

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.

September 10, 2013

1. Call to Order by Mayor
2. Statement of Compliance with the Open Public Meetings Act
3. Roll Call
4. Flag Salute
5. PROCLAMATIONS: CONSTITUTIONAL WEEK
POW/MIA REMEMBRANCE DAY
6. COUNCIL COMMENTS
7. ORDINANCES ON FIRST READING:

ORDINANCE NO. 2293-2013
(RESOLUTION NO. 300-2013)

AN ORDINANCE AND APPROPRIATING \$200,000 FOR THE COUNTY ROAD PROGRAM, COUNTY-WIDE ADA RAMPS, CURBS AND SIDEWALK CONSTRUCTION CO-OPERATIVE FUNDED FROM THE BERGEN COUNTY DEPARTMENT OF PUBLIC WORKS

- Mayor asks for a motion to read the Resolution of Introduction. Mayor asks for a Mover, Seconder, Roll Call.
- Municipal Clerk reads the Resolution of Introduction. Mayor asks for a Mover, Seconder, Discussion, Roll Call.

8. ORDINANCES ON SECOND READING:

ORDINANCE NO. 2289-2013
(RESOLUTION NO. 301-2013)

AN ORDINANCE FIXING THE SALARIES OF EXISTING SUPERVISORS ASSOCIATION OF FAIR LAWN EMPLOYEES OF THE BOROUGH OF FAIR LAWN, BERGEN COUNTY, NEW JERSEY AS AMENDED

**ORDINANCE NO. 2290-2013
(RESOLUTION NO. 302-2013)**

**AN ORDINANCE FIXING THE SALARIES OF NEW SUPERVISORS
ASSOCIATION OF FAIR LAWN 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. 2291-2013
(RESOLUTION NO. 303-2013)**

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

- 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. 2292-2013
(RESOLUTION NO. 304-2013)**

**AN ORDINANCE FIXING THE SALARIES OF CERTAIN EMPLOYEES
OF THE BOROUGH OF FAIR LAWN, BERGEN COUNTY, NEW
JERSEY IS AMENDED (WATER TREATMENT PLANT OPERATIONS
SPECIALIST, PUBLIC SAFETY TELECOMMUNICATION TRAINEE,
PLUMBING SUBCODE OFFICIAL AND KEYBOARDING CLERK I)**

- 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, Seconder, Roll Call.
- Municipal Clerk reads the Resolution of Adoption. Mayor asks for a Mover, Seconder, Discussion, Roll Call.

9. 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, 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.
- Mayor closes the time for public comments.

10. RESOLUTIONS BY CONSENT #20-2013

- Municipal Clerk reads Resolutions by Consent.
 - a. Resol. #305-2013 – Authorizing an Agreement with the Borough of Glen Rock to Install Police Radio Equipment
 - b. Resol. #306-2013 – Cancel County ADA Reimbursement 2013 Grant
 - c. Resol. #307-2013 - Award of Bid: #2164 Cleaning & Painting the Interior & Exterior of the Morlot Avenue 1 MG Elevated Water Storage Tank
 - d. Resol. #308-2013 – Renewal of Liquor License 2013-2014
 - e. Resol. #309-2013 – Confirmation of Fire Board Actions
 - f. Resol. #310-2013 – Award of Bid: Adult Mini Bus
 - g. Resol. #311-2013 – Award of Bid: Broom Street Sweeper with Belt Conveyor
 - h. Resol. #312-2013 – Award of Bid: Generator Maintenance
 - i. Resol. #313-2013 – Authorizing the Issuance of Bond Anticipation Notes
 - j. Resol. #314-2013 – Establishing Procedures to Monitor and Ensure Compliance with Federal Tax Law Requirements with Respect to Tax-Exempt Debt of the Borough
 - k. Resol. #315-2013 – Cancel and Refund Year 2011, 2012 Property Taxes Due to Property Classification Change from Ratable to Exempt: Block 6802, Lots 5 & 8
 - l. Resol. #316-2013 – Cancel Year 2013 & 2014 Property Taxes Due to 100% Veteran Property Tax Exemption
 - m. Resol. #317-2013 – Authorizing Submission of FEMA Grant Application
 - n. Resol. #318-2013 – Award of Bid: Audio and Visual Equipment – Fair Lawn TV

- o. Resol. #319-2013 – Imposing a Three Month Moratorium on the Demolition of the Vanderbeck House located at 41-25 Dunkerhook Road
 - p. Resol. #320-2013 – Cancel Year 2013 and 2014 Property Taxes Due to Property Classification Change from Ratable to Exempt: Block 1206, Lot 18
 - q. Resol. #321-2013 – Award of Bid: Solid Waste Collection Year 2013
 - r. Resol. #322-2013 – Renew Membership in the Bergen County Municipal Joint Insurance Fund
 - s. Resol. #323-2013 – Change Order – Project #2217 Roof Replacement Library & Cadmus Water Garage
 - t. Resol. #324-2013 – Authorizing the Settlement of Litigation Entitled Michael J. Messina v. Borough of Fair Lawn
- Mayor asks for a Mover, Second, Roll Call.

11. RESOLUTION NO. 325-2013 – APPROVAL OF MINUTES: REGULAR MEETING 7/16/13

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

12. RESOLUTION NO. 326-2013 – LIQUOR LICENSE PERSON TO PERSON TRANSFER – ANTONIO PARLATO TO ANTHONY'S COAL FIRED PIZZA OF FAIR LAWN LLC

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

13. 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, Second, Roll Call.
- Mayor closes the time for public comments.

14. ADJOURNMENT

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

Aye Nay Abstain

Baratta
Peluso
Swain
Trawinski
Cosgrove

September 10, 2013

RESOLUTION NO. 300-2013

By

Seconded by

BE IT RESOLVED that Ordinance No. 2293-2013 entitled:

AN ORDINANCE APPROPRIATING \$200,000 FOR THE COUNTY ROAD PROGRAM, COUNTY-WIDE ADA RAMPS, CURBS AND SIDEWALK CONSTRUCTION CO-OPERATIVELY FUNDED FROM THE BERGEN COUNTY DEPARTMENT OF PUBLIC WORKS

be introduced and does now pass a first reading and that said ordinance be further considered for final passage at a regular meeting of the Borough Council to be held at the Municipal Building, 8-01 Fair Lawn Avenue, Fair Lawn, New Jersey, on the 24th day of September, 2013, at 7:30 p.m. or as soon thereafter as the matter can be reached and at said time and place, all persons interested be given an opportunity to be heard concerning the same, and the Municipal Clerk is hereby authorized and directed to publish said ordinance according to law prior to said hearing with a notice of its introduction and of the time and place, when, and where said ordinance will be considered for final passage.

ORDINANCE NO. 2293-2013

AN ORDINANCE APPROPRIATING \$200,000 FOR THE COUNTY ROAD PROGRAM, COUNTY-WIDE ADA RAMPS, CURBS AND SIDEWALK CONSTRUCTION CO-OPERATIVELY FUNDED FROM THE BERGEN COUNTY DEPARTMENT OF PUBLIC WORKS

SECTION 1. The Borough of Fair Lawn received notice, in an Agreement, dated August 6, 2012, from the Bergen County Executive Kathleen Donovan, that the Bergen County Department of Public Works has approved the Borough of Fair Lawn's Road Resurfacing Project; and

SECTION 2. The County of Bergen has agreed to provide assistance for participating municipalities with their obligations to comply with NJDOT and Federal handicap ramp regulations.

SECTION 3. The County will make available funding to the Borough of Fair Lawn on reimbursement basis, for the construction of ADA rams, curbs, and sidewalks.

SECTION 4. The Borough of Fair Lawn will be responsible for all costs outside the scope of the countywide handicap ramp construction contract, including but not limited to, engineering costs and any local police protection.

SECTION 5. The Borough of Fair Lawn will enter into a contract with the successful bidder for the countywide co-operative construction contract and will be reimbursed from the County of Bergen, as detailed in the August 6, 2012 agreement with the County of Bergen.

SECTION 6. The Mayor and Council of the Borough of Fair Lawn is hereby authorized and appropriated the sum of \$200,000 to be financed by the Bergen County Department of Public Works pursuant to the August 6, 2012 agreement.

SECTION 7. The Borough of Fair Lawn will be reimbursed from the County in accordance with the August 06, 2012 agreement

SECTION 8. This ordinance shall take effect after passage and publication as required by law.

Attest:

Approved:

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

John Cosgrove
Mayor

Introduced: September 10, 2013

Adopted:

Aye Nay Abstain

Baratta
Peluso
Swain
Trawinski
Cosgrove

September 10, 2013

RESOLUTION NO. 301-2013

By

Seconded by

BE IT RESOLVED that Ordinance No. 2289-2013 entitled:

**AN ORDINANCE FIXING THE SALARIES OF EXISTING SUPERVISORS
ASSOCIATION OF FAIR LAWN 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. 2289-2013

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

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

SECTION 1. That there is hereby established a change in title for the classification of certain employee's attached herein.

SECTION 2. That all salaries not covered by this ordinance will remain effective until amended by further salary ordinances.

SECTION 3. Annual salaries shall be paid in accordance with the executed contract for the Supervisors Association of Fair Lawn Employees hired before August 20, 2013.

SECTION 4. In order to be eligible for retroactive payment, an employee must have been employed by the Borough of Fair Lawn on August 20, 2013.

SECTION 5. This ordinance shall take effect upon passage and publication as required by statute.

Attest:

Approved:

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

John Cosgrove
Mayor

Introduced: August 20, 2013

Adopted:

Supervisor's Position	2012 Min	2012 Max	2013 Min	2013 Max	2014 Min	2014 Max	2015 Min	2015 Max
Existing Employees								
Supervising Water Treatment Operator	63,938	81,654	65,057	83,083	66,358	84,745	67,519	86,228
Fire Official/Fire Protection Sub Code Off	49,467	81,654	50,333	83,083	51,339	84,745	52,238	86,228
Supervising Public Works	63,938	81,654	65,057	83,083	66,358	84,745	67,519	86,228
Supervising Maint Repairer	63,938	81,654	65,057	83,083	66,358	84,745	67,519	86,228
Municipal Court Administrator	53,004	81,972	53,932	83,407	55,011	85,075	55,973	86,564
Supervising Public Works	63,938	81,654	65,057	83,083	66,358	84,745	67,519	86,228
Supervising Mechanic	63,938	81,654	65,057	83,083	66,358	84,745	67,519	86,228
Municipal Recycling Coordinator	63,938	81,654	65,057	83,083	66,358	84,745	67,519	86,228
Assistant Superintendent of Public Works				83,083		84,745		86,228
Supervising Trees	63,938	81,654	65,057	83,083	66,358	84,745	67,519	86,228
Supervising Maint Repairer	63,938	81,654	65,057	83,083	66,358	84,745	67,519	86,228
Supervising Public Works	63,938	81,654	65,057	83,083	66,358	84,745	67,519	86,228
Supervising Parks	63,938	81,654	65,057	83,083	66,358	84,745	67,519	86,228
Recreation Supervisor					54,645	79,146	55,601	80,531
Assistant Superintendent Recreation					73,712	92,480	75,002	94,099

Aye Nay Abstain

Baratta
Peluso
Swain
Trawinski
Cosgrove

September 10, 2013

RESOLUTION NO. 302-2013

By

Seconded by

BE IT RESOLVED that Ordinance No. 2290-2013 entitled:

**AN ORDINANCE FIXING THE SALARIES OF NEW SUPERVISORS
ASSOCIATION OF FAIR LAWN 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. 2290-2013

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

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

SECTION 1. That there is hereby established a change in title for the classification of certain employee's attached herein.

SECTION 2. That all salaries not covered by this ordinance will remain effective until amended by further salary ordinances.

SECTION 3. Annual salaries shall be paid in accordance with the executed contract for the Supervisors Association of Fair Lawn Employees hired after August 20, 2013.

SECTION 4. In order to be eligible for retroactive payment, an employee must have been employed by the Borough of Fair Lawn on August 20, 2013.

SECTION 5. This ordinance shall take effect upon passage and publication as required by statute.

Attest:

Approved:

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

John Cosgrove
Mayor

Introduced: August 20, 2013

Adopted:

10% Reduction for New Employees Hired After August 20, 2013

	2013 Min	2013 Max	2014 Min	2014 Max	2015 Min	2015 Max
Supervising Water Treatment Operator	58,551	74,775	59,722	76,270	60,767	77,605
Fire Official/Fire Protection Sub Code Off	58,551	74,775	59,722	76,270	60,767	77,605
Supervising Public Works	58,551	74,775	59,722	76,270	60,767	77,605
Supervising Maint Repairer	58,551	74,775	59,722	76,270	60,767	77,605
Municipal Court Administrator	58,551	74,775	59,722	76,270	60,767	77,605
Supervising Public Works	58,551	74,775	59,722	76,270	60,767	77,605
Supervising Mechanic	58,551	74,775	59,722	76,270	60,767	77,605
Municipal Recycling Coordinator	58,551	74,775	59,722	76,270	60,767	77,605
Assistant Superintendent of Public Works	58,551	74,775	59,722	76,270	60,767	77,605
Supervising Trees	58,551	74,775	59,722	76,270	60,767	77,605
Supervising Maint Repairer	58,551	74,775	59,722	76,270	60,767	77,605
Supervising Public Works	58,551	74,775	59,722	76,270	60,767	77,605
Supervising Parks	58,551	74,775	59,722	76,270	60,767	77,605
Recreation Supervisor	58,551	74,775	59,722	76,270	60,767	77,605
Assistant Superintendent Recreation			49,180	71,231	50,041	72,478
			66,341	83,232	67,502	84,689

Aye Nay Abstain

Baratta
Peluso
Swain
Trawinski
Cosgrove

September 10, 2013

RESOLUTION NO. 303-2013

By

Seconded by

BE IT RESOLVED that Ordinance No. 2291-2013 entitled:

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

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. 2291-2013

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

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

SECTION 1. That there is hereby established a change in title for the classification of certain employees herein set below.

<u>Titles</u>	<u>Effective Jan 1, 2010</u>	<u>Effective Jan 1, 2011</u>	<u>Effective Jan 1, 2012</u>	<u>Effective Jan 1, 2013</u>	<u>Effective Jan 1, 2014</u>
Academy Step	\$ 34,500	\$ 35,190	\$ 35,894	\$ 36,701	\$ 37,527
Field Training Completion	\$ 37,500	\$ 38,250	\$ 39,015	\$ 39,893	\$ 40,790

SECTION 2. That all salaries not covered by this ordinance will remain effective until amended by further salary ordinances.

SECTION 3. Annual salaries shall be paid in biweekly installments.

SECTION 4. This ordinance shall take effect upon passage and publication as required by statute.

Attest:

Approved:

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

John Cosgrove
Mayor

Introduced: August 20, 2013

Adopted:

Aye Nay Abstain

Baratta
Peluso
Swain
Trawinski
Cosgrove

September 10, 2013

RESOLUTION NO. 304-2013

By

Seconded by

BE IT RESOLVED that Ordinance No. 2292-2013 entitled:

AN ORDINANCE FIXING THE SALARIES OF CERTAIN EMPLOYEES OF THE BOROUGH OF FAIR LAWN, BERGEN COUNTY, NEW JERSEY IS AMENDED (WATER TREATMENT PLANT OPERATIONS SPECIALIST AND PUBLIC SAFETY TELECOMMUNICATION TRAINEE)

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. 2292-2013

AN ORDINANCE FIXING THE SALARIES OF CERTAIN EMPLOYEES OF THE BOROUGH OF FAIR LAWN, BERGEN COUNTY, NEW JERSEY IS AMENDED (WATER TREATMENT PLANT OPERATIONS SPECIALIST AND PUBLIC SAFETY TELECOMMUNICATION TRAINEE)

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

SECTION 1. That there are hereby established salaries ranges for the following classifications of certain employees herein below set:

Titles	Effective Jan 1, 2013		Effective Jan 1, 2014		Effective Jan 1, 2015	
	Min.	Max.	Min.	Max.	Min.	Max.
Public Safety Telecommunication Trainee (up to 480 days or upon successful completion of the mandated training program)	17.00	17.00	17.00	17.00	17.00	17.00
Public Safety Telecommunication Trainee (after 480 days or upon successful completion of the mandated training program)	17.55	20.76	17.86	21.12	18.26	21.60
Water Treatment Plant Operations Specialist	41.95	41.95	41.95	41.95	41.95	41.95
Plumbing Subcode Official	25,473	77,150	46,268	78,500	47,309	80,266
Keyboarding Clerk I	33,599	53,683	34,187	54,622	34,956	66,851

SECTION 2. That all salaries not covered by this ordinance will remain effective until amended by further salary ordinances.

SECTION 3. Annual salaries shall be paid in biweekly installments and weekly, hourly and per diem shall be paid for such periods.

SECTION 4. Salary increases are effective only if an employee has not resigned voluntarily or has been terminated with cause. Retired employees are eligible on a prorated basis.

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: August 20, 2013
Adopted:

Aye Nay Abstain

Baratta
Peluso
Swain
Trawinski
Cosgrove

September 10, 2013

CONSENT AGENDA 20-2013

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. #305-2013 – Authorizing an Agreement with the Borough of Glen Rock to Install Police Radio Equipment
- b. Resol. #306-2013 – Cancel County ADA Reimbursement 2013 Grant
- c. Resol. #307-2013 – Award of Bid: #2164 Cleaning & Painting the Interior & Exterior of the Morlot Avenue 1 MG Elevated Water Storage Tank
- d. Resol. #308-2013 – Renewal of Liquor License 2013-2014
- e. Resol. #309-2013 - Confirmation of Fire Board Actions
- f. Resol. #310-2013 – Award of Bid: Adult Mini Bus
- g. Resol. #311-2013 – Award of Bid: Broom Street Sweeper with Belt Conveyor
- h. Resol. #312-2013 – Award of Bid: Generator Maintenance
- i. Resol. #313-2013 – Authorizing the Issuance of Bond Anticipation Notes
- j. Resol. #314-2013 – Establishing Procedures to Monitor and Ensure Compliance with Federal Tax Law Requirements with Respect to Tax-Exempt Debt of the Borough
- k. Resol. #315-2013 – Cancel and Refund Year 2011, 2012 Property Taxes Due to Property Classification Change from Ratable to Exempt: Block 6802, Lots 5 & 8
- l. Resol. #316-2013 – Cancel Year 2013 & 2014 Property Taxes Due to 100% Veteran Property Tax Exemption
- m. Resol. #317-2013 – Authorizing Submission of FEMA Grant Application
- n. Resol. #318-2013 – Award of Bid: Audio and Visual Equipment – Fair Lawn TV

- o. Resol. #319-2013 – Imposing a Three Month Moratorium on the Demolition of the Vanderbeck House located at 41-25 Dunkerhook Road
- p. Resol. #320-2013 – Cancel Year 2013 and 2014 Property Taxes Due to Property Classification Change from Ratable to Exempt: Block 1206, Lot 18
- q. Resol. #321-2013 – Award of Bid: Solid Waste Collection Year 2013
- r. Resol. #322-2013 – Renew Membership in the Bergen County Municipal Joint Insurance Fund
- s. Resol. #323-2013 – Change Order – Project #2217 Roof Replacement Library & Cadmus Water Garage
- t. Resol. #324-2013 – Authorizing the Settlement of Litigation Entitled Michael J. Messina v. Borough of Fair Lawn

Aye Nay Abstain

Baratta
Peluso
Swain
Trawinski
Cosgrove

September 10, 2013

RESOLUTION NO. 305-2013

By

Seconded by

Whereas, the Borough of Glen Rock and the Village of Ridgewood entered into a joint public safety radio improvement project (the "Project"); and

Whereas, within the scope the Project, a professional radio coverage assessment report, as well as field study finding, was developed; and

Whereas, the assessment report confirmed the field study findings, that the area on the South side of the Borough of Glen Rock bordering the Borough of Fair Lawn are in need of radio signal improvement; and

Whereas, the radio coverage assessment report identified the Borough's Company #2 Firehouse, located at the intersection of Harristown Road and Elm Ave in the Borough of Fair Lawn (the "Firehouse"), as being an appropriate location for the installation of a new radio repeater to be installed in a secured housing, with a fiber optic line and an antenna; and

Whereas, the Borough of Glen Rock has requested permission to install and maintain such equipment within and on the Firehouse, at the sole cost and expense of the Borough of Glen Rock, excepting the nominal cost of electricity for powering such equipment which shall be borne by the Borough of Fair Lawn.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Fair Lawn permits the installation of a radio repeater, together with all ancillary equipment, at the Borough's Company #2 Firehouse; and

BE IT FURTHER RESOLVED, that the Acting Borough Manager and/or his designee is hereby authorized to coordinate the installation of the radio repeater, together with ancillary equipment, with the appropriate officials of the Borough of Glen Rock; and

BE IT FURTHER RESOLVED, that this resolution shall become effective upon the adoption of a similar approval resolution by the Borough of Glen Rock.

Aye Nay Abstain

Baratta
Peluso
Swain
Trawinski
Cosgrove

September 10, 2013

RESOLUTION NO. 306-2013

By

Seconded by

WHEREAS, the Mayor and Council adopted Ordinance 2212-2011 on April 26, 2011 authorizing and appropriating \$65,000 for the County Road Program, Countywide ADA ramps, curbs and sidewalk construction co-operative funding from the County Department of Public Works; and

WHEREAS, the Borough Engineer has advised that grant period has expired; and

WHEREAS the Mayor and Council wish to cancel said ordinance and the corresponding Bergen County reimbursement grant.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Lawn, that the following ordinance and corresponding grant is hereby cancelled.

	Receivable Balance December 31, 2012	Appropriated Reserve Balance December 31, 2012
Ordinance # 2212-2011		
ADA Ramps-County Reimbursement	\$65,000	\$65,000

Aye Nay Abstain

Baratta
Peluso
Swain
Trawinski
Cosgrove

September 10, 2013

RESOLUTION NO. 307-2013

By

Seconded by

WHEREAS, bids were received for Project #2164 Cleaning and Painting Interior and Exterior Surfaces of the Morlot Avenue 1.0 MG Elevated Water Storage Tank by the Municipal Clerk on August 27, 2013; and

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

WHEREAS, U.S. Tank Painting, Inc., having offices located at 900 Rike Drive, Millstone Township, New Jersey 08535 is the lowest responsible bidder in the amount of \$1,495,369.00;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Fair Lawn that upon recommendation of the Acting Borough Manager and appropriate Department Head, the award be made to U.S. Tank Painting, Inc. subject to the execution of purchase orders by the Acting Borough Manager and Borough Treasurer.

BE IT FURTHER RESOLVED the Borough Treasurer has executed 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

September 10, 2013

RESOLUTION NO. 308-2013

By

Seconded by

WHEREAS, application has been made for the renewal of Liquor Licenses for fiscal year beginning July 1, 2013 and ending June 30, 2014, by the following:

<u>License Number</u>	<u>Fee</u>	<u>Type</u>	<u>Licensee</u>
0217-33-021-006	\$2,000.00	PRC	Parlato Antonio Pocket License

WHEREAS, it appears to the Mayor and Council that proper notice of intention to apply for said license has been made and that the license fee of \$2,000 for a Plenary Retail Consumption License accompanied the aforesaid application.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council that renewal of the aforesaid license be approved; that said license became effective July 1, 2013 and that the Municipal Clerk be and is hereby authorized and directed to issue said license.

Aye Nay Abstain

Baratta
Peluso
Swain
Trawinski
Cosgrove

September 10, 2013

RESOLUTION NO. 309-2013

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:

Erik Nunez
0-118 Tunbridge Road
Co. #3

Return from Leave:

Jason Zink
2-03 Lyons Avenue
Co. #1

Aye Nay Abstain

Baratta
Peluso
Swain
Trawinski
Cosgrove

September 10, 2013

RESOLUTION NO. 310-2013

By

Seconded by

WHEREAS, bids were received for an Adult Mini Bus by the Municipal Clerk on August 13, 2013; and

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

WHEREAS, Alliance Bus Group, having offices located at 51 Kero Road, Carlstadt, New Jersey 07072 is the lowest responsible bidder in the amount of \$50,686.00;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Fair Lawn that upon recommendation of the Acting Borough Manager and appropriate Department Head, the award be made to Alliance Bus Group subject to the execution of purchase orders by the Acting 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

September 10, 2013

RESOLUTION NO. 311-2013

By

Seconded by

WHEREAS, bids were received for a Broom Street Sweeper with Belt Conveyor by the Municipal Clerk on August 13, 2013; and

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

WHEREAS, W.E. Timmerman Co., Inc. having offices located at 3554 Route 22 West, P.O. Box 71, Whitehouse, New Jersey 08888 is the lowest responsible bidder in the amount of \$191,155.00;

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

BE IT FURTHER RESOLVED the Borough Treasurer has executed 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

September 10, 2013

RESOLUTION NO. 312-2013

By

Seconded by

WHEREAS, bids were received for Generator Maintenance by the Municipal Clerk on August 13, 2013; and

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

WHEREAS, Rapid Pump and Meter Service Co., Inc. having offices located at 285 Straight Street, Paterson, New Jersey 07509 is the lowest responsible bidder in the amount of \$9,870.00 for Year 1 and \$10,190 for Year 2.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Fair Lawn that upon recommendation of the Acting Borough Manager and appropriate Department Head, the award be made to Rapid Pump and Meter Service Co., Inc. subject to the execution of purchase orders by the Acting 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

September 10, 2013

RESOLUTION NO. 313-2013

By

Seconded by

BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF FAIR LAWN, IN THE COUNTY OF BERGEN, NEW JERSEY, AS FOLLOWS:

Section 1. Pursuant to a bond ordinance of the Borough of Fair Lawn, in the County of Bergen (herein called "local unit"), entitled: "Bond ordinance authorizing the construction of various water utility capital improvements and the acquisition of various pieces of water utility capital equipment in and for the Borough of Fair Lawn, in the County of Bergen, New Jersey; appropriating the sum of \$814,800 therefor; authorizing the issuance of general obligation bonds or bond anticipation notes of the Borough of Fair Lawn, County of Bergen, New Jersey in the aggregate principal amount of up to \$776,000; making certain determinations and covenants; and authorizing certain related actions in connection with the foregoing", finally adopted on October 11, 2005 (#2031-2005), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$100,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 2. Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance appropriating \$373,800, and authorizing the issuance of \$356,000 bonds or notes of the Borough, for various water utility improvements or purposes authorized to be undertaken by the Borough of Fair Lawn, in the County of Bergen, New Jersey", finally adopted on May 23, 2006 (#2054-2006), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$200,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 3. Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance appropriating \$2,730,000 and authorizing \$2,600,000 bonds or notes of the Borough for various improvements and purposes authorized to be undertaken by the Borough of Fair Lawn, in the County of Bergen, New Jersey", finally adopted on March 27, 2007 (#2074-2007), Bond Anticipation Notes of the

local unit in a principal amount not exceeding \$400,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 4. Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance appropriating \$2,642,000, and authorizing the issuance of \$2,516,000 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", finally adopted on August 19, 2008 (#2122-2008), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$500,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 5. Pursuant to a bond ordinance of the local unit, entitled: "Bond ordinance appropriating \$92,400 and authorizing \$87,900 bonds or notes of the Borough for various improvements and purposes authorized to be undertaken by the Borough of Fair Lawn, in the County of Bergen, New Jersey", finally adopted on August 19, 2008 (#2123-2008), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$75,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 6. Pursuant to a bond ordinance of the local unit, entitled: "Bond ordinance appropriating \$1,701,000 and authorizing \$1,619,500 bonds or notes of the Borough for various improvements and purposes authorized to be undertaken by the Borough of Fair Lawn, in the County of Bergen, New Jersey", finally adopted July 21, 2009 (#2159-2009), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$870,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 7. Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance appropriating \$294,000 and authorizing \$280,000 bonds or notes of the Borough for various water supply and distribution system improvements and purposes authorized to be undertaken by the Borough of Fair Lawn, in the County of Bergen, New Jersey", finally adopted on July 21, 2009 (#2160-2009), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$170,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 8. Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance providing for the acquisition of equipment for use by the Police Department of the Borough of Fair Lawn, in the County of Bergen, New Jersey; appropriating \$80,000 therefor and authorizing the issuance of \$43,300 bonds or notes of the Borough for financing such appropriation", finally adopted on May 11, 2010 (#2182-2010), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$35,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 9. Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance providing for the acquisition of equipment for use by the Fire Department of the Borough of Fair Lawn, in the County of Bergen, New Jersey, appropriating \$100,500 therefor and authorizing the issuance of \$12,218 bonds or notes of the Borough for financing such appropriation", finally adopted on June 15, 2010 (#2185-10), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$10,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 10. Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance appropriating \$1,297,050, and authorizing the issuance of \$1,232,000 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", finally adopted on September 21, 2010 (#2194-2010), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$1,000,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 11. Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance appropriating \$158,500 and authorizing \$150,000 bonds or notes of the Borough for various water supply and distribution system improvements and purposes authorized to be undertaken by the Borough of Fair Lawn, in the County of Bergen, New Jersey", finally adopted on September 21, 2010 (#2195-2010), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$100,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 12. Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance providing for the acquisition of the Naugle House Property in and by the Borough of Fair Lawn, in the County of Bergen, New Jersey appropriating \$1,850,000 therefor, authorizing the issuance of \$1,761,000 bonds or notes of the

Borough for financing such appropriation and repealing an ordinance of the Borough heretofore adopted on December 7, 2010 (#2204-2010)", finally adopted on April 26, 2011 (#2210-11), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$50,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 13. Pursuant to a bond ordinance of the local unit, entitled: "Bond ordinance appropriating \$280,500 and authorizing \$267,000 bonds or notes of the Borough for various water supply and distribution system improvements and purposes authorized to be undertaken by the Borough of Fair Lawn, in the County of Bergen, New Jersey", finally adopted July 19, 2011 (#2218-11), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$100,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 14. Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance appropriating \$1,103,800 and authorizing \$1,051,000 bonds or notes of the Borough for various improvements and purposes authorized to be undertaken by the Borough of Fair Lawn, in the County of Bergen, New Jersey", finally adopted on July 11, 2011 (#2219-11), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$1,050,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 15. Pursuant to a bond ordinance of the local unit, entitled: "Bond ordinance providing for the improvement of various roads in and by the Borough of Fair Lawn, County of Bergen, New Jersey, appropriating the sum of \$610,000 therefor and authorizing the issuance of \$580,000 bonds or notes of the Borough for financing such appropriation", finally adopted July 19, 2011 (#2220-11), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$500,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 16. Pursuant to a bond ordinance of the local unit, entitled: "Bond ordinance providing for the improvement of various roads in and by the Borough of Fair Lawn, County of Bergen, New Jersey, appropriating the sum of \$510,000 therefor and authorizing the issuance of \$485,000 bonds or notes of the Borough for financing such appropriation", finally adopted September 11, 2012 (#2244-12), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$400,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including

(to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 17. Pursuant to a bond ordinance of the local unit, entitled: "Bond ordinance appropriating \$2,781,000 and authorizing \$2,648,000 bonds or notes of the Borough for various improvements and purposes authorized to be undertaken by the Borough of Fair Lawn, in the County of Bergen, New Jersey", finally adopted September 11, 2012 (#2245-12), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$2,500,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 18. Pursuant to a bond ordinance of the local unit, entitled: "Bond ordinance appropriating \$1,688,000 and authorizing \$1,607,000 bonds or notes of the Borough for various water supply and distribution system improvements and purposes authorized to be undertaken by the Borough of Fair Lawn, in the County of Bergen, New Jersey", finally adopted September 11, 2012 (#2243-12), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$1,540,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 19. Pursuant to the provisions of Section 40A:2-26 of the Local Bond Law of New Jersey, particularly paragraph (f) thereof and in lieu of the sale of more than one issue of bonds as provided for in said Local Bond Law, the several issues of bonds of this local unit authorized pursuant to bond ordinances of the local unit hereinabove in Sections 1 to 18 described, shall be combined into a single and combined issue of bonds in the principal amount of \$9,600,000.

Section 20. The following matters in connection with said Bond Anticipation Notes are hereby determined:

(a) All notes issued hereunder shall mature at such times as may be determined by the chief financial officer or the acting chief financial officer (the "chief financial officer") of the local unit, provided that no note issued pursuant to Sections 1 to 18, inclusive, hereof shall mature later than (i) one year from the date of the first such note issued pursuant to the respective ordinances referred to in said Sections, and (ii) three years from the date of the first note issued pursuant to each such respective ordinance unless the local unit shall have paid and retired amounts of such notes sufficient to allow it, in accordance with provisions of Section 40A:2-8 of the Local Bond Law, to renew a portion thereof beyond the third anniversary date of the first of such notes;

(b) All notes issued hereunder shall bear interest at such rate or rates as may be determined by the chief financial officer of the local unit; and

(c) The notes shall be in the form prescribed by resolution heretofore adopted by the governing body of this local unit determining the form of Bond Anticipation Notes issued pursuant to the Local Bond Law, and any such notes may be signed or sealed by officers of the local unit in any manner permitted by Section 40A:2-25 of said Local Bond Law notwithstanding that said form or resolution may otherwise provide.

Section 21. The chief financial officer of the local unit is hereby authorized and directed to determine all matters in connection with said notes not determined by this or a subsequent resolution, and the chief financial officer's signature upon said notes shall be conclusive as to such determinations.

Section 22. The chief financial officer of the local unit is hereby authorized to sell said Bond Anticipation Notes from time to time at public or private sale in such amounts as the chief financial officer may determine at not less than par and to deliver the same from time to time to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof and payment therefor.

Section 23. Any instrument issued pursuant to this resolution shall be a general obligation of the local unit, and the local unit's faith and credit are hereby pledged to the punctual payment of the principal of and interest on said obligations and, unless otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget and a tax sufficient to provide for the payment thereof shall be levied and collected.

Section 24. The chief financial officer of the local unit is authorized and directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of notes pursuant to this resolution is made, such report to include the amount, description, interest rate and maturity of the notes sold, the price obtained and the name of the purchaser.

Section 25. The chief financial officer of the local unit is hereby authorized and directed to do all other matters necessary, useful, convenient or desirable to accomplish the delivery of said notes to the purchasers thereof as promptly as possible, including (i) the preparation, execution and dissemination of a Preliminary Official Statement and Final Official Statement with respect to said notes, (ii) preparation, distribution and publication, if necessary, of a Notice of Sale with respect to said notes, (iii) execution of a Continuing Disclosure Undertaking, with respect to said notes in accordance with Rule 15c2-12 promulgated by the Securities and Exchange Commission and (iv) execution of an arbitrage and use of proceeds certificate certifying that, among other things, the local unit, to the extent it is empowered and allowed under applicable law, will do and perform all acts and

things necessary or desirable to assure that interest paid on said notes is not included in gross income under Section 103 of the Internal Revenue Code of 1986, as amended.

Section 26. All action heretofore taken by local unit officials and professionals with respect to the sale of said notes is hereby ratified, confirmed, adopted and approved in all respects.

Section 27. This resolution shall take effect immediately.

Aye Nay Abstain

Baratta
Peluso
Swain
Trawinski
Cosgrove

September 10, 2013

RESOLUTION NO. 314-2013

By

Seconded by

WHEREAS, the Borough of Fair Lawn, in the County of Bergen, New Jersey (the "Borough") has from time to time and will from time to time issue tax-exempt debt, including without limitation bonds and bond anticipation notes; and

WHEREAS, in connection with the issuance of tax-exempt debt, the Borough is required by Section 149(e) of the Internal Revenue Code to file with the Internal Revenue Service an Information Return for Tax-Exempt Governmental Obligations known as Form 8038-G (or a substantially similar form); and

WHEREAS, the most recent revision of Form 8038-G requires the Borough to report whether the Borough has established written procedures to monitor and ensure compliance with certain requirements of federal tax law relating to its tax-exempt debt; and

WHEREAS, bond counsel to the Borough has prepared written procedures to monitor and ensure compliance with the requirements of federal tax law relating to tax-exempt debt which procedures are attached hereto as Exhibit A; and

WHEREAS, the Borough is desirous of establishing such written procedures;

NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF FAIR LAWN, IN THE COUNTY OF BERGEN, NEW JERSEY, AS FOLLOWS:

Section 1. In furtherance of the purposes described in the above recitals and in connection with the issuance from time to time by the Borough of tax-exempt debt, including bonds and bond anticipation notes, the Borough hereby establishes procedures to monitor and ensure compliance with federal tax law which procedures are attached hereto as Exhibit A.

Section 2. This resolution shall take effect immediately.

EXHIBIT A
TAX-EXEMPT DEBT COMPLIANCE PROCEDURES
TAX-EXEMPT DEBT COMPLIANCE PROCEDURES
(adopted September 3, 2013)

I. Purpose of Procedures

The purpose of these procedures is to ensure that the Borough of Fair Lawn, in the County of Bergen, New Jersey (the "Borough") complies with applicable requirements of federal tax law necessary to preserve the tax-exempt status of interest on any tax-exempt obligations (collectively referred to as the "Bonds") issued by the Borough. These requirements include restrictions on the uses of proceeds of the Bonds, and the facilities financed with the Bonds. The Borough hereby designates the Chief Financial Officer of the Borough as the compliance officer (the "Compliance Officer") for purposes of these procedures. These procedures provide only a general overview of the primary tax restrictions. The Compliance Officer shall consult with the Borough's bond counsel as needed to understand the tax restrictions described in the arbitrage and use of proceeds certificate or similar tax certificate (the "Tax Certificate") executed by the Borough in connection with an issue of Bonds and to ensure compliance with the tax restrictions described in these procedures.

II. General Overview of Private Business Use Restrictions

The tax rules prohibit private business use (use by private parties, including nonprofit organizations and the federal government) of tax-exempt financed facilities beyond permitted *de minimis* amounts unless cured by a prescribed remedial action. Private business use may arise as a result of:

- Sale of the financed facility;
- Lease of the facilities (including leases, easements or use arrangements for areas outside the four walls, e.g., hosting of cell phone towers);
- Management or service contracts in which the Borough authorizes a private party to operate all, a portion of, or any function of a financed facility (e.g., private management of a water or sewer system, cafeteria or healthcare facility); or
- Preference arrangements in which the Borough extends special legal entitlements or preferences to a private party with respect to a financed facility (e.g., preference parking in a public parking lot, naming rights, etc.).

The restrictions on private business use apply throughout the term of the Bonds. An action described above, if taken after the Bonds are issued, could jeopardize the tax-exempt status of the Bonds; however, arrangements with private parties for use of

financed facilities can often be structured to comply with an exception, or "safe harbor," to the private business use restrictions. Accordingly, the Borough should consult with its bond counsel whenever such an arrangement with a private party is being considered. If the Compliance Officer identifies private business use of a Bond-financed project, the Compliance Officer will consult with bond counsel to determine whether such private business use will adversely affect the tax-exempt status of the Bonds, and if so, what remedial action is appropriate, if any.

The tax rules contain investment restrictions relating to Bond proceeds and other moneys relating to the Bonds. Those arbitrage limits are set forth in the Tax Certificate for each Bond issue. The Tax Certificate is included in the Bond closing transcript. Investment earnings on Bond proceeds should be tracked and monitored to comply with applicable yield restriction and rebate requirements. Arbitrage is the difference between the yield on the Borough's Bonds and the investment income earned on the Bond proceeds invested in taxable instruments. Under certain circumstances, the Borough may be required to rebate "positive arbitrage" that it earns to the U.S. Treasury. The Borough must calculate (or hire a consultant to calculate) rebate liability for each Bond issue, and make any required rebate payments on a timely basis. The Borough may retain bond counsel, or another arbitrage rebate consultant, to perform any rebate calculations that are required to be made from time to time with respect to any Bond issue.

The rebate calculation dates are described in the Tax Certificate related to each issue of Bonds, but are generally every fifth (5th) anniversary date of the Bond issue through the final maturity or redemption date of a Bond issue. A final rebate payment must be made within sixty (60) days of the final maturity or redemption date of a Bond issue.

IV. Document Retention Requirements

Copies of all documents and records sufficient to document the expenditures and uses of Bond proceeds and Bond-financed facilities will be maintained by the Borough for the term of a Bond issue (including refunding bonds, if any) plus six (6) years, including the following documents and records:

- Bond closing transcripts;
- Copies of records of investments, investment agreements, credit enhancement transactions, financial derivatives (e.g., an interest rate swap), arbitrage reports and underlying documents, including trustee statements;
- Copies of material documents relating to expenditures financed or refinanced by Bond proceeds, including (without limitation) payment

records, as well as documents relating to costs reimbursed with Bond proceeds and records identifying the assets or portion of assets that are financed or refinanced with Bond proceeds;

- All leases, management agreement, or other contracts and arrangements involving private use, or changes in use, of the Bond-financed property; and
- A list (which does not have to be independently created but can be satisfied by reference to existing bond ordinances and computerized records) of assets financed with Bond proceeds, including, if applicable, placed in service dates.

V. Ongoing Training

Training shall be made available to the Compliance Officer to support the Compliance Officer's understanding of the tax requirements applicable to the Bonds. Such training may include, but would not be limited to, attending training sessions at local conferences sponsored by, among others, the New Jersey Government Finance Officer's Association, the New Jersey State League of Municipalities, the New Jersey Association of Counties, the New Jersey Tax Collectors and Treasurers Association and Rutgers University, participation in IRS teleconferences, reading technical guidance materials provided by educational organizations, the IRS, and/or bond counsel, and discussing questions and issues with the Borough's bond counsel and/or arbitrage rebate consultant.

VI. Annual Completion of Tax-Exempt Debt Compliance Checklist

The Compliance Officer will complete the attached "Annual Tax-Exempt Debt Compliance Checklist" with respect to all outstanding Bonds on or before December 31 of each annual period. The Compliance Officer will retain a copy of each completed and signed checklist in a file that is retained in accordance with the document retention requirements described in Section IV above.

BOROUGH OF FAIR LAWN, IN THE COUNTY OF BERGEN, NEW JERSEY
Form of Annual Tax-Exempt Debt Compliance Checklist

(to be completed by the "Compliance Officer" as described in the Tax-Exempt Debt Compliance Procedures)

Date Completed: _____

	Yes	No
Has there been a sale of all or any portion of a facility financed with tax-exempt bonds or notes (a "Project")?		
Has there been a lease of all or any portion of a Project to any party other than a state or local government?		
Has the Borough entered into a new, or amended an already existing, management or service contract related to a Project?		
Has the Borough entered into a naming rights agreement relating to all or any portion of a Project?		
Has the Borough entered into any other arrangement with an entity, other than a state or local government, that provided legal rights (such as a right to use) to that entity with respect to a Project?		
Has the Borough invested the proceeds of its tax-exempt bonds or notes at a yield in excess of the arbitrage yield on such bonds or notes?		
Has the Borough failed to comply in any material respect with the record retention requirements described in Section IV of the Tax-Exempt Debt Compliance Procedures previously established by the Borough?		

If an answer to any question above is "Yes", or the answer is unclear, the Compliance Officer shall consult with the Borough's bond counsel to determine (i) if the event could adversely impact the tax-exemption of the Borough's outstanding tax-exempt debt and/or (ii) whether any action needs to be taken during the upcoming annual period to ensure compliance with the tax-exempt debt restrictions.

The undersigned is the "Compliance Officer" as described in the Tax-Exempt Debt Compliance Procedures previously established by the Borough and has completed the above checklist to the best of the knowledge of the undersigned.

 Name:
 Title: Compliance Officer/Chief Financial Officer

Aye Nay Abstain

Baratta
Peluso
Swain
Trawinski
Cosgrove

September 10, 2013

RESOLUTION NO. 315-2013

By

Seconded by

WHEREAS, Sovran Acquisition Limited Partnership, property location 440 and 442 Wagaraw Road, Block 6802, Lots 5 & 8 as of December 27, 2011 transferred ownership to the Borough of Fair Lawn is now Tax Exempt Borough of Fair Lawn property; and

WHEREAS, the Borough of Fair Lawn, Tax Collector's Office billed year 2011, 2012 and 2013 property taxes; and

WHEREAS, Sovran Acquisition Limited Partnership having satisfied the property taxes for 2011, 2012 and 2013 and whose account will now reflect a refund.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Fair Lawn, County of Bergen and State of New Jersey, hereby authorize the Borough Tax Collector to cancel and refund year 2011 property taxes in the amount of \$6.64 and \$14.40, 2012 in the amount of \$424.07 and \$1,182.67 and year 2013 in the amount of \$592.00.

Aye Nay Abstain

Baratta
Peluso
Swain
Trawinski
Cosgrove

September 10, 2013

RESOLUTION NO. 316-2013

By

Seconded by

WHEREAS, Edward H. Babitts residing at 12-64 Orchard Street, Block 4611, Lot 30, applied to the United States Department of Veteran Affairs for a Veteran Property Tax Exemption and was issued a 100% permanent and total exemption effective January 16, 2013; and

WHEREAS, the Borough of Fair Lawn, Tax Collector's Office billed 4th quarter year 2013 property taxes in the amount of \$2,154.67 and 1st and 2nd quarters year 2014 in the amount of \$4,218.00; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Fair Lawn, County of Bergen, State of New Jersey hereby authorize the Borough Tax Collector to cancel 4th quarter year 2013 in the amount of \$2,154.67 and 1st and 2nd quarters year 2014 in the amount of \$4,218.

Aye Nay Abstain

Baratta
Peluso
Swain
Trawinski
Cosgrove

September 10, 2013

RESOLUTION NO. 317-2013

By

Seconded by

WHEREAS, the Emergency Management Performance Grant program that provides resources to assist State and local governments to sustain and enhance all-hazards emergency management capabilities. States have the opportunity to use EMPG funds to further strengthen their ability to support emergency management activities while simultaneously addressing issues of national concern as identified in the National Priorities of the National Preparedness Guidelines;

WHEREAS, the FEMA Grant would allow for Federal funding in the amount of \$5,000; and

WHEREAS, the FEMA Grant agreement would require a Borough match of \$5,000; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Fair Lawn, County of Bergen, that the appropriate Borough officials are hereby authorized to submit the FEMA Grant Application to provide for funding of the Office of Emergency Management Coordinator's salary.

Aye Nay Abstain

Baratta
Peluso
Swain
Trawinski
Cosgrove

September 10, 2013

RESOLUTION NO. 318-2013

By

Seconded by

WHEREAS, bids were received for Audio and Visual Equipment – Fair Lawn TV by the Municipal Clerk on August 6, 2013; and

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

WHEREAS, G & G Technologies, Inc. having offices located at 280 N. Midland Avenue; Bldg. F, Ste. 202; Saddle Brook, New Jersey 07663 is the lowest responsible bidder in the amount of \$33,731.00;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Fair Lawn that upon recommendation of the Acting Borough Manager and appropriate Department Head, the award be made to G & G Technologies, Inc. subject to the execution of purchase orders by the Acting 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

September 10, 2013

By

Seconded by

RESOLUTION NO. 319-2013

WHEREAS, the Borough does not have the funds to acquire, repair and maintain the privately owned Vanderbeck House; and

WHEREAS, the Mayor and Council desire to facilitate communications between the Developer, the Borough's Historic Preservation Commission and other interested parties to explore ideas and alternatives aimed at preserving the Vanderbeck House; and

WHEREAS, the Developer has formally expressed an interest in exploring ideas and alternatives in order to preserve the Vanderbeck House by voluntarily agreeing to the imposition of a three (3) month moratorium on the demolition of the Vanderbeck House to facilitate said communications; and

WHEREAS, the Mayor and Council believe that a demolition moratorium is required in order to address all concerns regarding the future development of the Vanderbeck House; and

WHEREAS, the Historic Preservation Commission has recommended that the house be preserved; and

WHEREAS, the appropriate state agencies have already included the site in its Register of Historic Sites for the State of New Jersey; and

WHEREAS, the Governing Body wishes to formally designate the Vanderbeck House as being a Site of Local Historical Significance and reaffirm their commitment to assist communications between the above parties aimed at preserving said site.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Lawn that a temporary moratorium for a period of three (3) months SHALL be imposed, until December 10, 2013, and DIRECTS the Fair Lawn Building Department during this period to not accept, process or approve any Demolition Permit for the Vanderbeck House located at 41-25 Dunkerhook Road.

Aye Nay Abstain

Baratta
Peluso
Swain
Trawinski
Cosgrove

September 10, 2013

By

Seconded by

RESOLUTION NO. 320-2013

WHEREAS, Mac Brothers Developers LLC, property location 39-60 Broadway, Block 1206, Lot 18 as of January 27, 2013 transferred ownership to the Borough of Fair Lawn is now Tax Exempt Borough of Fair Lawn property; and

WHEREAS, the Borough of Fair Lawn, Tax Collector's Office billed year 2013 and 2014 property taxes; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Fair Lawn, County of Bergen and State of New Jersey, hereby authorize the Borough Tax Collector to cancel year 2013 property taxes in the amount of \$9,426.61 and year 2014 in the amount of \$4,748.00.

Aye Nay Abstain

Baratta
Peluso
Swain
Trawinski
Cosgrove

September 10, 2013

By

Seconded by

RESOLUTION NO. 321-2013

WHEREAS, bids were received for Solid Waste Collection/Recyclable by the Municipal Clerk on July 30, 2013; and

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

WHEREAS, Cali Carting Inc., having offices located at PO Box #440, 450 Bergen Avenue, Kearney, New Jersey 07032 is the lowest responsible bidder for a five (5) year contract in the amount of \$4,685,000 which includes Option 2 in said amount; Option 3 which is a \$250 dumpster fee as needed and Option 4 which is \$10,000 for the Promenade Property, \$5,000 for the Hadco Property and \$13,000 for the Landmark Property; and

WHEREAS, in accordance with the specifications for said bid, the Mayor and Council reserve the right to consider awarding the recyclable section of the bid at any time during the five-year contract period;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Fair Lawn that upon recommendation of the Acting Borough Manager and appropriate Department Head, the award be made to Cali Carting Inc. subject to the execution of purchase orders by the Acting 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

September 10, 2013

By

Seconded by

RESOLUTION NO. 322-2013

WHEREAS, the Borough of Fair Lawn is a member of the Bergen County Municipal Joint Insurance Fund; and

WHEREAS, said renewed membership terminates as of December 31, 2013 unless earlier renewed by agreement between the Municipality and the Fund; and

WHEREAS, the Municipality desires to renew said membership;

NOW THEREFORE, BE IT RESOLVED as follows:

1. The Borough of Fair Lawn agrees to renew its membership in the Bergen County Municipal Joint Insurance Fund and to be subject to the Bylaws, Rules and Regulations, coverages, and operating procedures thereof as presently existing or as modified from time to time by lawful act of the Fund.
2. The Mayor and Clerk shall be and hereby are authorized to execute the agreement to renew membership annexed hereto and made a part hereof and to deliver same to the Bergen County Municipal Joint Insurance Fund evidencing the Municipality's intention to renew its membership.

**AGREEMENT TO RENEW MEMBERSHIP IN THE
BERGEN COUNTY MUNICIPAL JOINT INSURANCE FUND**

WHEREAS, the Bergen County Municipal Joint Insurance Fund (hereinafter the Fund) is a duly chartered Municipal Insurance Fund as authorized by NJSA 40A:10-36 et seq., and;

WHEREAS, the _____ is currently a member of said Fund, and;

WHEREAS, effective December 31, 2013, said membership will expire unless earlier renewed, and;

WHEREAS, the Mayor and Council of the _____ has resolved to renew said membership;

NOW THEREFORE, it is agreed as follows:

1. _____ hereby renews its membership in the Bergen County Municipal Joint Insurance Fund for a three (3) year period, beginning January 1, 2014 and ending January 1, 2017*.
2. The _____ hereby ratifies and reaffirms the Indemnity and Trust Agreement, Bylaws and other organizational and operational documents of the Bergen County Municipal Joint Insurance Fund as from time to time amended and altered by the Department of Insurance in accordance with the Applicable Statutes and administrative regulations as if each and every one of said documents were re-executed contemporaneously herewith.
3. _____ agrees to be a participating member of the Fund for the period herein provided for and to comply with all of the rules and regulations and obligations associated with said membership.
4. In consideration of the continuing membership of the _____ in the Bergen County Municipal Joint Insurance Fund, the Fund agrees, subject to the continuing approval of the Commissioner of Insurance, to accept the renewal application of the _____.
5. Executed the _____ day of _____, 2013 as the lawful and binding act and deed of the _____, which execution has been duly authorized by public vote of the governing body.

*12:01 am

MAYOR

ATTEST

EXECUTIVE DIRECTOR
BERGEN COUNTY MUNICIPAL JOINT INSURANCE FUND

Aye Nay Abstain

Baratta
Peluso
Swain
Trawinski
Cosgrove

September 10, 2013

By

Seconded by

RESOLUTION NO. 323-2013

WHEREAS, there is an existing contract between Billy Contracting & Restoration Inc. for project #2217 Roof Replacement Library & Cadmus Water Garage; and

WHEREAS, it has been certified by the Acting Borough Manager and the Borough Engineer that the changes on the attached Changer Order No. 1 (Schedule A) are required;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Fair Lawn that in accordance with the recommendations made herewith, Change Order No. 1 be and is hereby approved.

**BOROUGH OF FAIR LAWN
BERGEN COUNTY**

CHANGE ORDER

DEPARTMENT OF ENGINEERING

Project: 2217 Roof Replacement Library & Cadmus Water Garage
Contractor: Billy Contracting & Restoration Inc.

Number: 1st & Final
Date: 8/28/2013

This order covers the contract modifications hereunder described and shall be performed under the same terms and conditions included in the original contract.

Nature and reason for change: As built quantities

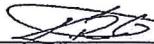
Item No.	Description	Unit	Bid	As Built	Change	Unit Price	Amount
1	Library Roof Replacement	LS	1	1	0	76,000.00	0.00
2	Metal Decking Replacement	SF	160	160	0	6.75	0.00
3	Cadmus Water Garage Roof Replacement	LS	1	1	0	47,500.00	0.00
4	Wood Decking Replacemen	SF	160	608	448	6.75	3,024.00

Amount of Original Contract: \$125,660.00
Adjusted Amount
Based on Change Orders: 1 \$128,684.00

% Change in Contract: 2.4

Extra: \$3,024.00
Supplemental: \$0.00
Reduction: \$0.00
Total Change: \$3,024.00

Approved:



Kenneth R. Garrison Jr.
(Borough Engineer)

8-28-13

(Date)

(Contractor) (Date)

Jim Van Kruiningen
(Acting Borough Manager)

(Date)

Schedule A

Aye Nay Abstain

Baratta
Peluso
Swain
Trawinski
Cosgrove

September 10, 2013

By

Seconded by

RESOLUTION NO. 324-2013

WHEREAS, litigation against the Borough of Fair Lawn ("Borough") was instituted in the matter entitled Michael J. Messina v. Borough of Fair Lawn, et al., Superior Court of New Jersey, Bergen County, Law Division bearing Docket No. BER-L-7321-11; and

WHEREAS, there are certain claims relevant to the Complaint that were not covered by the Municipal Excess Liability Fund ("MEL"), the Borough's insurer; and

WHEREAS, the Hanrahan law firm and law firm of Pfund McDonnell in consultation with the Municipal Excess Liability Fund ("MEL") have determined that in order avoid the expense of further litigation, it would be in the Borough's best interest to compromise and settle all claims which the parties have in the above aforementioned lawsuit; and

WHEREAS, the Mayor and Council having considered their recommendation and determining that settling this matter is in the best interest of the Borough; and

WHEREAS, the parties agree that the settlement of this matter is not an admission of liability or damages on the part of the Borough, its elected officials, officers, employees or agents; and

WHEREAS, in accordance with the settlement, the Municipal Excess Liability Fund will contribute one-third of this settlement in the amount of \$200,000, Summit Risk will contribute one-third of this settlement in the amount of \$200,000 and the Borough will contribute one-third of the settlement in the amount of \$200,000; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Fair Lawn, that the Borough does hereby approve and ratify the settlement entered into between Thomas B. Hanrahan, Esq. on behalf of the Borough

and Mary McDonnell, Esq. on behalf of Defendants Rose and Cook and Edward J. Nolan, Esq. on behalf of the Plaintiff Michael J. Messina in accordance with the terms of a Release dated August 15, 2013 which includes certain rights and obligations of the Borough same being herein attached to this Resolution.

BE IT FURTHER RESOLVED by the Mayor and Borough Council of the Borough of Fair Lawn, that the Borough does hereby authorize and direct the Mayor to execute any other documents to effectuate the settlement for and on behalf of the Borough.

Aye Nay Abstain

Baratta
Peluso
Swain
Trawinski
Cosgrove

September 10, 2013

By

Seconded by

RESOLUTION NO. 325-2013

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

Regular Meeting 7/16/13

are hereby approved.

Aye Nay Abstain

Baratta
Peluso
Swain
Trawinski
Cosgrove

September 10, 2013

By

Seconded by

RESOLUTION NO. 326-2013

WHEREAS, an application has been filed for a person to person transfer of Plenary Retail Consumption License 0217-33-021-006 heretofore issued to Antonio Parlato; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated there under, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the licensed business; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Fair Lawn do hereby approve effective September 10, 2013, the transfer for the aforesaid Plenary Retail Consumption License to Anthony's Coal Fired Pizza of Fair Lawn, LLC and do hereby direct the Municipal Clerk to endorse the license certificate to the new ownership as follows:

"This license subject to all of its terms and conditions is hereby transferred to Anthony's Coal Fired Pizza of Fair Lawn, LLC effective September 10, 2013"

BE IT FURTHER RESOLVED that this is an inactive license and shall be maintained in the office of the Municipal Clerk until such time as they become active.