacement of the rug. Mr. Hart said that there may be grants available through PSE&G for lighting replacement.

Mayor Bivona agreed that the existing paneling could be replaced and updated with some molding perhaps in two tones and that the ceiling could be upgraded. Mayor Bivona pointed out that it is difficult to see the people who are making presentations because they are sitting at the table which is very low compared to the dais. He suggested moving

the table back ten feet. Councilperson Kahwaty commented that the idea of a video screen is excellent. Councilperson Ramsey noted that because the room is used as a Court Room there is a requirement to have the chairs bolted to the floors for security reasons.

Mr. Hart said that the next step is to come up with cost estimates for the suggested items to be followed by proposals. The estimates should be done on a phase by phase basis and Mr. Hart reiterated that the DPW may be able to do some of the work. The work can be appropriated and evaluated on this phase by phase basis and should be approved by the Finance Committee in a capital planning process.

Councilperson Swist said that the job of her committee was to evaluate the dais and the group has decided that it should not be lowered or replaced by plywood. Mayor Bivona said that this is a decision that must be made by the entire Council because it is a major expense. Mr. Hart recommended that all phases of the plan be presented with approximate cost estimates in order to evaluate whether or not the phases can be included in the capital plan. Phase one would include improvements to or replacement of the paneling. It would be simple to get the cost to replace the carpet and do wall papering. The DPW could also paint the ceiling and replace ceiling tiles and the lighting costs would depend on grant funding. After the costs have been determined it may be that the dais improvements will have to be part of improvements to be done in 2017.

After more discussion, Mr. Hart asked Councilwoman Swist to outline the various elements of the project and they will discuss cost proposals. When that is complete, information will then be ready to be presented to the Council as part of the capital plan.

Mr. Hart spoke about the plan presented by the Borough Architect relative to security measures for the Finance Office and the Borough Clerk's Office. Mr. Hart met with personnel in these offices to refine the proposal made by the architect which has resulted in a final plan calling for transaction windows to be installed on either side of the hallway. He would like to discuss the plan with the Buildings and Grounds Committee as well as the Council in order to move forward in the context of the capital plan. Mr. Hart stated that this straightforward plan will substantially improve security in these offices and the top priority is the wide open floor plan that exists in the Clerk's Office and the Tax Assessor's Office. The transaction window would be wide enough for two people and would be ADA compliant with one higher section and one lower section. The transaction windows would have sliding glass doors that could slide from the inside only with a roll down door that would be closed at night. Mr. Hart said that this is the most cost effective solution of all of the plans that were studied.

Mr. Hart said that the situation in the tax office would require a redesign of the furniture due to the pronounced change of the layout. Some space will be opened up in both offices most particularly the Finance Office which is greatly needed. They have cost estimates from the architect and these changes need to be reviewed by the Committee and the Mayor and Council for capital planning purposes.

Councilperson Ramsey questioned why the cameras in the Borough Hall do not connect into the Police Department. Mr. Hart said that there are cameras in the Borough Hall that are probably not placed in the most strategic locations. They are not connected to the Police Department and he questioned whether or not they should expect the police to be monitoring these cameras. He noted that, by law, the doors have to be kept open during meetings and he said that they should look into wireless solutions. He added that perhaps it makes sense to have Borough Hall monitored by the Police Department or have a security guard posted to improve security. Mr. Hart said he would look into whether or not this technology would be feasible.

Mr. Hart referred to the idea of adding a locking mechanism to the elevator combined with a camera and intercom to the elevator in Borough Hall. Councilwoman Ramsey was pleased to hear these plans and said she couldn't understand why something like this hadn't been considered previously.

## **ENVIRONMENTAL AND COMMUNITY AFFAIRS**

- **Tree Removal Permit – 871 Scioto Drive**
- **Tree Removal Permit – 343 Long Bow**

There were no objections to the tree removal permits and they will be put on the upcoming consent agenda for approval.

Councilperson Swist stated that the fundraising goal for Memorial Park was set at \$10,000; however, as of last week approximately \$17,000 has been raised. The money was raised using e-Blast contacts and social media and is pure profit since no funds were expended on costs involving the post office. A remembrance ceremony is set for Sunday at 5:30 P.M. at Memorial Pond and she has distributed an agenda for the ceremony. Councilperson Swist encouraged everyone to attend and commemorate the 15<sup>th</sup> anniversary of September 11<sup>th</sup>.

Councilperson Swist spoke about the Environmental Committee and said she had sent an email asking for suggestions to increase the recycling output. She explained that recycling has increased by 29% during the past two years; however, it has leveled off over recent months. Stickers noting compliance or noncompliance placed on garbage containers have not been as successful as had been hoped and the Commission wants to move this to the next level; however, they hope to gain the support of the Mayor and Council. They are suggesting that more aggressive letters be sent to offenders regarding the possibility of a summonses being issued depending on the goals and objectives of the Mayor and Council. Councilperson Swist supports this action and noted that in some cases it takes years to change behavior. It would require effort from those who pick up the garbage to check cans to see if the recycling ordinance is being violated. Mayor Bivona said that someone would have to be hired to check garbage cans and it makes the most sense not to pick up garbage if it is co-mingled or not done correctly. He added that failure by the Borough to pick up garbage seems to be the most effective way to draw attention to the issue.

Mr. Hart said that there had been a large increase in the amount of recycling and they should expect it to level off at some point. After a long discussion, the Mayor and Council discussed the use of a red sticker after a second or third offense indicating that this is the final warning and garbage will not be picked up if co-mingling continues. Mr. Hart was unsure about the feasibility of this plan but he will discuss it with the garbage company and report back to the Mayor and Council.

## **RECREATION AND PARKS**

Councilperson Kelly said that this is a busy time of year for the Parks and Recreation Department. He spoke about the Dream Team whose season has recently ended. He said that the Dream Team generated a lot of excitement and everyone wanted to be a part of the team. There has been a volunteer program for impact testing, which has been well received by student athletes. Councilperson Kelly stated that a senior luncheon was held for 75 seniors in order to try to keep them involved in various programs and seems to be successful.

Councilperson Kelly reported that cheerleading and football season is in full swing along with soccer and all of the schedules have been posted on the Parks and Recreation website. They have been working with Guardian Cap, which is an additional level of helmet protection, and reception to the cap is working well. The K Clinic will begin on September 10<sup>th</sup> for soccer and on the same day the first and second grade soccer program also begins. The K clinic for football also begins on September 10<sup>th</sup> along with first and second grade flag football. Councilperson Kelly said that registration for football has increased after declining for several years.

Mr. Hart referred to the safety measures that the Recreation Department has been championing over the years. He said that Jason Robinson, Recreation Director, has prepared a press release focusing on the football program and all of the methods used to ensure safe sports competition in Franklin Lakes.

Regarding Parsons Pond Park, Mr. Hart stated that Borough's water expert will be sampling the water and providing an analysis of the water quality. This follows a major fish kill at the Indian Trail Club. Upon questioning by Councilperson Ramsey, Mr. Hart said that the water testing is continuing at the Nature Preserve.

## **PLANNING & DEVELOPMENT**

- **Public Utility Excavations for Poles r Underground Facilities**

Councilperson Kahwaty reported on a proposed ordinance taken from the Borough of Paramus involving utility companies that want to work on a public utility poles in the right-of-way. The proposed ordinance would require that the utility give notice to the Building Department and when the work is completed that utility would be required to restore the pole to the same condition it was in before the work was done, or removal of the pole if it is replaced. Mr. Hart said he would circulate the ordinance and he explained that there have been a number of issues with double utility poles meaning that a pole is replaced without removing the original pole.

## **PUBLIC SAFETY & LIBRARY**

Councilperson Ramsey reported that the new staff members of the Police Department are up and running. The parking lot at the Police Department has been finished and striped.

## **BOROUGH ADMINISTRATOR'S REPORT**

Mr. Hart reported that Craig Goldman has been working with an architect and the Borough Electrician to develop a proposal for the VFW building. The proposal should be ready for presentation soon.

## **OLD BUSINESS**

There was no old business this evening.

## **NEW BUSINESS**

There was no new business this evening.

## **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, September 6, 2016 which begins at 7:30 PM, in the Council Chambers at the Municipal Building to discuss the following:

Closed meeting issues:

- Personnel – Tax Assessor
- Contractual – Child Care Center
- 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 enter into Closed Session at 9:02 P.M. was read by Council President Lambrix, seconded by Councilperson Kahwaty. On voice vote, all in favor.

Upon return from the Closed Session at 9:35 P.M. the following resolution was read:

**Resolution 251-16**  
**Award Contract – Child Care Center**

**WHEREAS**, by Resolution 117-16, adopted on April 5, 2016, the Mayor and Council of the Borough of Franklin Lakes awarded a contract to Children’s Creative Learning Center (“CCLC”), 65 N.E. Holladay Street, Suite 1400, Portland, Oregon 97232, for the operation of the Child Care Center at Parsons Pond Park; and,

**WHEREAS**, the Borough of Franklin Lakes and CCLC have reached an agreement entitled “Agreement to Lease Child Care Center” for the operation of the Child Care Center, which agreement is substantially in the form as transmitted to CCLC by the Borough Attorney by email dated September 2, 2016, which agreement is incorporated by reference herein;

**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 agreement entitled “Agreement to Lease Child Care Center” between the Borough and the Children’s Creative Learning Center for the operation of the Child Care Center at Parsons Pond Park, which agreement is substantially in the form as transmitted to CCLC by the Borough Attorney by email dated September 2, 2016, is hereby approved, subject to approval of the final form of the agreement by the Borough Attorney;

**BE IT FURTHER RESOLVED** that the Mayor and Borough Clerk are hereby authorized and directed to execute said agreement; and,

**BE IT FINALLY RESOLVED** that a copy of this resolution be forwarded to Children’s Creative Learning Center, Express Scripts and the Borough Attorney.

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

Roll Call Vote

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

**ADJOURNMENT**

Motion by Council President Lambrix to adjourn the meeting at 9:35 P.M. Councilperson Kahwaty seconded the motion. On voice vote, all in favor.

**Resolution 240-16**

**RESOLVED**, by the Mayor and Council of the Borough of Franklin Lakes that the report of the Finance Committee be accepted and recommendations adopted; that the report be made part of the record of this meeting; and the proper Borough Officials are hereby authorized and directed to issue warrants in the amount of \$4,830,535.50 as shown on the Claims Bill List; \$11,291.25 as shown on the Soil Account Bill List and \$1,376.00 as shown on the Developers Escrow List.

**BE IT FURTHER RESOLVED**, that the payroll of August 11, 2016 in the amount of \$209,971.07 and the payroll of August 25, 2016 in the amount of \$206,261.67 be hereby ratified and approved.

**Resolution 241-16**

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

**WHEREAS**, the Tax Court reduced their assessment therefore reducing the property taxes previously paid for the year 2015, and that the Freeze Act shall be applicable for 2016 on Block 2608 Lot 2 whose property location is 327 Woodside Avenue, homeowner Ross LaPietra,

**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>
2608	2	\$ 98,000 (2015)	\$ 1,567.02
		<b>Total Refund</b>	<b><u>\$ 1,567.02</u></b>
		Credit 4Q 2016 Taxes for Freeze Act	\$ 1,608.18

All checks made payable to:  
 Douglas M. Standriff  
 Attorney Trust Account  
 60 West Ridgewood Avenue  
 Ridgewood, NJ 07450

**Resolution 242-16**

**WHEREAS**, Merlino Esq. the attorney for the property owner Fuda, Frank & Concetta, whose property location is 806 Iron Latch Road; Residential Title Agency for the property owner Urban Farms Acquisition LLC, whose property location is 805-845 Franklin Lake Road; First Jersey Title for the property owner Mikhail, Sami & Sanaa, whose property location is 249 Steves Lane; Tiago Title for the property owner Krakowiak, Robert & Amanda, whose property location is 809 Chippewa Trail; Battersby Esq. the attorney for new property owner Filipic, Paul & Sherida whose property location is 317 Lenapi Drive and Cupo, Michael whose property location is 721 Orchard Lane, and the lender for the above six property owners Corelogic, made payments for the 3Q 2016 taxes and,

**WHEREAS**, the above leaves an overpayment on the 3Q 2016 taxes on all six 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</u>
<u>Payment</u>			
1504.04	8	806 Iron Latch Rd	\$ 6,209.19
2201.08	2	805-845 Franklin Lake Rd	\$ 90,446.36
2410.01	1.04	249 Steves Lane	\$ 4,037.40
2202.03	15	809 Chippewa Trail	\$ 3,267.08
2516	4	317 Lenapi Drive	\$ 2,516.18
3301.01	1.04	721 Orchard Lane	<u>\$ 2,917.41</u>
		<b>Total Refund</b>	<b><u>\$109,393.62</u></b>

Made payable to:  
 Corelogic Real Estate Tax Service

Attn: Refund Department  
PO Box 961250  
Fort Worth, TX 76161-9887

**Resolution 243-16**

RESOLVED, by the Mayor and Council of the Borough of Franklin Lakes, that Change Order #1 and Final be approved in accordance with the requirements of N.J.A.C. 5:30-11.1 et seq.

GENERAL CONSTRUCTION	2016 Road Improvement Program
ENGINEER	Boswell McClave Engineering
CONTRACTOR LLC	Crossroads Pavement Maintenance,  81 Franklin Avenue Nutley, New Jersey 07110
ORIGINAL CONTRACT COST	\$692,710.00
COST OF CHANGE ORDER	\$13,747.48
NEW CONTRACT SUM	\$706,457.48
CHANGE ORDER NUMBER	#1 and Final
NATURE OF CHANGES	As-Built Quantities

**Resolution 244-16**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Franklin Lakes that the Borough Administrator is hereby authorized to advertise for Snowplowing Services.

**Resolution 245-16**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Franklin Lakes that the Borough Administrator is hereby authorized to advertise for Cleaning Services for Borough Buildings.

**Resolution 246-16**

**Authorize Bid for Lawn Maintenance**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Franklin Lakes that the Borough Administrator is hereby authorized to advertise for bids for Lawn Maintenance.

**Resolution 247-16**

**Release Letter of Credit – Excelsior at Franklin Lakes**

**WHEREAS**, Excelsior at Franklin Lakes, 556 Colonial Road Block 1411, Lot 2 in the Borough of Franklin Lakes has requested the release of Maintenance Bond (Letter of Credit) No. 1795 in the amount of \$51,800.00 posted for unfinished site improvements; and

**WHEREAS**, the Borough Engineer has made the required inspections, and

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Franklin Lakes that the Maintenance Bond (Letter of Credit) No. 1795 in the amount of \$51,800.00 posted for Block 1411, Lot 2 be released on the recommendation of the Borough Engineer.

**Resolution 248-16**  
**Release Tree Bond – 901 Pinecroft Court**

**WHEREAS**, William Hopke, 901 Pinecroft Court in the Borough of Franklin Lakes has requested the release of Surety Bond No. 71526945 in the amount of \$5,000 posted for Tree Removal; and

**WHEREAS**, the Shade Tree Specialist for the Borough of Franklin Lakes has made the required inspections, and

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Franklin Lakes that Surety Bond No. 71526945 in the amount of \$5,000 posted for Tree Removal is released on the recommendation of the Shade Tree Specialist.

**Resolution 249-16**

**WHEREAS**, the Fire Chief for the Borough of Franklin Lakes received seven (7) proposals for Firefighting Equipment; and

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

**WHEREAS**, the Fire Chief and Borough Administrator have reviewed the proposals submitted and have determined that the proposals meet the specifications and recommends the award of a contract to apparent low proposal.

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

1. Municipal Emergency Services, Inc., 66 Firemens Way, Poughkeepsie, NY 12603 is hereby awarded a contract in the amount of \$8,332.55
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 250-16**  
**Facilities Use – Market Basket Oktoberfest**

**WHEREAS**, the Market Basket has requested the use of Borough facilities (McBride Field), for its Oktoberfest to be held on October 14, 2016;

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

**NOW THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Franklin Lakes, County of Bergen and State of New Jersey that the Market Basket is hereby granted permission to use Borough facilities, for its Oktoberfest on October 14, 2016, subject to compliance with all other Borough ordinances and requirements as determined by the Recreation and Parks Director; and,

**BE IT FINALLY RESOLVED** that a copy of this resolution be forwarded to the Market Basket and the Recreation and Parks Director.

Respectfully submitted,

*Sally T. Bleeker*

Sally T. Bleeker, Borough Clerk