

NOTE: FORMAL ACTION MAY BE TAKEN AT REGULAR MEETINGS, WORK SESSIONS OR SPECIAL MEETINGS. AGENDAS ARE PUBLISHED 48 HOURS IN ADVANCE TO THE EXTENT KNOWN.

## **AGENDA**

**COUNCIL MEETING**

**7:30 P.M.**

**July 16, 2013**

1. **Call to Order by Mayor**
2. **Statement of Compliance with the Open Public Meetings Act**
3. **Roll Call**
4. **Flag Salute**
5. **COUNCIL COMMENTS**
6. **MANAGER'S REPORT**
7. **ORDINANCES ON SECOND READING:**

**ORDINANCE NO. 2283-2013  
(RESOLUTION NO. 255-2013)**

**AN ORDINANCE FIXING THE SALARIES OF CERTAIN EMPLOYEES OF THE  
BOROUGH OF FAIR LAWN, BERGEN COUNTY, NEW JERSEY AS AMENDED**

- Mayor asks for a motion to open the time for public comments. Mayor asks for a Mover, Secunder, Roll Call.
- Mayor opens time for public comments asking if anyone wishes to be heard.
- Mayor calls for a motion to close the time for public comments. Mayor asks for a Mover, Secunder, Roll Call.
- Municipal Clerk reads the Resolution of Adoption. Mayor asks for a Mover, Secunder, Discussion, Roll Call.

**ORDINANCE NO. 2284-2013  
(RESOLUTION NO. 256-2013)**

**BOND ORDINANCE APPROPRIATING \$2,267,700, AND AUTHORIZING THE  
ISSUANCE OF \$2,154,315 BONDS OR NOTES OF THE BOROUGH, FOR VARIOUS  
IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE  
BOROUGH OF FAIR LAWN, IN THE COUNTY OF BERGEN, NEW JERSEY**

- Mayor asks for a motion to open the time for public comments. Mayor asks for a Mover, Seconder, Roll Call.
- Mayor opens time for public comments asking if anyone wishes to be heard.
- Mayor calls for a motion to close the time for public comments. Mayor asks for a Mover, Seconder, Roll Call.
- Municipal Clerk reads the Resolution of Adoption. Mayor asks for a Mover, Seconder, Discussion, Roll Call.

**ORDINANCE NO. 2285-2013  
(RESOLUTION NO. 257-2013)**

**BOND ORDINANCE PROVIDING FOR THE IMPROVEMENT OF VARIOUS ROADS IN AND BY THE BOROUGH OF FAIR LAWN, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$510,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$484,500 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION.**

- Mayor asks for a motion to open the time for public comments. Mayor asks for a Mover, Seconder, Roll Call.
- Mayor opens time for public comments asking if anyone wishes to be heard.
- Mayor calls for a motion to close the time for public comments. Mayor asks for a Mover, Seconder, Roll Call.
- Municipal Clerk reads the Resolution of Adoption. Mayor asks for a Mover, Seconder, Discussion, Roll Call.

**ORDINANCE NO. 2286-2013  
(RESOLUTION NO. 258-2013)**

**BOND ORDINANCE PROVIDING FOR THE IMPROVEMENT OF THE WATER SUPPLY AND DISTRIBUTION SYSTEM IN AND BY THE BOROUGH OF FAIR LAWN, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$326,400 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$310,080 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION.**

- Mayor asks for a motion to open the time for public comments. Mayor asks for a Mover, Seconder, Roll Call.
- Mayor opens time for public comments asking if anyone wishes to be heard.
- Mayor calls for a motion to close the time for public comments. Mayor asks for a Mover, Seconder, Roll Call.
- Municipal Clerk reads the Resolution of Adoption. Mayor asks for a Mover, Seconder, Discussion, Roll Call.

**ORDINANCE NO. 2287-2013  
(RESOLUTION NO. 259-2013)**

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN, 2000 BY AMENDING AND SUPPLEMENTING CHAPTER 160 ENTITLED "PARKS AND RECREATION AREAS" MORE SPECIFICALLY SUBSECTION 160-6 ENTITLED "MEMBERSHIP FEES"**

- Mayor asks for a motion to open the time for public comments. Mayor asks for a Mover, Secunder, Roll Call.
- Mayor opens time for public comments asking if anyone wishes to be heard.
- Mayor calls for a motion to close the time for public comments. Mayor asks for a Mover, Secunder, Roll Call.
- Municipal Clerk reads the Resolution of Adoption. Mayor asks for a Mover, Secunder, Discussion, Roll Call.

**ORDINANCE NO. 2288-2013  
(RESOLUTION NO. 260-2013)**

**AN ORDINANCE TO PROVIDE FOR A CERTAIN CAPITAL IMPROVEMENT IN THE BOROUGH OF FAIR LAWN AND TO PROVIDE FOR THE RECEIPT, ACCEPTANCE AND DEPOSIT OF FUNDS THEREFORE (CHANDLER DRIVE, CALYNE DRIVE, CARLTON PLACE, CHADWICK PLACE AND 30<sup>TH</sup> STREET)"**

- Mayor asks for a motion to open the time for public comments. Mayor asks for a Mover, Secunder, Roll Call.
- Mayor opens time for public comments asking if anyone wishes to be heard.
- Mayor calls for a motion to close the time for public comments. Mayor asks for a Mover, Secunder, Roll Call.
- Municipal Clerk reads the Resolution of Adoption. Mayor asks for a Mover, Secunder, Discussion, Roll Call.

**8. PUBLIC COMMENTS ON CONSENT AGENDA ITEMS ONLY**

- Mayor calls for a motion to open time for public comments on Consent Agenda items only. Mayor asks for a Mover, Secunder, Roll Call.
- Mayor opens time for public comments asking if anyone wishes to be heard.
- Mayor calls for a motion to close the time for public comments. Mayor asks for a Mover, Secunder, Roll Call.
- Mayor closes the time for public comments.

**9. RESOLUTIONS BY CONSENT #17-2013**

- Municipal Clerk reads Resolutions by Consent.
  - a. Resol. #261-2013 – Refund of Overpayment of Taxes
  - b. Resol. #262-2013 – Approval of Minutes:
    - Regular Meeting 5/28/13
    - Work Session 6/11/13
    - Closed Session 6/11/13
  - c. Resol. #263-2013 – Radburn Study
  - d. Resol. #264-2013 – Authorizing Acceptance of Electronic Payments
  - e. Resol. #265-2013 - Endorsement of Treatment Work Approval Application Landmark at Radburn
  - f. Resol. #266-2013 - Award of Bid: Ductile Iron Pipes, Fittings & Valves
  - g. Resol. #267-2013 - Award of Bid: Trailer Mounted Generator
  - h. Resol. #268-2013 - Authorizing the "At Risk" Purchase of 4-50 2nd Street
  - i. Resol. #269-2013 - Authorizing a Fee for Non-Food Items at the Farmer's Market
  - j. Resol. #270-2013 - Appointments to the Fair Lawn Borough Gardens Committee
- Mayor asks for a Mover, Second, Roll Call.

**10. RESOLUTION NO. 271-2013 - Confirmation of Fire Board Actions**

- Mayor asks Municipal Clerk to read resolution. Mover, Second, Discussion, Roll Call.

**11. RESOLUTION NO. 272-2013 - Approval of Minutes:**

- Work Session 5/21/13
- Special Meeting 5/21/13
- Closed Session 5/21/13
- Regular Meeting 6/18/13

- Mayor asks Municipal Clerk to read resolution. Mover, Second, Discussion, Roll Call.

**12. PUBLIC COMMENTS**

- Mayor calls for a motion to open time for public comments. Mover, Second, Roll Call.
- Mayor opens time for public comments.

- Mayor calls for a motion to close the time for public comments. Mover, Seconder, Roll Call.
- Mayor closes the time for public comments.

**13. ADJOURNMENT:**

- Mayor calls for motion to adjourn. Mover, Seconder, Roll Call.

Aye Nay Abstain

Baratta  
Peluso  
Swain  
Trawinski  
Cosgrove

July 16, 2013

**RESOLUTION NO. 255-2013**

By

Seconded by

**BE IT RESOLVED** that Ordinance No. 2283-2013 entitled:

**AN ORDINANCE FIXING THE SALARIES OF CERTAIN EMPLOYEES OF THE  
BOROUGH OF FAIR LAWN, BERGEN COUNTY, NEW JERSEY AS AMENDED**

was posted on the bulletin board in the principal Municipal Building of this municipality on which bulletin board public notices are customarily posted, and that copies of said ordinance were made available to members of the general public requesting the same;

**NOW, THEREFORE, BE IT RESOLVED**, that this ordinance be passed upon second and final reading and that the Municipal Clerk be authorized to advertise the same according to law.

**ORDINANCE NO. 2283-2013**

**AN ORDINANCE FIXING THE SALARIES OF CERTAIN EMPLOYEES OF THE BOROUGH OF FAIR LAWN, BERGEN COUNTY, NEW JERSEY AS AMENDED**

**WHEREAS**, a need has arisen to amend Ordinances 2266-2013 and 2267-2013 adopted on April 23, 2013.

**BE IT ORDAINED**, by the Borough Council of the Borough of Fair Lawn, as follows;

**SECTION 1.** The positions of Assistant Superintendent of Public Works, Assistant Superintendent of Recreation, Recreation Supervisor and Supervisor of Public Works are hereby deleted from Ordinances 2266-2013 and 2267-2013, upon the signing of the Borough of Fair Lawn's Supervisor's Bargaining Unit Contract.

**SECTION 2.** The positions of Assistant Superintendent of Public Works, Assistant Superintendent of Recreation, Recreation Supervisor and Supervisor of Public Works will be added to the Borough of Fair Lawn's Supervisor's Bargaining Unit and such salaries will correspond to the effective date of the contract.

**SECTION 3.** The position of Maintenance Worker 2 Grounds be added to the Blue and White Collar Bargaining Unit Salary Ordinances 2266-2013 and 2267-2013 as follows:

Existing Employee on or before March 11, 2013	<u>2013 Min/2013 Max</u>	<u>2014 Min/2014 Max</u>	<u>2015 Min/2015 Max</u>
Maintenance Worker 2 Grounds/Senior Park Maintenance Worker	53,304 / 70,928	54,237 / 72,169	55,457 / 73,793
New Employee Hired on or after March 12, 2013			
Maintenance Worker 2 Grounds/Senior Park Maintenance Worker	47,974 / 63,836	48,813 / 64,953	49,912 / 66,415

**SECTION 4.** That there are hereby established salary ranges for the following classifications of certain employees:

	<u>2013 Min/2013 Max</u>	<u>2014 Min/2014 Max</u>	<u>2015 Min/2015 Max</u>
Light and Sound Technician (P/T)	10.00 / 15.00	10.00 / 15.00	10.00/15.00
Senior Light and Sound Technician (P/T)	16.00 /21.00	16.00 /21.00	16.00 /21.00

**SECTION 5.** That all salaries not covered by this ordinance will remain effective until amended by further salary ordinances.

**SECTION 6.** Annual salaries shall be paid in accordance with the executed contract for the Full Time Blue and White Bargaining Unit hired before March 11, 2013.

**SECTION 7.** Annual salaries shall be paid in biweekly installments and weekly, hourly and per diem shall be paid for such periods.

**SECTION 8.** In order to be eligible for retroactive payment, an employee must have been employed by the Borough of Fair Lawn on March 11, 2013.

**SECTION 9.** This ordinance shall take effect upon passage and publication as required by statute.

Attest:

Approved:

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Joanne M. Kwasniewski, RMC/CMC/MMC  
Municipal Clerk

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John Cosgrove  
Mayor

Introduced: June 18, 2013

Adopted:

Aye Nay Abstain

Baratta  
Peluso  
Swain  
Trawinski  
Cosgrove

July 16, 2013

**RESOLUTION NO. 256-2013**

By

Seconded by

**BE IT RESOLVED** that Ordinance No. 2284-2013 entitled:

**BOND ORDINANCE APPROPRIATING \$2,267,700, AND AUTHORIZING THE  
ISSUANCE OF \$2,154,315 BONDS OR NOTES OF THE BOROUGH, FOR VARIOUS  
IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE  
BOROUGH OF FAIR LAWN, IN THE COUNTY OF BERGEN, NEW JERSEY**

was posted on the bulletin board in the principal Municipal Building of this municipality on which bulletin board public notices are customarily posted, and that copies of said ordinance were made available to members of the general public requesting the same;

**NOW, THEREFORE, BE IT RESOLVED**, that this ordinance be passed upon second and final reading and that the Municipal Clerk be authorized to advertise the same according to law.

**ORDINANCE NO. 2284-2013**

**BOND ORDINANCE APPROPRIATING \$2,267,700, AND AUTHORIZING THE ISSUANCE OF \$2,154,315 BONDS OR NOTES OF THE BOROUGH, FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH OF FAIR LAWN, IN THE COUNTY OF BERGEN, NEW JERSEY.**

**BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF FAIR LAWN, IN THE COUNTY OF BERGEN, NEW JERSEY** (not less than two-thirds of all the members thereof affirmatively concurring), **AS FOLLOWS:**

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized as general improvements to be made or acquired by the Borough of Fair Lawn, New Jersey. For the said several improvements or purposes stated in said Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriations made for said improvements or purposes, said sums being inclusive of all appropriations heretofore made therefor and amounting in the aggregate to \$2,267,700 including the aggregate sum of \$113,385 as the several down payments for said improvements or purposes required by law and more particularly described in said Section 3 and now available therefor by virtue of provision in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes.

Section 2. For the financing of said improvements or purposes and to meet the part of said \$2,267,700 appropriations not provided for by application hereunder of said down payments, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$2,154,315 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in a principal amount not exceeding \$2,154,315 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

Section 3. The improvements hereby authorized and the several purposes for the financing of which said obligations are to be issued, the appropriation made for and estimated cost of each such purpose, and the estimated maximum amount of bonds or notes to be issued for each such purpose, are respectively as follows:

<u>IMPROVEMENT OR PURPOSE</u>	<u>APPROPRIATION AND ESTIMATED COST</u>	<u>ESTIMATED MAXIMUM AMOUNT OF BONDS AND NOTES</u>
<p>(a) Acquisition by purchase and installation, as necessary, of new and additional equipment, including oxygen bottles and regulators, an automated CPR machine and a RAD-57 oximeter for use by the Ambulance Squad of the Borough, equipment for use by the Cable Television Department of the Borough, personal protective equipment, a thermal imaging camera, and a generator for use by the Fire Department of the Borough, a book return and shelving units for use by the Free Public Library of the Borough, parking kiosks and a sign board for use by the Administration Department of the Borough, emergency shelter equipment, generators and personal protection equipment for use by the Office of Emergency Management of the Borough, equipment for use by the Community Center of the Borough, park equipment and a synthetic turf machine for use by the Parks and Recreation Department of the Borough, furnishings for use by the Senior Center of the Borough, and firearms, a gun safe and furnishings for use by the Police Department of the Borough, together with for all the aforesaid all attachments, appurtenances and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved</p>	\$335,100	\$319,000

(b) Improvement of municipally-owned properties and facilities in and by the Borough, including the Animal Shelter by the installation of an underground storage tank, Borough parks by the improvements thereof and the installation of a lightning warning system, the Free Public Library by the installation of new carpeting, the Office of Emergency Management by the upgrade of the Emergency Operations Center and the Emergency Shelter, and the Borough rivers by the installation of flood detection systems, including also the preparation of a new Master Plan, together with for all the aforesaid all equipment, structures, site work, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved

414,400

394,000

(c) Improvement of the storm water drainage system and the sanitary sewerage system in and by the Borough, including the upgrade to the Plaza Road Station, the reconstruction and renovation of sanitary sewer lines and pumping stations, together with all structures, equipment, site work, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved

280,600

267,000

(d) Acquisition by purchase and installation, as necessary, of new and additional computer and

972,300

926,000

communications equipment, including computer equipment for use by the Ambulance Squad of the Borough, the Finance Department of the Borough, the Administration Department of the Borough and the Police Department of the Borough and communication equipment for use by the Police Department of the Borough, together with all appurtenances, attachments and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved

(e) Acquisition by purchase of new and additional vehicular equipment, including one (1) handicap access van for use by the Health Department of the Borough and one (1) street sweeper for use by the Department of Public Works of the Borough, together with all attachments, appurtenances and equipment necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved

	<u>265,300</u>	<u>248,315</u>
Totals	\$2,267,700	\$2,154,315

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the said down payment for said purpose.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purposes described in Section 3 of this bond ordinance are not current expenses and each is a property or improvement

which the Borough may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said purposes within the limitations of said Local Bond Law and taking into consideration the respective amounts of the said obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 13.5 years.

(c) The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$2,154,315, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) Amounts not exceeding \$200,000 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under Section 40A:2-20 of said Local Bond Law may be included as part of the costs of said improvements and are included in the foregoing estimate thereof.

Section 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Borough at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal

amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

Section 6. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of said obligations and interest thereon without limitation of rate or amount.

Section 7. The capital budget or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Borough Clerk and are available for public inspection.

Section 8. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

Attest:

Approved:

\_\_\_\_\_  
Joanne M. Kwasniewski, RMC/CMC/MMC  
Municipal Clerk

\_\_\_\_\_  
John Cosgrove, Mayor

Introduced: June 18, 2013

Adopted:

Aye Nay Abstain

Baratta  
Peluso  
Swain  
Trawinski  
Cosgrove

July 16, 2013

**RESOLUTION NO. 257-2013**

By

Seconded by

**BE IT RESOLVED** that Ordinance No. 2285-2013 entitled:

**BOND ORDINANCE PROVIDING FOR THE IMPROVEMENT OF VARIOUS ROADS IN AND BY THE BOROUGH OF FAIR LAWN, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$510,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$484,500 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION.**

was posted on the bulletin board in the principal Municipal Building of this municipality on which bulletin board public notices are customarily posted, and that copies of said ordinance were made available to members of the general public requesting the same;

**NOW, THEREFORE, BE IT RESOLVED**, that this ordinance be passed upon second and final reading and that the Municipal Clerk be authorized to advertise the same according to law.

**ORDINANCE NO. 2285-2013**

**BOND ORDINANCE PROVIDING FOR THE IMPROVEMENT OF VARIOUS ROADS IN AND BY THE BOROUGH OF FAIR LAWN, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$510,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$484,500 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION.**

**BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF FAIR LAWN, IN THE COUNTY OF BERGEN, NEW JERSEY** (not less than two-thirds of all the members thereof affirmatively concurring), **AS FOLLOWS:**

Section 1. The improvement described in Section 3 of this bond ordinance is hereby authorized as a general improvement to be made or acquired by the Borough of Fair Lawn, New Jersey. For the said improvement or purpose stated in said Section 3, there is hereby appropriated the sum of \$510,000, said sum being inclusive of all appropriations heretofore made therefor and including the sum of \$25,500 as the down payment for said improvement or purpose required by law and now available therefor by virtue of provision in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes.

Section 2. For the financing of said improvement or purpose and to meet the part of said \$510,000 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$484,500 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Borough in a principal amount not exceeding \$484,500 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

Section 3. (a) The improvement hereby authorized and purpose for the financing of which said obligations are to be issued is the reconstruction and resurfacing of various roads and locations in and by the Borough so as to provide roadway pavements at least equal in useful life or durability to a roadway pavement of Class B construction (as such term is used or referred to in section 40A:2-22 of said Local Bond Law), together with all milling, paving, curbing, guide rails, reflectors, dividers, drainage facilities, sanitary sewer facilities, signage, structures, equipment, site work, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans

the plans and specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved.

(b) The estimated maximum amount of bonds or notes to be issued for said purpose is \$484,500.

(c) The estimated cost of said purpose is \$510,000, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor being the amount of the said \$25,500 down payment for said purpose.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purpose described in Section 3 of this bond ordinance is not a current expense and is a property or improvement which the Borough may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of said purpose within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is ten (10) years.

(c) The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$484,500, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$55,000 for interest on said obligations, costs of issuing said obligations and other items of expense listed in and permitted under section 40A:2-20 of said Local Bond Law may be included as part of the cost of said improvement and is included in the foregoing estimate thereof.

Section 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer,

provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. §40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Borough at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

Section 6. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of said obligations and interest thereon without limitation of rate or amount.

Section 7. The capital budget or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Borough Clerk and are available for public inspection.

Section 8. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption.

Attest:

Approved:

\_\_\_\_\_  
 Joanne M. Kwasniewski, RMC/CMC/MMC  
 Municipal Clerk

\_\_\_\_\_  
 John Cosgrove, Mayor

Introduced: June 18, 2013

Adopted:

Aye Nay Abstain

Baratta  
Peluso  
Swain  
Trawinski  
Cosgrove

July 16, 2013

**RESOLUTION NO. 258-2013**

By

Seconded by

**BE IT RESOLVED** that Ordinance No. 2286-2013 entitled:

**BOND ORDINANCE PROVIDING FOR THE IMPROVEMENT OF THE WATER SUPPLY AND DISTRIBUTION SYSTEM IN AND BY THE BOROUGH OF FAIR LAWN, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$326,400 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$310,080 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION.**

was posted on the bulletin board in the principal Municipal Building of this municipality on which bulletin board public notices are customarily posted, and that copies of said ordinance were made available to members of the general public requesting the same;

**NOW, THEREFORE, BE IT RESOLVED**, that this ordinance be passed upon second and final reading and that the Municipal Clerk be authorized to advertise the same according to law.

**ORDINANCE NO. 2286-2013**

**BOND ORDINANCE PROVIDING FOR THE IMPROVEMENT OF THE WATER SUPPLY AND DISTRIBUTION SYSTEM IN AND BY THE BOROUGH OF FAIR LAWN, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$326,400 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$310,080 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION.**

**BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF FAIR LAWN, IN THE COUNTY OF BERGEN, NEW JERSEY** (not less than two-thirds of all the members thereof affirmatively concurring), **AS FOLLOWS:**

Section 1. The improvement described in Section 3 of this bond ordinance is hereby authorized as a general improvement to be made or acquired by the Borough of Fair Lawn, New Jersey. For the said improvement or purpose stated in said Section 3, there is hereby appropriated the sum of \$326,400, said sum being inclusive of all appropriations heretofore made therefor and including the sum of \$16,320 as the down payment for said improvement or purpose required by law and now available therefor by virtue of provision in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes.

Section 2. For the financing of said improvement or purpose and to meet the part of said \$326,400 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$310,080 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Borough in a principal amount not exceeding \$310,080 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

Section 3. (a) The improvement hereby authorized and purpose for the financing of which said obligations are to be issued is the improvement of the water supply and distribution system in and by the Borough, including the reconstruction and renovation of wells, well houses, the well house booster station, pumping stations and air stripper controls, and improvement to the water system thereof, together with all structures, equipment, site work, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved.

(b) The estimated maximum amount of bonds or notes to be issued for said purpose is \$310,080.

(c) The estimated cost of said purpose is \$326,400, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor being the amount of the said \$16,320 down payment for said purpose.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purpose described in Section 3 of this bond ordinance is not a current expense and is a property or improvement which the Borough may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of said purpose within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is forty (40) years.

(c) The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$310,080, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$35,000 for interest on said obligations, costs of issuing said obligations and other items of expense listed in and permitted under section 40A:2-20 of said Local Bond Law may be included as part of the cost of said improvement and is included in the foregoing estimate thereof.

Section 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes

shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. §40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Borough at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

Section 6. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Borough, and, unless paid from the revenues of the water supply and distribution system of the Borough, the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of said obligations and interest thereon without limitation of rate or amount.

Section 7. The capital budget or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Borough Clerk and are available for public inspection.

Section 8. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption.

Attest:

Approved:

\_\_\_\_\_  
Joanne M. Kwasniewski, RMC/CMC/MMC  
Municipal Clerk

\_\_\_\_\_  
John Cosgrove, Mayor

Introduced: June 18, 2013

Adopted:

Aye Nay Abstain

Baratta  
Peluso  
Swain  
Trawinski  
Cosgrove

July 16, 2013

**RESOLUTION NO. 259-2013**

By

Seconded by

**BE IT RESOLVED** that Ordinance No. 2287-2013 entitled:

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN, 2000 BY AMENDING AND SUPPLEMENTING CHAPTER 160 ENTITLED "PARKS AND RECREATION AREAS" MORE SPECIFICALLY SUBSECTION 160-6 ENTITLED "MEMBERSHIP FEES"**

was posted on the bulletin board in the principal Municipal Building of this municipality on which bulletin board public notices are customarily posted, and that copies of said ordinance were made available to members of the general public requesting the same;

**NOW, THEREFORE, BE IT RESOLVED**, that this ordinance be passed upon second and final reading and that the Municipal Clerk be authorized to advertise the same according to law.

**ORDINANCE NO. 2287-2013**

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN, 2000 BY AMENDING AND SUPPLEMENTING CHAPTER 160 ENTITLED "PARKS AND RECREATION AREAS" MORE SPECIFICALLY SUBSECTION 160-6 ENTITLED "MEMBERSHIP FEES"**

**BE IT ORDAINED** by the Borough Council of the Borough of Fair Lawn, as follows:

**Section 1.** Chapter 160 **PARKS AND RECREATION AREAS** is hereby amended as follows:

**160-6. Membership fees** is hereby amended as follows:

Delete:

D. Fair Lawn Recreation/Community Center

(4) Civic/Service organizations will have free use of the conference room, card room, art room and theater, Monday through Thursday, 6:30 p.m. to 10:00 p.m., based upon a policy set forth by the Borough Manager.

Add:

(4) Fair Lawn civic/service organizations will have free use of the facility Monday through Thursday, 6:30 p.m. to 10:00 p.m., based upon a policy set forth by the Borough Manager.

**Section 2.** Except as herein amended and supplemented, Chapter 160 shall remain in full force and effect.

**Section 3.** Each section of this Ordinance and every subsection hereof shall be deemed independent, separate and distinct from all other sections, and the holding of any section or a part hereof to be unconstitutional, void, or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any section or part hereof.

**Section 4.** All ordinances, codes or parts thereof that are inconsistent with this ordinance are repealed or otherwise modified.

**Section 5.** This Ordinance shall take effect upon passage and publication as required by law.

Attest:

Approved:

---

Joanne M. Kwasniewski, RMC/CMC/MMC  
Municipal Clerk

---

John Cosgrove, Mayor

Introduced: June 18, 2013

Adopted:

Aye Nay Abstain

Baratta  
Peluso  
Swain  
Trawinski  
Cosgrove

July 16, 2013

**RESOLUTION NO. 260-2013**

By

Seconded by

**BE IT RESOLVED** that Ordinance No. 2288-2013 entitled:

**AN ORDINANCE TO PROVIDE FOR A CERTAIN CAPITAL IMPROVEMENT IN THE BOROUGH OF FAIR LAWN AND TO PROVIDE FOR THE RECEIPT, ACCEPTANCE AND DEPOSIT OF FUNDS THEREFORE (CHANDLER DRIVE, CALYNE DRIVE, CARLTON PLACE, CHADWICK PLACE AND 30<sup>TH</sup> STREET)**

was posted on the bulletin board in the principal Municipal Building of this municipality on which bulletin board public notices are customarily posted, and that copies of said ordinance were made available to members of the general public requesting the same;

**NOW, THEREFORE, BE IT RESOLVED**, that this ordinance be passed upon second and final reading and that the Municipal Clerk be authorized to advertise the same according to law.

**ORDINANCE NO. 2288-2013**

**AN ORDINANCE TO PROVIDE FOR A CERTAIN CAPITAL IMPROVEMENT IN THE BOROUGH OF FAIR LAWN AND TO PROVIDE FOR THE RECEIPT, ACCEPTANCE AND DEPOSIT OF FUNDS THEREFORE (CHANDLER DRIVE, CALYNE DRIVE, CARLTON PLACE, CHADWICK PLACE AND 30<sup>TH</sup> STREET)**

**WHEREAS**, the Mayor and Council of the Borough of Fair Lawn has applied for a grant to receive funds from the County of Bergen Community Development; and

**WHEREAS**, the Mayor and Council of the Borough of Fair Lawn have been award grant monies based upon the above state grant application; and

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of Fair Lawn, in the County of Bergen; and

**SECTION 1.** The Borough of Fair Lawn in the County of Bergen, shall proceed with the following improvements at the cost following the projects hereinafter set forth.

**Project:** Improvements to Chandler Drive, Caylne Drive, Carlton Place, Chadwick Place and 30<sup>th</sup> Street

**Contract Number:** CN-02-12

**Account Number:** - 210-235-742-46-01

**State Funds:** \$162,000

**Borough Match:** \$ 0

**Term of Contract:** 07/01/2012 – 06/30/2013

**SECTION 2.** The cost of completing said improvement set forth in Section 1 is limited to 100 percent of the cost of completed construction work including construction supervision, inspection and material testing or the amount of the allotment, whichever is less.

**SECTION 3.** It is hereby determined and stated:

(a) That said purposes are not a current expense. That the same is an improvement which the Municipality may lawfully make or acquire and that no part of the cost of said improvement has been or shall be specifically assessed on properties specifically benefited.

b) It is not necessary to finance said purpose by the issuance of obligations by the Borough of Fair Lawn pursuant to the Local Bond Law of the

State of New Jersey, for the reason that monies sufficient to cover the whole cost thereof shall be available through the State of New Jersey.

**SECTION 4.** It is hereby determined and stated that no supplemental debt statement is required to be made and signed in connections with said purpose, since the gross debt of the Municipality as defined under the Local Bond Law is not increased by this ordinance and no obligations in the matter of notes or bonds are authorized by this ordinance.

**SECTION 5.** This ordinance shall take effect after publication thereof and final passage as required by law.

Attest:

Approved:

\_\_\_\_\_  
Joanne M. Kwasniewski, RMC/CMC/MMC  
Municipal Clerk

\_\_\_\_\_  
John Cosgrove  
Mayor

Introduced: June 25, 2013

Adopted:

Aye Nay Abstain

Baratta  
Peluso  
Swain  
Trawinski  
Cosgrove

July 16, 2013

### CONSENT AGENDA 17-2013

By

Seconded by

**WHEREAS**, the following resolutions having heretofore been placed on this Resolutions by Consent Agenda which require no discussion and same having been previously reviewed by each Councilmember, be and are hereby adopted, ratified, and confirmed in their entirety by the Mayor and Council of the Borough of Fair Lawn:

- a. Resol. #261-2013 – Refund of Overpayment of Taxes
- b. Resol. #262-2013 – Approval of Minutes:
  - Regular Meeting 5/28/13
  - Work Session 6/11/13
  - Closed Session 6/11/13
- c. Resol. #263-2013 – Radburn Study
- d. Resol. #264-2013 – Authorizing Acceptance of Electronic Payments
- e. Resol. #265-2013 - Endorsement of Treatment Work Approval  
Application Landmark at Radburn
- f. Resol. #266-2013 - Award of Bid: Ductile Iron Pipes, Fittings & Valves
- g. Resol. #267-2013 - Award of Bid: Trailer Mounted Generator
- h. Resol. #268-2013 - Authorizing the "At Risk" Purchase of 4-50 2nd  
Street
- i. Resol. #269-2013 - Authorizing a Fee for Non-Food Items at the  
Farmer's Market
- j. Resol. #270-2013 - Appointments to the Fair Lawn Borough Gardens  
Committee

Aye Nay Abstain

Baratta  
Peluso  
Swain  
Trawinski  
Cosgrove

July 16, 2013

**RESOLUTION NO. 261-2013**

By

Seconded by

**WHEREAS**, the Tax Collector has requested permission from the Borough Council to make refunds of tax/water overpayments in accordance with the directive of the Director of Local Government Services;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Fair Lawn that the Tax Collector be and is hereby authorized to make refunds to the following as listed;

**BE IT FURTHER RESOLVED** that the Treasurer/Chief Financial Officer be and is hereby authorized to make payments upon receipt of proper vouchers.

<u>Block</u>	<u>Lot</u>	<u>Name</u>	<u>Amount</u>
3726	1	Jonathan F. Donath Esq./for Plaza Road Co-op c/o CommunitySE 350 Kemble Avenue Morristown, New Jersey 07962	\$30,424.80

(Refund of overpayment of 2009 and 2010 taxes  
as a result of Tax Court Judgment)

Aye Nay Abstain

Baratta  
Peluso  
Swain  
Trawinski  
Cosgrove

July 16, 2013

**RESOLUTION NO. 262-2013**

By

Seconded by

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Fair Lawn that the Council Minutes of:

Regular Meeting 5/28/13  
Work Session 6/11/13  
Closed Session 6/11/13

are hereby approved.

Aye Nay Abstain

Baratta  
Peluso  
Swain  
Trawinski  
Cosgrove

July 16, 2013

### RESOLUTION NO. 263-2013

By

Seconded by

**WHEREAS**, the Borough of Fair Lawn seeks to create a collaborative, community and transit-supportive plan whose aim will be to increase parking serving NJT facilities, reduce traffic congestion, increase and improve transit ridership and examine the appropriate, value and use of satellite parking options within 1-3 miles with local impacts on Fair Lawn Avenue, from Abbott Rd. to Route 208, within a project study area consisting of the following:

- Station Area: The Radburn rail station and ancillary commuter parking areas; the sites, buildings and uses, both privately and publicly held.
- Station Neighborhood: The areas extending  $\frac{1}{4}$  -  $\frac{3}{4}$  mile radius around the rail station, on either side of the railroad right-of-way.
- Feeder Roads: Those primary roads leading into the station: Fair Lawn Avenue, Plaza Road and Pollitt Drive.

and;

**WHEREAS**, the Borough of Fair Lawn wishes to examine existing traffic circulation in and around the station within the Study Area to establish current and projected utilization and circulation patterns and recommendations for improvement (if any) within the context of a transit-oriented development (TOD) plan; and

**WHEREAS**, the Borough of Fair Lawn wishes to identify existing parking capacity (including on and off street parking, publicly and privately held) within the project study area; determine current usage, management, shared parking options, etc., to identify deficiencies; provide short, intermediate and long term recommendations for resolution of deficiencies - within the context of a TOD vision plan - to accommodate current and future commuter, visitor, shopper and resident needs; analyze the feasibility of creating "satellite parking" in key locations within and outside the  $\frac{1}{4}$  -  $\frac{3}{4}$  mile radius study area, and

**WHEREAS**, the Borough of Fair Lawn wishes to identify and (where appropriate and feasible) propose enhancements to existing pedestrian and bicycle connections to and from the rail station, and the surrounding residential neighborhoods, existing commercial and retail district, existing or proposed parking areas and targeted development areas, within the context of a TOD plan include, but in otherwise not be limited to:

- Identify and propose pedestrian calming and safety measures for the rail station and surrounding retail.
- Address vacancies and develop a business recruitment plan for the Radburn retail market.
- Incorporate and encourage pedestrian access from two new residential developments adjacent to the rail station.
- Review of current zoning in the area
- Tie the study into the current and evolving Master Plan of Fair Lawn

and;

**WHEREAS**, the Borough of Fair Lawn, in cooperation with the Fair Lawn Economic Development Corporation (FLEDC) and other local business, corporate and institutional organizations, is prepared to provide all needed local support in the conduct and development of said investigation and plan and provide up to \$10,000 towards the development of said plan.

**NOW, THEREFORE, BE IT RESOLVED** that the Borough of Fair Lawn commits the sum of \$10,000 towards a study described above to be done through a joint effort of the FLEDC, the Borough of Fair Lawn, the Bergen County Economic Development Corporation, Bergen County and NJ Transit.

Aye Nay Abstain

Baratta  
Peluso  
Swain  
Trawinski  
Cosgrove

July 16, 2013

**RESOLUTION NO. 264-2013**

By

Seconded by

**WHEREAS**, the Department of Community Affairs, Division of Local Government Services has promulgated regulations at NJSA 5:30-9.1 et seq., which authorizes and permits municipalities to accept credit card, debit card, e-checks and electronic fund transfers in accordance with the provisions of the Administrative Code;

**WHEREAS**, the Borough Manager and Chief Financial Officer recommend that the authorization of credit cards, debits cards, e-checks and electronic fund transfers be approved by the Mayor and Council to permit payment of Borough permits, licenses, registrations, taxes, water rents, fines, fees, penalties and all other municipal charges payable and collectible to all Borough Departments, and,

**WHEREAS**, such a policy and payment procedure will facilitate the payment and collection of such fees and charges and can be implemented without cost or deduction to the Borough.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Fair Lawn that, pursuant to the authority and regulations of the Division of Local Government, the Borough of Fair Lawn's Tax and Water Collection Departments, Department of Public Works, Police Department, Municipal Clerk, Municipal Court, Health and Human Services Department, Engineering Department, Recreation Department and Building Department are authorized and permitted to accept and collect payment by appropriate credit card, debit card, e-checks and electronic fund transfers of permits, licenses, registrations, taxes, water rents, fines, fees, penalties and all other municipal charges that are due and owing to the Borough of Fair Lawn; and

**BE IT FURTHER RESOLVED**, that the Borough Manager and Chief Financial Officer are authorized to execute appropriate agreements to implement this policy and to establish appropriate internal municipal finance procedures and

policies to properly effectuate this authorization in accordance with all laws and regulations.

Aye Nay Abstain

Baratta  
Peluso  
Swain  
Trawinski  
Cosgrove

July 16, 2013

**RESOLUTION NO. 265-2013**

By

Seconded by

**WHEREAS**, a Treatment Works Approval Permit Application must be submitted to the Department of Environmental Protection for Cooper's Way (Berdan Avenue) and Plaza Road by Landmark at Radburn;

**WHEREAS**, the Mayor and Council have determined that there is no reason the Borough Manager should not execute the aforesaid endorsement;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Fair Lawn that the Borough Manager be and he is hereby authorized to execute a Department of Environmental Protection Municipal consent.

Aye Nay Abstain

Baratta  
Peluso  
Swain  
Trawinski  
Cosgrove

July 16, 2013

**RESOLUTION NO. 266-2013**

By

Seconded by

**WHEREAS**, bids were received for Ductile Iron Pipes, Fittings and Valves by the Assistant Municipal Clerk on July 2, 2013; and

**WHEREAS**, said bids were referred to the Borough Manager and appropriate Department Head for consideration and recommendation; and

**WHEREAS**, Water Works Supply Co., Inc. having an office located at 660 State Highway 23, in Pompton Plains, New Jersey 07444 is the lowest responsible bidder in accordance with the unit prices on file in the Municipal Clerk's office;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Fair Lawn that upon recommendation of the Borough Manager and appropriate Department Head, the award be made to Water Works Supply Co., Inc. subject to the execution of purchase orders by the Borough Manager and Borough Treasurer.

**BE IT FURTHER RESOLVED**, that the award of this bid is subject to the Borough Treasurer executing the appropriate Certificate of Availability of Funds; and

**BE IT FURTHER RESOLVED**, that the Mayor and Municipal Clerk be and are hereby authorized to execute the appropriate contracts approved by the Borough Attorney.

Aye Nay Abstain

Baratta  
Peluso  
Swain  
Trawinski  
Cosgrove

July 16, 2013

**RESOLUTION NO. 267-2013**

By

Seconded by

**WHEREAS**, bids were received for Trailer Mounted Standby Generator by the Municipal Clerk on July 9, 2013; and

**WHEREAS**, said bids were referred to the Borough Manager and appropriate Department Head for consideration and recommendation; and

**WHEREAS**, Suburban Generator Co. having an office located at 114 W. Spring Valley Avenue in Maywood, New Jersey 07607 is the lowest responsible bidder in the amount of \$81,375.00;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Fair Lawn that upon recommendation of the Borough Manager and appropriate Department Head, the award be made to Suburban Generator Co. subject to the execution of purchase orders by the Borough Manager and Borough Treasurer.

**BE IT FURTHER RESOLVED**, that the award of this bid is subject to the Borough Treasurer executing the appropriate Certificate of Availability of Funds; and

**BE IT FURTHER RESOLVED**, that the Mayor and Municipal Clerk be and are hereby authorized to execute the appropriate contracts approved by the Borough Attorney.

Aye Nay Abstain

Baratta  
Peluso  
Swain  
Trawinski  
Cosgrove

July 16, 2013

**RESOLUTION NO. 268-2013**

By

Seconded by

**WHEREAS**, the preservation of open space and acquisition of interests in land benefits the public and advances the public health, safety, morals and general welfare of the citizens of the Borough of Fair Lawn; and

**WHEREAS**, the Mayor and Council intend to promote and encourage the preservation of lands for Open Space within the Borough by funding transactions for the acquisition of interests in real property; and

**WHEREAS**, the Borough of Fair Lawn intends to purchase certain interests in real property consisting of 0.16 acres of land designated as Block 5407, Lot 44 on the municipal tax map of the Borough of Fair Lawn, County of Bergen, State of New Jersey and also known as 4-50 Second Street, Fair Lawn, N.J, 07410 from Jeffrey Dube and Barbara Dube (collectively referred to herein as the "Property") in furtherance of Open Space within the Borough; and

**WHEREAS**, the Borough of Fair Lawn hereby intends to commit the use of municipal open space funds in the amount of \$292,000 plus costs towards the acquisition of the Property in furtherance of the conservation values of the Property and Open Space within the Borough; and

**WHEREAS**, the Borough of Fair Lawn has submitted grant applications to the State of New Jersey seeking Green Acres grant funding awards towards the acquisition of the Property; and

**WHEREAS**, the Borough of Fair Lawn has received preliminary indications that the Green Acres funding may not be approved by the State of New Jersey due to environmental issues resulting from the Property's proximity to the Passaic River; and

**WHEREAS**, Lisa Stern, Team Leader of the Green Acres funding program for the Northeast, has indicated that should the Preliminary Assessment Report result in a favorable environmental conclusion, the Green Acres funding will be

approved for subsequent reimbursement to the Borough of Fair Lawn according to Green Acres rules and regulations for payment.

**NOW THEREFORE BE IT RESOLVED**, the Mayor and Council hereby approve and authorize the purchase of the Property for the purchase price of \$292,000 plus costs using municipal open space funds.

Aye Nay Abstain

Baratta  
Peluso  
Swain  
Trawinski  
Cosgrove

July 16, 2013

**RESOLUTION NO. 269-2013**

By

Seconded by

**WHEREAS**, for many year, area farmers have brought their farm crops and products into the Borough of Fair Lawn for sale to citizens of Fair Lawn; and

**WHEREAS**, for many years there have been individuals from the area that come, from time to time, to purchase freshly grown crops and agrarian products from area farmers; and

**WHEREAS**, the Borough of Fair Lawn has had a venue for the sale of farmers' products; and

**WHEREAS** the Governing Body deems it proper, and in the best health, interest and welfare of the citizens of Fair Lawn, to have available to its citizens the ability to purchase freshly grown farm crops and locally produced agrarian products; and

**WHEREAS**, the Governing Body has taken deliberate, proactive and creative, steps to support the Farmer's Market; and

**WHEREAS**, the Farmer's Market is in need of additional vendors that offer non-food products and now has such a vendor who sells soap products; and

**WHEREAS**, the Farmer's Market season is well underway and with limited time left; and

**WHEREAS**, the Governing Body wishes to act on an emergent basis permitting this vendor to pay an application fee of \$50 and sell their products at the Farmer's Market; and

**WHEREAS**, the Governing Body shall undertake a more deliberate and investigative process of this issue next year.

**NOW, THEREFORE BE IT RESOLVED** by the Governing Body of Borough of Fair Lawn that the Farmer's Market shall permit the sale of soap products and the vendor shall pay an application fee of \$50.

Aye Nay Abstain

Baratta  
Peluso  
Swain  
Trawinski  
Cosgrove

July 16, 2013

**RESOLUTION NO. 270-2013**

By

Seconded by

**BE IT RESOLVED** that the following individuals are hereby appointed to serve on the Fair Lawn Borough Gardens Committee to serve at the pleasure of the Council.

Natalie Herr  
8-46 Susan Place

Oren Zyndorf  
21-19 Greenwood Drive

Jonathan Holzager  
30-07 Garrison Terrace

Aye Nay Abstain

Baratta  
Peluso  
Swain  
Trawinski  
Cosgrove

July 16, 2013

**RESOLUTION NO. 271-2013**

By

Seconded by

**BE IT RESOLVED** by the Mayor and Council of the Borough of Fair Lawn that the actions taken by the Board of Fire Commissioners at their meetings be and are hereby confirmed as follows:

**Applications:**

Andrew Baliman  
9-09 1st Street  
Co. 1

**Resignations:**

Andrew Baliman  
9-09 1st Street  
Co. 3

Aye Nay Abstain  
Baratta  
Peluso  
Swain  
Trawinski  
Cosgrove

July 16, 2013

**RESOLUTION NO. 272-2013**

By

Seconded by

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Fair Lawn that the Council Minutes of:

Work Session 5/21/13  
Special Meeting 5/21/13  
Closed Session 5/21/13  
Regular Meeting 6/18/13

are hereby approved.