

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.

APRIL 8, 2014

1. Call to Order by Mayor
2. Statement of Compliance with the Open Public Meetings Act
3. Roll Call
4. Flag Salute
5. PRESENTATION OF PORTRAIT OF OFFICER COLLURA BY PBA
6. PROCLAMATION: DAYS OF REMEMBRANCE
MONTH OF THE MILITARY CHILD
7. COUNCIL COMMENTS
8. ORDINANCES ON SECOND READING:

**ORDINANCE NO. 2308-2014
(RESOLUTION NO. 149-2014)**

AN ORDINANCE TO AMEND ORDINANCE NO. 1687-97 ENTITLED "AN ORDINANCE CREATING THE RIVER ROAD SPECIAL IMPROVEMENT DISTRICT WITHIN THE BOROUGH OF FAIR LAWN AND DESIGNATING A DISTRICT MANAGEMENT CORPORATION", AMENDING SCHEDULE A

- 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. 2309-2014
(RESOLUTION NO. 150-2014)**

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 \$910,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$864,500 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, 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. 2310-2014
(RESOLUTION NO. 151-2014)**

BOND ORDINANCE APPROPRIATING \$1,612,000, AND AUTHORIZING THE ISSUANCE OF \$1,531,400 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, 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. 2311-2014
(RESOLUTION NO. 152-2014)**

BOND ORDINANCE APPROPRIATING \$545,000, AND AUTHORIZING THE ISSUANCE OF \$517,750 BONDS OR NOTES OF THE BOROUGH, FOR VARIOUS WATER SUPPLY AND DISTRIBUTION SYSTEM 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, 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. 2312-2014
(RESOLUTION NO. 153-2014)****AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14) CALENDAR YEAR 2014**

- 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.

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, 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.

10. RESOLUTIONS BY CONSENT #7-2014

- Municipal Clerk reads Resolutions by Consent.
 - a. Resol. #154 -2014 – Approval of Minutes:

Work Session 2/18/14

Closed Session 2/18/14

- b. Resol. #155-2014 - Authorizing the Knight of Pythias Circus at Memorial Park
- c. Resol. #156-2014 – Accepting Donation to Human Services Trust Fund
- d. Resol. #157-2014 - Dedication by Rider - Affordable Housing Trust Fund
- e. Resol. #158-2014 - Emergency Veterinarian Services
- f. Resol. #159-2014 - Soft Drink and Food Concession Memorial Pool
- g. Resol. #160-2014 - Authorizing Waiving Water Bill: 11-01 Long Road
- h. Resol. #161-2014 - Confirming Endorsement of CDBG Application of Penwal Affordable Housing Corporation
- i. Resol. #162-2014 - Appointment to the Fair Lawn Borough Gardens Committee
- j. Resol. #163-2014 - Continuing Support for the Goals and Purposes of the 2004 Highlands Water Protection and Planning Act

- Mayor asks for a Mover, Secunder, Roll Call.

11. RESOLUTION NO. 164-2014 - CONFIRMATION OF FIRE BOARD ACTIONS

- Municipal Clerk reads resolution. Mayor asks for a mover, secunder, discussion, roll call.

12. PUBLIC HEARING ON 2014 BUDGET

- Mayor asks for a motion to open the time for public hearing on the 2014 Budget. Mayor asks for Mover, Secunder, Discussion, Roll Call.
- Mayor opens time for public comments asking if anyone wishes to be heard.
- Mayor calls for motion to close the time for public comments. Mayor asks for a Mover, Secunder, Roll Call.
- Mayor closes the time for public comments.

13. RESOLUTION NO. 165-2014 – ADOPTION OF 2014 BUDGET

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

14. PUBLIC HEARING ON RRIC BUDGET AND CONSIDERATION OF ASSESSMENTS IN THE RIVER ROAD IMPROVEMENT DISTRICT

- Mayor asks for a motion to open the time for public hearing on the RRIC Budget and the assessments in the River Road Special Improvement District.
- Mayor asks for Mover, Secunder, Discussion, Roll Call.
- Mayor opens time for public comments asking if anyone wishes to be heard.
- Mayor calls for motion to close the time for public comments. Mayor asks for a Mover, Secunder, Roll Call.
- Mayor closes the time for public comments.

15. RESOLUTION NO. 166-2014 – ADOPTION OF RIVER ROAD IMPROVEMENT CORPORATION BUDGET

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

16. PUBLIC HEARING ON BIC BUDGET AND CONSIDERATION OF ASSESSMENTS IN THE BROADWAY IMPROVEMENT DISTRICT

- Mayor asks for a motion to open the time for public hearing on the BIC Budget and the assessments in the Broadway Special Improvement District.
- Mayor asks for Mover, Secunder, Discussion, Roll Call.
- Mayor opens time for public comments asking if anyone wishes to be heard.
- Mayor calls for motion to close the time for public comments. Mayor asks for a Mover, Secunder, Roll Call.
- Mayor closes the time for public comments.

17. RESOLUTION NO. 167-2014 – ADOPTION OF BROADWAY IMPROVEMENT CORPORATION BUDGET

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

18. PUBLIC COMMENTS

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

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

19. ADJOURNMENT:

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

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

April 8, 2014

RESOLUTION NO. 149-2014

By

Seconded by

BE IT RESOLVED that Ordinance No. 2308-2014 entitled:

AN ORDINANCE TO AMEND ORDINANCE NO. 1687-97 ENTITLED "AN ORDINANCE CREATING THE RIVER ROAD SPECIAL IMPROVEMENT DISTRICT WITHIN THE BOROUGH OF FAIR LAWN AND DESIGNATING A DISTRICT MANAGEMENT CORPORATION", AMENDING SCHEDULE A

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. 2308-2014

AN ORDINANCE TO AMEND ORDINANCE NO. 1687-97 ENTITLED "AN ORDINANCE CREATING THE RIVER ROAD SPECIAL IMPROVEMENT DISTRICT WITHIN THE BOROUGH OF FAIR LAWN AND DESIGNATING A DISTRICT MANAGEMENT CORPORATION", AMENDING SCHEDULE A

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

SECTION 1. Schedule A is hereby amended as follows:

Delete the property known as Block 5834, Lot 1.02 located at 18-25 River Road and owned by the Borough of Fair Lawn as an assessable property and add said property as an exempt property.

SECTION 2: 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 thereto 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 3: All ordinances, codes or parts thereof that are inconsistent with this Ordinance are repealed or otherwise modified.

SECTION 4: This Ordinance shall take effect upon passage and publication as required by law.

ATTEST:

APPROVED:

Joanne M. Kwasniewski, RMC/MMC
Municipal Clerk/Deputy Manager

John Cosgrove, Mayor

Introduced: March 25, 2014

Adopted:

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

April 8, 2014

RESOLUTION NO. 150-2014

By

Seconded by

BE IT RESOLVED that Ordinance No. 2309-2014 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 \$910,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$864,500 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. 2309-2014

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 \$910,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$864,500 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 \$910,000, said sum being inclusive of all appropriations heretofore made therefor and including the sum of \$45,500 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 \$910,000 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 \$864,500 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 \$864,500 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

Section 3. 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 and specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved.

(a) The estimated maximum amount of bonds or notes to be issued for said purpose is \$864,500.

(b) The estimated cost of said purpose is \$910,000, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor being the amount of the said \$45,500 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 \$864,500, 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 \$90,000 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, as provided by said Local Bond Law.

Attest:

Approved:

Joanne M. Kwasniewski, RMC/MMC
Municipal Clerk/Deputy Manager

John Cosgrove, Mayor

Introduced: March 25, 2014

Adopted:

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

April 8, 2014

RESOLUTION NO. 151-2014

By

Seconded by

BE IT RESOLVED that Ordinance No. 2310-2014 entitled:

BOND ORDINANCE APPROPRIATING \$1,612,000, AND AUTHORIZING THE ISSUANCE OF \$1,531,400 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 # 2310-2014

BOND ORDINANCE APPROPRIATING \$1,612,000, AND AUTHORIZING THE ISSUANCE OF \$1,531,400 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 \$1,612,000 including the aggregate sum of \$80,600 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 \$1,612,000 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 \$1,531,400 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 \$1,531,400 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 one (1) automated CPR machine, four (4) defibrillators and uniforms for use by the Ambulance Squad of the Borough, three (3) roll off containers for use by the Department of Public Works of the Borough, personal protective equipment, one (1) defibrillator and gas meters for use by the Fire Department of the Borough, one (1) postage machine for use by the Finance Department of the Borough, gas monitors, extrication equipment, one (1) mask fit machine, safety guidance lights and personal protection equipment for use by the Office of Emergency Management of the Borough, arcade and fitness equipment for use by the Parks and Recreation Department of the Borough, and electronic signs and lock boxes 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>	\$249,000	\$237,000
<p>(b) Improvement of municipally-owned properties and facilities in and by the Borough, including the Recycling Center by the rehabilitation of the dumpsters and the renovation of the stairways, the Berdan Grove</p>		

playground by the installation of playground structures and equipment, Heights Avenue by the construction of a new park, the Recreation Center by the upgrade of the heating, ventilation and air conditioning system and the installation of new carpeting, Borough parks by the improvements thereof, the Free Public Library by the installation of new carpeting, renovation of the bathrooms, and the installation of new street signs and trees at various locations in the Borough, including also the preparation of a new Master Plan, together with for all the aforesaid all landscaping, 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

521,000

496,000

(c) Improvement of the storm water drainage system and the sanitary sewerage system in and by the Borough, 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

305,000

290,000

(d) Acquisition by purchase and installation, as necessary, of new and additional computer and communications equipment, including computer tablets for use by the Ambulance Squad of the

358,000

340,000

Borough, time reporting equipment and computer upgrades for use by the Administration Department of the Borough, registration software for use by the Parks and Recreation Department of the Borough, workstations, electronic ticketing equipment, laptops, and other computer and communication equipment for use by 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) utility vehicle for use by the Department of Public Works of the Borough, one (1) utility vehicle for use by the Fire Department of the Borough, two (2) utility vehicles for use by the Office of Emergency Management of the Borough and one (1) all-terrain utility vehicle for use by the Parks and Recreation Department 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>179,000</u>	<u>168,400</u>
Totals	\$1,612,000	\$1,531,400

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 16.85 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 \$1,531,400, 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 \$240,000 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/MMC
Municipal Clerk/Deputy Manager

John Cosgrove, Mayor

Introduced: March 25, 2014

Adopted:

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

April 8, 2014

RESOLUTION NO. 152-2014

By

Seconded by

BE IT RESOLVED that Ordinance No. 2311-2014 entitled:

BOND ORDINANCE APPROPRIATING \$545,000, AND AUTHORIZING THE ISSUANCE OF \$517,750 BONDS OR NOTES OF THE BOROUGH, FOR VARIOUS WATER SUPPLY AND DISTRIBUTION SYSTEM 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. 2311-2014

BOND ORDINANCE APPROPRIATING \$545,000, AND AUTHORIZING THE ISSUANCE OF \$517,750 BONDS OR NOTES OF THE BOROUGH, FOR VARIOUS WATER SUPPLY AND DISTRIBUTION SYSTEM 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 \$545,000 including the aggregate sum of \$27,250 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 \$545,000 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 \$517,750 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 \$517,750 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>
(a) Acquisition by purchase of new and additional vehicular equipment for use by the water utility of the Borough, including one (1) backhoe, 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	\$129,000	\$122,000
(b) Improvement of the water supply and distribution system in and by the Borough, including upgrade of the water system, the reconstruction and renovation of wells, well houses, the well house booster station, 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	<u>416,000</u>	<u>395,750</u>
Totals	\$545,000	\$517,750

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 31.75 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 \$517,750, 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 \$55,000 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, 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, as provided b said Local Bond Law.

Attest:

Approved:

Joanne M. Kwasniewski, RMC/MMC
Municipal Clerk/Deputy Manager

John Cosgrove, Mayor

Introduced: March 25, 2014

Adopted:

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

April 8, 2014

RESOLUTION NO. 153-2014

By

Seconded by

BE IT RESOLVED that Ordinance No. 2312-2014 entitled:

**AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A.
40A: 4-45.14) CALENDAR YEAR 2014**

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. 2312-2014

AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14) CALENDAR YEAR 2014

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to .5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Borough Council of the Borough of Fair Lawn in the County of Bergen finds it advisable and necessary to increase its CY 2014 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Borough Council hereby determines that a 3.0% increase in the budget for said year, amounting to \$1,058,788.50 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Fair Lawn, in the County of Bergen, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2014 budget year, the final appropriations of the Borough of Fair Lawn shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.50%, amounting to \$1,235,253.65 and that the CY 2014 municipal budget for the Borough of Fair Lawn be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be

retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Attest:

Approved:

Joanne M. Kwasniewski, RMC/MMC
Municipal Clerk /Deputy Manager

John Cosgrove
Mayor

Introduced: March 25, 2014

Adopted:

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

April 8, 2014

CONSENT AGENDA 7-2014

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. #154 -2014 – Approval of Minutes:
Work Session 2/18/14
Closed Session 2/18/14
- b. Resol. #155-2014 - Authorizing the Knight of Pythias Circus at Memorial Park
- c. Resol. #156-2014 – Accepting Donation to Human Services Trust Fund
- d. Resol. #157-2014 - Dedication by Rider - Affordable Housing Trust Fund
- e. Resol. #158-2014 - Emergency Veterinarian Services
- f. Resol. #159-2014 - Soft Drink and Food Concession Stand Memorial Pool
- g. Resol. #160-2014 - Authorizing Waiving Water Bill: 11-01 Long Road
- h. Resol. #161-2014 - Confirming Endorsement of CDBG Application of Penwal Affordable Housing Corporation
- i. Resol. #162-2014 - Appointment to the Fair Lawn Borough Gardens Committee
- j. Resol. #163-2014 - Continuing Support for the Goals and Purposes of the 2004 Highlands Water Protection and Planning Act

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

April 8, 2014

RESOLUTION NO. 154-2014

By

Seconded by

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

Work Session 2/18/14
Closed Session 2/18/14

are hereby approved.

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

April 8, 2014

RESOLUTION NO. 155-2014

By

Seconded by

WHEREAS, the Knights of Pythias have applied to the Borough Council for permission to use the municipal parking facilities located at Memorial Pool on Sunday, June 1, 2014 from noon to 8 p.m.; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Lawn that the Knights of Pythias be and are hereby granted permission to use the aforesaid parking lots in accordance with the following terms and conditions.

1) That the municipal parking lot at Memorial Pool shall be utilized by the Knights of Pythias for parking purposes only and all other activities relating to a Circus shall be conducted on other areas of the Memorial Junior High School field for which they have been given permission by the Board of Education.

2) That the Knights of Pythias shall furnish a Liability Insurance Policy for personal injuries in the amount of \$1,000,000, Product Liability in the amount of \$50,000, Property Damage Insurance in the amount of \$100,000, covering "The Borough of Fair Lawn, its servants, agents, employees, or any subdivision thereof" against any claims that may arise as a result of the aforesaid event;

3) That the Knights of Pythias will clean up and restore the parking lot to its original condition immediately after the termination of the use;

4) That the Knights of Pythias will reimburse the Borough of Fair Lawn for any damage to the parking lot facilities arising from its use;

5) That the permit fee for the aforesaid use is hereby waived;

6) That the aforesaid Circus will be conducted in accordance with and not in violation of any of the Borough Ordinances or Statutes of the State of New

Jersey. It is specifically understood by this paragraph that the Knights of Pythias shall be obligated to hire all personnel as may be required to satisfy all ordinances and regulations of the Borough. It is further specifically understood that they shall be required to provide the necessary personnel to protect the health, safety and welfare with regard to all traffic security problems arising from the use therein;

7) That all necessary permits are granted from the Borough and other required sources.

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

April 8, 2014

RESOLUTION NO. 156-2014

By

Seconded by

WHEREAS, N.J.S.A. 40A:4-39 provides for the anticipation and expenditure of certain items of dedicated revenue which are not subject to reasonably accurate estimates in advance; and,

WHEREAS, N.J.S.A. 40A:4-39 also provides that such anticipation and expenditure of dedicated revenue is subject to the approval of the Director of the Division of Local Government Services; and,

WHEREAS, it is the desire of the Mayor and Council of the Borough of Fair Lawn to anticipate and expend certain dedicated revenues for Human Services Donations - Acceptance of Gifts and Bequests (N.J.S.A. 40A:50-29) derived from monies collected to assist residents with basic needs, as detailed in the Borough of Fair Lawn Standard Operating Guidelines for the Department of Human Services, Human Service Trust Fund; and,

WHEREAS, the family of Edith Wigod wishes to donate \$10,000 in her honor and memory to the Fair Lawn Human Services Trust Fund; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Fair Lawn:

1. Hereby accepts a donation of \$10,000 to the Fair Lawn Human Services Trust Fund to be utilized towards the repairs and renovations of the Borough's food pantry; and
2. Upon completion of the repairs and renovations to the Borough's food pantry hereby approves the naming of the Food Pantry as the "Edith Wigod Food Pantry of Fair Lawn"; and

3. Hereby authorizes the Borough to hold two (2) food drives annually in memory and honor of Edith Wigod; and

BE IT FURTHER RESOLVED that the Mayor and Council of the Borough of Fair Lawn, expresses gratitude to the family of Edith Wigod for its generous gift and support of our community.

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

April 8, 2014

RESOLUTION NO. 157-2014

By

Seconded by

WHEREAS, N.J.S.A. 40A:4-39 provides for the anticipation and expenditure of certain items of dedicated revenue which are not subject to reasonably accurate estimates in advance; and,

WHEREAS, N.J.S.A. 40A:4-39 also provides that such anticipation and expenditure of dedicated revenue is subject to the approval of the Director of the Division of Local Government Services; and,

WHEREAS, it is the desire of the Mayor and Council of the Borough of Fair Lawn to anticipate and expend certain dedicated revenues for the Affordable Housing Trust Fund (N.J.S.A. 40A:12A-3) derived from monies collected from residential and non-residential developers, and other income as defined in Borough Ordinance 2175-2010 Section 49-18, and to expend funds in conformity with the spending plan approved by Council of Affordable Housing and as further defined in Borough Ordinance 2175-2010 Section 49-18; and,

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Fair Lawn, that the Director of the Division of Local Government Services be and is hereby requested to give written consent to the insertion under the Dedication Rider provision of the 2014 Municipal Budget, "Affordable Housing Trust Fund"; and

BE IT FURTHER RESOLVED, that two certified copies of this resolution be furnished to the Director of the Division of Local Government Services.

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

April 8, 2014

RESOLUTION NO. 158-2014

By

Seconded by

WHEREAS, the Borough of Fair Lawn has the need for veterinarian services for the Fair Lawn Animal Control; and

WHEREAS, the Borough of Fair Lawn has requested proposals for veterinarian services on two (2) occasions but has not received any responses.

WHEREAS, until a contract is awarded by the Mayor and Council, the Borough of Fair Lawn will utilize Paul Sova, DVM, 470 McLean Blvd, Paterson, NJ 07513; Blue Cross Animal Hospital, 470 McLean Boulevard, Paterson, NJ 07513; Oradell Animal Hospital, 580 Winters Avenue, Paramus, NJ 07652; Dr. Susan Cropper, 310 Newton Road, Wyckoff, NJ 07481; and Healing Paws Vet Care, LLC., 430 Market Street, Elmwood Park, NJ 07407, for emergency veterinarian services for 2014.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Fair Lawn, that the Police Department and Health Department are hereby authorized to utilize Paul Sova, DVM 470 McLean Blvd, Paterson, NJ 07513; Blue Cross Animal Hospital 470 McLean Boulevard Paterson, NJ 07513; Oradell Animal Hospital, 580 Winters Avenue, Paramus, NJ 07652; Dr. Susan Cropper, 310 Newton Road, Wyckoff, NJ 0748 and Healing Paws Vet Care, LLC., 430 Market Street, Elmwood Park, NJ 07407 for emergency veterinary services in an amount not to exceed \$17,500.

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

April 8, 2014

RESOLUTION NO. 159-2014

By

Seconded by

WHEREAS, informal quotes were received for the Soft Drink and Food Concession Memorial Pool by the Recreation and Parks Department on March 31, 2014; and

WHEREAS, said quotes were referred to the Borough Manager for consideration and recommendation; and

WHEREAS, Jersey Johnny's House of Dogs, LLC having an office located at 25 Newark Pompton Turnpike, Pequannock, New Jersey 07440 is the highest responsible quote in the amount of \$5,000.00 annually for a one year lease beginning June through September 2014 and for second year lease June through September 2015;

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 Jersey Johnny's House of Dogs LLC;

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

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

April 8, 2014

RESOLUTION NO. 160-2014

By

Seconded by

WHEREAS, Amelia Pompeo, residing at 11-01 Long Road received a water bill in the amount of \$1,472.00 which is much higher than her usual bill; and

WHEREAS, due to a medical emergency Ms. Pompeo was forced to leave her home resulting in it being unoccupied since mid-November 2013; and

WHEREAS, at some time when the house was unoccupied a pipe broke causing significant flooding to the house before the problem was discovered resulting in said high water bill; and

WHEREAS, a payment of \$242.00 has been made; and

WHEREAS, Ms. Pompeo has requested that the remainder of the water bill be waived due to the hardship the bill has caused.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Lawn that the amount of \$1,235.00 shall be waived due to the hardship caused by these unfortunate circumstances.

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

April 8, 2014

RESOLUTION NO. 161-2014

By

Seconded by

WHEREAS, two Bergen County Community Development grants of \$100,000 (CDGB Funds) and \$200,000 (HOME Funds) have been proposed by Penwal Affordable Housing Corporation for the development of Fair Lawn Senior Housing in the municipality of the Borough of Fair Lawn; and

WHEREAS, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the Governing Body; and

WHEREAS, the aforesaid project is in the best interest of the people of the Borough of Fair Lawn; and

WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid CD funds;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Fair Lawn hereby confirms endorsement of the aforesaid project; and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

April 8, 2014

RESOLUTION NO. 162-2014

By

Seconded by

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

Stanley W. Olejarz
23-12 Raphael Street

Natalya Kaminer
13-33 Sampson Road, Apt A

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

April 8, 2014

RESOLUTION NO. 163-2014

By

Seconded by

WHEREAS, New Jersey Highlands Water Protection and Planning Act (The Highlands Act) was enacted in order to protect the State's water supplies and other significant resources; and

WHEREAS, The Highlands Act was passed with overwhelming bipartisan support in both the New Jersey State Senate and New Jersey State Assembly; and

WHEREAS, subsequently in 2008, the New Jersey Highlands Water Protection and Planning Council adopted the New Jersey Highlands Regional Master Plan, and proceeded with a program for its implementation through a Plan Conformance process; and

WHEREAS, the Borough of Fair Lawn is a municipality that received all or a portion of its drinking water from sources within the Highlands Region; and that the Borough of Fair Lawn relies on the resources of the Highlands to meet the current and future needs of its residents;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Fair Lawn wishes that it be known that we strongly support the goals, policies and objectives of the 2004 Highlands Regional Master Plan.

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

April 8, 2014

RESOLUTION NO. 164-2014

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:

Medical Leave:

Rich Healy
27-05 Romaine Street
Co. 4

Resignation as 1st Lieutenant of Co. 4:

Rich Healy
27-05 Romaine Street
Co. 4

Election to 1st Lieutenant of Co. 4

Jeff Greco
26-12 Kipp Street
Co. 4

SECTION 2 - UPON ADOPTION FOR STATE FISCAL YEAR 2014
(Only to be included in the Budget as Finally Adopted)

April 8, 2014

RESOLUTION - Res #165 -2014

Be it Resolved by the Mayor and Council of the Borough of Fair Lawn, County of Bergen that the budget set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

- (a)\$ 35,242,984.21 (Item 2 below) for municipal purposes, and
- (b)\$ _____ (Item 3 below) for school purposes in Type I School District only (N.J.S. 18A:9-2) to be raised by taxation and,
- (c)\$ _____ (Item 4 below) to be added to the certificate of amount to be raised by taxation for local school purposes in Type II School Districts only (N.J.S. 18A:9-3) and certification to the County Board of Taxation of the following summary of general revenues and appropriations.
- (d)\$ _____ (Sheet 43) Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy
- (e)\$ 1,465,672.91 (Item 5 below) Minimum Library Tax

RECORDED VOTE
 (Insert last name) Ayes { Nays { Abstained { Absent {

SUMMARY OF REVENUES

1. General Revenues				
Surplus Anticipated			08-100	\$ 3,000,000.00
Miscellaneous Revenues Anticipated			13-099	\$ 7,201,144.88
Receipts from Delinquent Taxes			15-499	\$ 925,000.00
2. AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES (Item 6(a), Sheet 11)			07-190	\$ 35,242,984.21
3. AMOUNT TO BE RAISED BY TAXATION FOR _SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY:				
Item 6, Sheet 41		07-195		\$
Item 6(b), Sheet 11 (N.J.S. 40A:4-14)		07-191		\$
Total Amount to be Raised by Taxation for Schools in Type I School Districts Only				
4. To Be Added TO THE CERTIFICATE FOR AMOUNT TO BE RAISED BY TAXATION FOR _SCHOOLS IN TYPE II SCHOOL DISTRICTS ONLY:				
Item 6(b), Sheet 11 (N.J.S. 40A:4-14)			07-191	\$
5. AMOUNT TO BE RAISED BY TAXATION MINIMUM LIBRARY LEVY				
Total Revenues			07-192	\$ 1,465,672.91
			13-299	\$ 47,834,802.00

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

April 8, 2014

RESOLUTION NO. 166-2014

By
Seconded by

BE IT RESOLVED, by the Mayor and Council of the Borough of Fair Lawn, County of Bergen that the Budget for the River Road Special Improvement District herein before set forth is hereby adopted and shall constitute an appropriation for the purposes stated and all the sums therein set forth as appropriations and authorization of the amount of

\$150,000 River Road Special Improvement District Budget

2014 RIVER ROAD SPECIAL IMPROVEMENT DISTRICT

<u>ANTICIPATED REVENUE</u>	<u>PRIVATE</u>	<u>COUNTY</u>	<u>BOROUGH</u>	<u>SPECIAL ASSESSMENT</u>
Trustees, Fees	2,685	0	0	0
Other	54,375	0	0	150,000
TOTAL REVENUES	57,060	0	0	150,000
 <u>APPROPRIATIONS</u>				
Professional & Clerical Exp	19,190	0	0	51,805
Other Operating Expenses	7,650	0	0	20,450
Promotional/Marketing Exp	27,490	0	0	73,195
Res for Capital/Contingency	2,730	0	0	5,270
TOTAL APPROPRIATIONS	57,060	0	0	150,000
\$0.11 PER \$100.00 OF ASSESSED VALUATIONS				
Net Assessed Value	2014			\$134,972,100
Tax Rate				0.111

Aye Nay Abstain
 Dunay
 Lefkowitz
 Peluso
 Swain
 Cosgrove

April 8, 2014

RESOLUTION NO. 167-2014

By
 Seconded by

BE IT RESOLVED, by the Mayor and Council of the Borough of Fair Lawn, County of Bergen that the Budget for the Broadway Special Improvement District herein before set forth is hereby adopted and shall constitute an appropriation for the purposes stated and all the sums therein set forth as appropriations and authorization of the amount of

\$118,200 Broadway Special Improvement District Budget

2014 Broadway Special Improvement District Budget

<u>ANTICIPATED REVENUE</u>	<u>PRIVATE</u>	<u>COUNTY</u>	<u>BOROUGH</u>	<u>SPECIAL ASSESSMENT</u>
Trustees, Fees	2,050	0	0	0
Other	35,120	0	0	118,200
TOTAL REVENUES	37,170	0	0	118,200
<u>APPROPRIATIONS</u>				
Professional & Clerical Exp	16,600	0	0	52,775
Other Operating Expenses	5,090	0	0	16,160
Promotional/Marketing Exp	8,030	0	0	25,570
Res for Capital/Contingency	7,450	0	0	23,695
TOTAL APPROPRIATIONS	37,170	0	0	118,200

\$0.078 PER \$100.00 OF ASSESSED VALUATION

Net Assessed Value	2014	\$152,212,800
Tax Rate		0.078