

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 9, 2014

1. **Call to Order by Mayor**
2. **Statement of Compliance with the Open Public Meetings Act**
3. **Roll Call**
4. **Flag Salute**
5. **RECOGNIZING JAMES CROUCHER**
6. **PROCLAMATIONS: CONSTITUTIONAL WEEK
POW/MIA REMEMBRANCE DAY**
7. **COUNCIL COMMENTS**
8. **PUBLIC COMMENTS ON CONSENT AGENDA ITEMS ONLY**
 - Mayor calls for a motion to open time for public comments on Consent Agenda items only. Mayor asks for a Mover, Secunder, Roll Call.
 - Mayor opens time for public comments asking if anyone wishes to be heard.
 - Mayor calls for a motion to close the time for public comments. Mayor asks for a Mover, Secunder, Roll Call.
 - Mayor closes the time for public comments.
9. **RESOLUTIONS BY CONSENT #16-2014**
 - Municipal Clerk reads Resolutions by Consent.
 - a. Resol. #306-2014 - Approving Change Order #1 & Final - Project No. 2164 Cleaning and Painting Morlot Water Storage Tank
 - b. Resol. #307-2014 - Approving Change Order#1 & Final - Project No. 2144 Cadmus GAC Demonstration Facility

- c. Resol. #308-2014 - Opposing Bills S-1972 & A-474 – Prohibiting Registration of Multi-Family Dwellings
 - d. Resol. #309-2014 - Refund of Overpayment of Taxes
 - e. Resol. #310-2014 - Approval of Shared Service Agreement with the County of Bergen - Intersection Improvement and Signalization at River Road - Wagaraw Road and Maple Avenue
 - f. Resol. #311-2014 - Cancelling Various Capital Ordinances
 - g. Resol. #312-2014 - Cancelling Various Water Capital Ordinances
 - h. Resol. #313-2014 - Tax Appeal Settlement - Michelle Kaufman, 8-02 Plymouth Drive
 - i. Resol. #314-2014 – Authorizing the Issuance of Bond Anticipation Notes
 - j. Resol. #315-2014 - Extension of Contract: Printed Supplies - Recycled Paper - Ridgewood Press
 - k. Resol. #316-2014- Cancellation of Municipal Alliance Grants
 - l. Resol. #317-2014- Approval of Minutes:
 - Work Session 8/12/14
 - Special Work Session 8/19/14
 - Regular Meeting 8/19/14
 - Closed Session 8/19/14
 - m. Resol. #318-2014 - Donation of Four Surplus Vehicles to Bergen County Lawn and Public Safety Institute
 - n. Resol. #319-2014 - Cooperative Parking Agreement for 13-09 River Road, LLC
 - o. Resol. #320-2014 - Designating October 15, 2014 for Commemoration of the 350th Anniversary of the Founding of the State of New Jersey
 - p. Resol. #321-2014 - Approving Change Order #1 & Final - Project No. 2223 Trailer Mounted Emergency Generator
 - q. Resol. #322-2014 - Appointment to Fair Lawn Recreation Facilities Review Committee
 - r. Resol. #323-2014 - Appointment to Fair Lawn Arts Council
 - s. Resol. #324-2014 - Award of Contract for the Sale of Recyclables
- Mayor asks for a Mover, Second, Roll Call.

10. RESOLUTION NO. 325-2014 - CONFIRMATION OF FIRE BOARD ACTIONS

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

11. 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.

12. ADJOURNMENT:

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

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

September 9, 2014

CONSENT AGENDA 16-2014

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. #306-2014 - Approving Change Order #1 & Final - Project No. 2164 Cleaning and Painting Morlot Water Storage Tank
- b. Resol. #307-2014 - Approving Change Order#1 & Final - Project No. 2144 Cadmus GAC Demonstration Facility
- c. Resol. #308-2014 - Opposing Bills S-1972 & A-474 – Prohibiting Registration of Multi-Family Dwellings
- d. Resol. #309-2014 - Refund of Overpayment of Taxes
- e. Resol. #310-2014 - Approval of Shared Service Agreement with the County of Bergen - Intersection Improvement and Signalization at River Road - Wagaraw Road and Maple Avenue
- f. Resol. #311-2014 - Cancelling Various Capital Ordinances
- g. Resol. #312-2014 - Cancelling Various Water Capital Ordinances
- h. Resol. #313-2014 - Tax Appeal Settlement - Michelle Kaufman, 8-02 Plymouth Drive
- i. Resol. #314-2014 – Authorizing the Issuance of Bond Anticipation Notes
- j. Resol. #315-2014 - Extension of Contract: Printed Supplies - Recycled Paper - Ridgewood Press
- k. Resol. #316-2014- Cancellation of Municipal Alliance Grants
- l. Resol. #317-2014- Approval of Minutes:
 - Work Session 8/12/14
 - Special Work Session 8/19/14
 - Regular Meeting 8/19/14
 - Closed Session 8/19/14

- m. Resol. #318-2014 - Donation of Four Surplus Vehicles to Bergen County Lawn and Public Safety Institute
- n. Resol. #319-2014 - Cooperative Parking Agreement for 13-09 River Road, LLC
- o. Resol. #320-2014 - Designating October 15, 2014 for Commemoration of the 350th Anniversary of the Founding of the State of New Jersey
- p. Resol. #321-2014 - Approving Change Order #1 & Final - Project No. 2223 Trailer Mounted Emergency Generator
- q. Resol. #322-2014 - Appointment to Fair Lawn Recreation Facilities Review Committee
- r. Resol. #323-2014 - Appointment to Fair Lawn Arts Council
- s. Resol. #324-2014 - Award of Contract for the Sale of Recyclables

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

September 9, 2014

RESOLUTION NO. 306-2014

By

Seconded by

WHEREAS, there is an existing contract between the Borough of Fair Lawn and US Tank Painting, Inc. for Project #2164 Cleaning and Painting the Morlot Water Storage Tank; and

WHEREAS, it has been certified by the Borough Manager and Borough Engineer that the changes on the attached Change 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.

CHANGE ORDER

**BOROUGH OF FAIR LAWN
BERGEN COUNTY**

DEPARTMENT OF ENGINEERING

Project: 2164 Clean&Paint Morlot Water Storage Tank **Number:** 1
Contractor: US Tank Painting, Inc. **Date:** 8/6/2014

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 | Exterior Tank Painting | LS | 1 | 1.00 | 0.00 | \$920,069.00 | \$0.00 |
| 2 | Safety Climb Installation | LS | 1 | 1.00 | 0.00 | \$5,000.00 | \$0.00 |
| 3 | Ladder Gate Installation | LS | 1 | 1.00 | 0.00 | \$1,500.00 | \$0.00 |
| 4 | Grout Replacement | LS | 1 | 1.00 | 0.00 | \$1,000.00 | \$0.00 |
| 5 | Interior Water Chamber Painting | LS | 1 | 1.00 | 0.00 | \$455,300.00 | \$0.00 |
| 6 | Shell Manhole Installation | LS | 1 | 0.00 | -1.00 | \$10,000.00 | (\$10,000.00) |
| 7 | Pit Welding | Pits | 2000 | 0.00 | -2000.00 | \$5.00 | (\$10,000.00) |
| 8 | Pit Filler | Gallon | 25 | 2.00 | -23.00 | \$500.00 | (\$11,500.00) |
| 9 | Patch Plate Welding | SF | 50 | 5.00 | -45.00 | \$200.00 | (\$9,000.00) |
| 10 | Mixing System Installation | LS | 1 | 0.00 | -1.00 | \$55,000.00 | (\$55,000.00) |
| 11 | Valve Removal & Installation | LS | 1 | 1.00 | 0.00 | \$15,000.00 | \$0.00 |
| 12S | Additional Scaffolding Rental | LS | 0 | 1.00 | 1.00 | \$40,000.00 | \$40,000.00 |
| 13S | Seam Caulking | LS | 0 | 1.00 | 1.00 | \$2,500.00 | \$2,500.00 |

| | | | |
|--------------------------------|----------------|---------------|---------------|
| Amount of Original Contract: | \$1,495,369.00 | Extra: | \$0.00 |
| Adjusted Amount | | Supplemental: | \$42,500.00 |
| Based on Change Orders: 1, , , | \$1,442,369.00 | Reduction: | (\$95,500.00) |
| % Change in Contract: | -3.5 | Total Change: | (\$53,000.00) |

Approved:



 Kenneth R. Garrison Jr.
 (Borough Engineer)

8-6-2014

 (Date)

 (Contractor) (Date)

 Jim VanKruiningen
 (Borough Manager) (Date)

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

September 9, 2014

RESOLUTION NO. 307-2014

By

Seconded by

WHEREAS, there is an existing contract between the Borough of Fair Lawn and US Colonnelli Brothers, Inc. for Project #2144 Cadmus Place GAC Demonstration Facility; and

WHEREAS, it has been certified by the Borough Manager and Borough Engineer that the changes on the attached Change Order No. 1 & Final (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.

CHANGE ORDER

BOROUGH OF FAIR LAWN
BERGEN COUNTY

DEPARTMENT OF ENGINEERING

Project: #2144 Cadmus Place GAC Demonstration Facili Number: 1st & Final
 Contractor: Colonnelli Bros., Inc. Date: 7/21/2014

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 | Bonds/Insurance | LS | 1 | 1 | 0.00 | \$12,382.00 | \$0.00 |
| 2 | Mobilization | LS | 1 | 1 | 0.00 | \$40,000.00 | \$0.00 |
| 3 | Concrete Pads GAC (2ea.) | LS | 1 | 1 | 0.00 | \$50,000.00 | \$0.00 |
| 4 | Calgon GAC Tanks (4ea.) | LS | 1 | 1 | 0.00 | \$460,000.00 | \$0.00 |
| 5 | Set Calgon Tanks (4ea.) | LS | 1 | 1 | 0.00 | \$45,000.00 | \$0.00 |
| 6 | Yard Piping/Valves | LS | 1 | 1 | 0.00 | \$80,000.00 | \$0.00 |
| 7 | Wet Tap 6"x6" | LS | 1 | 1 | 0.00 | \$4,000.00 | \$0.00 |
| 8 | Wet Tap 12"x12" | LS | 1 | 1 | 0.00 | \$5,000.00 | \$0.00 |
| 9 | Concret Pad - BFP Enclousre | LS | 1 | 1 | 0.00 | \$3,000.00 | \$0.00 |
| 10 | BFP Enclosure (hot box) | LS | 1 | 1 | 0.00 | \$10,000.00 | \$0.00 |
| 11 | Chemical Feed | LS | 1 | 1 | 0.00 | \$2,000.00 | \$0.00 |
| 12 | Precast Concrete Chambers | LS | 1 | 1 | 0.00 | \$12,000.00 | \$0.00 |
| 13 | Concrete Drywell | LS | 1 | 1 | 0.00 | \$2,000.00 | \$0.00 |
| 14 | Electrical | LS | 1 | 1 | 0.00 | \$85,000.00 | \$0.00 |
| 15 | Instrumentation | LS | 1 | 1 | 0.00 | \$35,000.00 | \$0.00 |
| 16 | Insulation Exterior Piping | LS | 1 | 1 | 0.00 | \$10,000.00 | \$0.00 |
| 17 | Paved Roadway | LS | 1 | 1 | 0.00 | \$15,000.00 | \$0.00 |
| 18 | Restoration | LS | 1 | 1 | 0.00 | \$1,000.00 | \$0.00 |
| 19 | Cleanup | LS | 1 | 1 | 0.00 | \$1,000.00 | \$0.00 |
| 18 | Exterior Insulation Modification | LS | 0 | 1 | 1.00 | \$20,000.00 | \$20,000.00 |

| | | | |
|-----------------------------------|---------------------|---------------|--------------------|
| Amount of Original Contract: | <u>\$872,382.00</u> | Extra: | <u>\$0.00</u> |
| Adjusted Amount | | Supplemental: | <u>\$20,000.00</u> |
| Based on Change Orders: 1 & Final | <u>\$892,382.00</u> | Reduction: | <u>\$0.00</u> |
| % Change in Contract: | <u>2.3</u> | Total Change: | <u>\$20,000.00</u> |

Approved:

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

September 9, 2014

RESOLUTION NO. 308-2014

By
Seconded by

WHEREAS, S-1972 and A-474 would preempt all municipal ordinances requiring registration of multiple dwelling units of three (3) or more which were enacted pursuant to N.J.S.A. 40:48-2.12c; and

WHEREAS, the "Hotel and Multiple Dwelling Law", currently provides municipalities with the option to require local registration for multi-family dwellings of three (3) or more units, and authorizes the State to require registration in addition to local registration; and

WHEREAS, municipalities which choose to require the registration of multi-family dwellings do so because they find it to be a more reliable, efficient and effective process than relying upon State registration; and

WHEREAS, local registration is usually part of a multi-faceted community development strategy, including annual inspections of such units, to maintain housing stock and vibrant neighborhoods; and

WHEREAS, S-1972 and A-474 will not reduce red tape, but rather create an unnecessary and bureaucratic process for municipalities to maintain an up-to-date inventory of housing, incurring costs without any revenue off-set;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Lawn that it opposes S-1972 and A-474 as an unnecessary and unwarranted intrusion on local discretion which will result in an unwieldy, bureaucratic process for municipalities, a process which does not serve the public interest and could be detrimental to public health and safety; and

BE IT FURTHER RESOLVED, that a copy of this resolution be transmitted to the Governor of the State of New Jersey, President of the New Jersey Senate, the Speaker of the New Jersey General Assembly, New Jersey State Senator Robert M. Gordon, Assemblyman Timothy Eustace, Assemblyman Joseph A. Lagana, the members of the Assembly Housing and Community Development Committee and the New Jersey State League of Municipalities.

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

September 9, 2014

RESOLUTION NO. 309-2014

By
Seconded by

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

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

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

| <u>Block</u> | <u>Lot</u> | <u>Name</u> | <u>Amount</u> |
|--------------|------------|--|---------------|
| 3805 | 6 | Pine, Jane & Andrew G. 222 12th Street, N.E. Unit 1902 Atlanta, GA 30309 | \$31.00 |

(Refund of overpayment of water charge as a result of a duplicate payment)

| | | | |
|------|----|--|---------|
| 4709 | 11 | Celentano, Stadtmauer & Walentowicz, LLP 1035 Route 46 East Clifton, New Jersey 07015 | \$69.50 |
|------|----|--|---------|

(Refund of of water payment posted in error)

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

September 9, 2014

RESOLUTION NO. 310-2014

By
Seconded by

WHEREAS, an agreement is necessary to delineate the responsibilities of Bergen County and the Borough for the improvement and signalization of the intersection of River Road - Wagaraw Road and Maple Avenue; and

WHEREAS, a shared services agreement has been prepared by the County Counsel;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Lawn that the Mayor and Municipal Clerk / Deputy Manager be authorized to execute said share services agreement.

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

September 9, 2014

RESOLUTION NO. 311-2014

By
Seconded by

WHEREAS, there are various capital ordinances that have been on the books of the Borough for a number of years; and

WHEREAS, the capital projects have completed and/or cancelled: and

WHEREAS, the Mayor and Council wishes to cancel the below listed unspent funded and grant receivable balances.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Fair Lawn, that the following capital ordinances be and are hereby cancelled and that any residual amounts be credited to Capital Surplus, the Deferred Charges to Future Taxation - Unfunded and Grants Receivable, respectively

Funded Balance 07/31/2014

| | |
|--|------------|
| Ord. 1809-2000 - Multi Purpose | 27,697.22 |
| Ord. 1840-2000 - Pollitt Drive | 851.54 |
| Ord. 1845-2001 - Multi Purpose | 119,109.31 |
| Ord. 1884-2002 - Multi Purpose | 64,147.36 |
| Ord. 1922-2002 - Multi Purpose | 31,920.40 |
| Ord. 1929-2002 - Multi Purpose | 25,460.51 |
| Ord. 1941-2003 - Multi Purpose | 26,317.70 |
| Ord. 2021-2005 - Improvements to Library | 40.58 |
| Ord. 2155-2008 - Acquisition of Land | 149,500.00 |
| Ord. 2156-2008 - Install of Athletic Field | 1.00 |
| Ord. 2170-2009 - Senior Center Building | 5,820.00 |
| Ord. 2183-2009 - ADA Ramps | 7,427.50 |
| Ord. 2217-2009 - Emergency Services | 75,000.00 |

Unfunded Balance 07/31/2014

| | |
|--------------------------------|------------|
| Ord 1929-2002 - Multi Purpose | 21,841.49 |
| Ord. 1953-2003 - Multi Purpose | 97,066.78 |
| Ord. 2017-2005 - Multi Purpose | 105,000.00 |
| Ord. 2053-2006 - Multi Purpose | 995,040.96 |
| Ord. 2074-2007 - Multi Purpose | 712,877.67 |

| | |
|--------------------------------------|--------------|
| Ord. 2090-2007 - Multi Purpose | 162.01 |
| Ord. 2122-2008 - Multi Purpose | 664,227.75 |
| Ord. 2155-2008 - Acquisition of Land | 2,990,000.00 |
| Ord. 2159-2009 - Multi Purpose | 732,944.04 |
| Ord. 2182-2009 - Multi Purpose | 6,074.77 |
| Ord. 2185-2009 - Emergency Services | 2,705.96 |

Federal and State Grant Balance 07/31/2014

| | |
|--|-----------|
| County -wide ADA Ramps/Curbs/Sidewalks | 7,427.50 |
| NJ Livable Community Improvements to Library | 23,000.00 |
| CDBG - Road Improvements | .41 |
| CDBG - Road Improvements | 2,468.27 |
| CDBG - Senior Center Improvements | 6,570.00 |
| CDBG- ADA Barrier | 400.00 |
| NJ Transportation - Pollitt Extensions & McBride | 7.91 |
| NJ Transportation - Kipp and Romaine | 13,979.49 |
| US Assistance to Firefighters | 56,250.00 |

BE IT FURTHER RESOLVED, that the amount of \$ 633,293.12 be cancelled to Capital Surplus, the amount of \$6,327,941.43 to be cancelled to Deferred Charges to Future Taxation -Unfunded, and \$ 110,103.58 to be cancelled to Grant Receivable.

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

September 9, 2014

RESOLUTION NO. 312-2014

By
Seconded by

WHEREAS, there are various Water Capital Ordinances that have been on the books of the Borough for a number of years; and

WHEREAS, the Water Capital Projects have been completed; and

WHEREAS, the Mayor and Council wish to cancel the below listed unspent funded and unfunded balances.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Fair Lawn, that the following Funded and Unfunded Water Capital Ordinances be and are hereby cancelled and that any residual amount be credited to Fund Balance and Fixed Capital Authorized Uncompleted, respectively.

Funded Balance 07/31/2014

| | |
|--|----------|
| Ord. 1729-1998 Water System Improvements | 7,339.13 |
| Ord. 1771-1999 Water System Improvements | 2,469.47 |
| Ord. 1810-2000 Water System Improvements | 7,577.23 |
| Ord. 1863-2001 Water System Improvements | 4,267.79 |
| Ord. 1930-2002 Water System Improvements | 8,283.00 |
| Ord. 1942-2003 Water System Improvements | 7,328.00 |
| Ord. 1993-2004 Water System Improvements | 172.99 |

Unfunded Balance 07/31/2014

| | |
|--|------------|
| Ord. 1729-1998 Water System Improvements | 56,608.05 |
| Ord. 1846-2001-Water System Improvements | 15,875.91 |
| Ord. 2031-2005-Water System Improvements | 312,473.67 |
| Ord. 2054-2006-Water System Improvements | 64,734.95 |
| Ord. 2123-2008-Water System Improvements | 12,900.00 |
| Ord. 2160-2009-Water System Improvements | 28,588.87 |
| Ord. 2218-2011-Water System Improvements | 14,441.77 |

BE IT FURTHER RESOLVED that the amount of \$37,437.61 be cancelled to Fund Balance and \$505,623.22 be cancelled to Fixed Capital Authorized Uncompleted.

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

September 9, 2014

RESOLUTION NO. 313-2014

By
Seconded by

WHEREAS, Michelle Kaufman filed a real property tax appeal for the year 2013 (Docket No. 017623-2013); and

WHEREAS, the real property assessments for the subject premises, located at 8-02 Plymouth Drive (Lot 16 in Block 4411 on the Tax Assessment Map of the Borough of Fair Lawn) for the year 2013 were as follows:

| | |
|--------------|------------------|
| Land | \$207,200 |
| Improvements | <u>\$278,200</u> |
| Total | \$485,400 |

and;

WHEREAS, the 2013 tax appeal may be settled by reduction of the aforesaid assessments as follows:

| | |
|--------------|------------------|
| Land | \$207,200 |
| Improvements | <u>\$262,800</u> |
| Total | \$470,000 |

and;

WHEREAS, the 2014 total assessments will also be \$470,000 by way of the "Freeze Act".

and;

WHEREAS, the aforesaid settlement is consistent with the Borough's review of applicable property values for the subject property and comparable properties; and

WHEREAS, the Mayor and Council have been advised by the Borough's Assessor and by the Borough Attorney of the Borough that said settlement is in the Borough's interest;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Lawn that said settlement be and the same is hereby approved; and

BE IT FURTHER RESOLVED that the Borough Attorney of the Borough of Fair Lawn be and is hereby authorized to take all steps necessary to effect said settlement; and

BE IT FURTHER RESOLVED that all actions taken by the Borough Attorney in effecting said settlement be and they are hereby ratified and confirmed.

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

September 9, 2014

RESOLUTION NO. 314-2014

By

Seconded by

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. 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 \$90,166 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 \$3,087,000, and authorizing the issuance of \$2,940,000 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 May 23, 2006 (#2053-2006), 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 3. 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 \$197,032 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 \$2,730,000 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 \$346,000 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 \$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 \$419,000 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 \$92,400 and authorizing \$87,900 bonds or notes of the Borough for various water utility 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 \$72,729 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 \$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 \$868,000 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 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 \$167,213 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 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 \$36,000 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 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 \$9,100 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 \$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 9, 2010 (#2194-2010), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$1,185,000 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 appropriating \$158,500 and authorizing \$150,500 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 9, 2010 (#2195-2010), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$149,190 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 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 \$210,000 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 \$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 \$251,157 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 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 \$1,014,100 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 \$610,000 therefor and authorizing the issuance of \$553,000 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 \$553,000 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 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 \$485,000 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 \$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 19. 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 \$1,500,513 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 20. 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 \$485,500 bonds or notes of the Borough for financing such appropriation", finally adopted July 16, 2013 (#2285-13), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$484,500 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 21. Pursuant to a bond ordinance of the local unit, entitled: "Bond ordinance appropriating \$2,267,700 and authorizing \$2,153,315 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 16, 2013 (#2284-13), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$500,100 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 22. Pursuant to a bond ordinance of the local unit, entitled: "Bond ordinance providing for the improvement of the water supply and distribution system in and by the Borough of Fair Lawn, in the County of Bergen, New Jersey, appropriating \$326,400 therefor and authorizing the issuance of \$310,080 bonds or notes of the Borough for financing such improvement or purpose", finally adopted July 16, 2013 (#2286-13), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$51,000 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 23. 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 22 described, shall be combined into a single and combined issue of bonds in the principal amount of \$11,188,800.

Section 24. 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 22, 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 25. 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 26. 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 27. 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 28. 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 29. 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 30. 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 31. This resolution shall take effect immediately.

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

September 9, 2014

RESOLUTION NO. 315-2014

By

Seconded by

WHEREAS, pursuant to Resolution No. 330-2013 dated September 24, 2013, the Borough entered into a contract dated September 30, 2013 with Ridgewood Press having an office located at 609 Franklin Turnpike, Ridgewood, New Jersey 07450 as the lowest responsible vendor for Printed Supplies - Recycled Paper; and

WHEREAS, said Contract contained a provision to extend said contract for another year at the Borough's option;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Fair Lawn that the Borough exercise said option and the contract be extended for a period of one year, beginning September 11, 2014 and ending on September 10, 2015;

BE IT FURTHER RESOLVED that this extension is subject to the Borough Treasurer executing the appropriate certificate of availability of funds.

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

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

September 9, 2014

RESOLUTION NO. 316-2014

By

Seconded by

WHEREAS, the Borough of Fair Lawn was awarded grants; and

WHEREAS, the below project have been completed and all funds expended yet balances remain on the books; and

WHEREAS, the Borough has unspent monies, monies funded in operations and receivables in prior years allocated for this purpose which should be cancelled; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Lawn, that the below stated grant receivables and offsetting budget appropriations be cancelled.

| | |
|---|----------|
| Grant Appropriated Reserves - Mun Alliance 2011 | 2,267.07 |
| Grant Appropriated Reserves- Mun Alliance 2012 | 5,352.76 |
| Grant Appropriated Reserves - Mun Alliance 2013 | 6,635.86 |
| Municipal Alliance Grant Receivable 2012 | 3,339.69 |
| Municipal Alliance Grant Receivable 2013 | 340.86 |

BE IT FURTHER RESOLVED that the grant receivables of \$3,680.55 and grant appropriations in the amount of \$14,255.69 be cancelled.

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

September 9, 2014

RESOLUTION NO. 317-2014

By

Seconded by

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

Work Session 8/12/14
Special Work Session 8/19/14
Regular Meeting 8/19/14
Closed Session 8/19/14

are hereby approved

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

September 9, 2014

RESOLUTION NO. 318-2014

By

Seconded by

WHEREAS, the Borough of Fair Lawn is in possession of the following vehicles:

| | |
|---|-------------------------|
| 1998 Ford Crown Victoria Police Interceptor | VIN # 2FAFP71W3WX119145 |
| 1999 Ford Crown Victoria Police Interceptor | VIN # 2FAFP71W3XX208067 |
| 2006 Ford Crown Victoria Police Interceptor | VIN # 2FAHP71W36X104315 |
| 2006 Ford Crown Victoria Police Interceptor | VIN # 2FAHP71WX6X104313 |

WHEREAS, the Borough held an online auction through the website govdeals.com from July 28, 2014 through August 4, 2014 in which said vehicles did not sell; and

WHEREAS, these said vehicles no longer suit the needs of the Borough; and

WHEREAS, the Borough of Fair Lawn would like to donate said vehicles to the Bergen County Law & Public Safety Institute only to be used to provide hands-on experience and training for the benefit of trainees from across Bergen County; and

WHEREAS, N.J.S.A. 40A:11-36(2) permits the disposition, by resolution and without advertisement of bids, of personal property no longer needed for public use to another government entity; and

WHEREAS, the Bergen County Law & Public Safety Institute is willing to accept the donation of these vehicles to provide hands-on experience and training.

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Fair Lawn authorizes the donation of said vehicles to the Bergen County Law & Public Safety Institute and the Municipal Clerk is hereby authorized to execute the appropriate transfer approved by the Borough Attorney.

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

September 9, 2014

RESOLUTION NO. 319-2014

By

Seconded by

WHEREAS, Chapter 180 of the Municipal Code of the Borough of Fair Lawn permits the utilization of a cooperative parking plan in the River Road Special Improvement District;

WHEREAS, 13-09 River Road LLC has requested that the Borough of Fair Lawn enter into a cooperative parking agreement for the property known as Block 5610, Lots 27 and 28; and

WHEREAS, the Mayor and Council strongly support the concept of cooperative parking on River Road;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Lawn that the Borough enter into a cooperative parking agreement with 13-09 River Road LLC for the lease of up to two parking spaces in the George Street lot;

BE IT FURTHER RESOLVED that the willingness of the Mayor and Council to enter into said cooperative parking agreement shall not be deemed as an endorsement of the application before the Planning Board by 13-09 River Road LLC; and

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk/Deputy Manager are hereby authorized to execute said cooperative parking agreement if or when the 13-09 River Road LLC application pending before the Planning Board is approved. Said cooperative parking agreement shall be prepared in accordance with Chapter 180 of the Municipal Code of the Borough of Fair Lawn.

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

September 9, 2014

RESOLUTION NO. 320-2014

By
Seconded by

WHEREAS, James, Duke of York, brother to King Charles II, did grant mainland lying west of Long and Manhattan Islands, extending to the Delaware River and Bay, to John Berkeley, Baron of Stratton, and Admiral Sir George Carteret on June 24, 1664, forming the colony named Nova Caesarea or New Jersey to honor Carteret's defense of the Isle of Jersey in the English Channel on behalf of the Royal family during the English Civil War; and

WHEREAS, Director-General Peter Stuyvesant did surrender the Dutch colony of New Netherlands, including what is now Bergen County, in August 1664 to English forces sent to seize it; and

WHEREAS, New Jersey has since played a pivotal role in American history, progressing in times of war and peace from the most culturally diverse colony to the most densely populated state in three and a half centuries; and

WHEREAS, the Bergen 350 Committee of the Bergen County Historical Society shall honor New Jersey's sesquicentennial with a gala reception and dinner on October 15 at The Venetian in Garfield, featuring the inaugural Bergen County Legends Awards to recognize outstanding individuals whose celebrity or achievements make them legendary in our County's history; and

WHEREAS, this gala reception and dinner will benefit the building of a Bergen County Hall of History on the Revolutionary War Battleground at Historic New Bridge Landing to thereby preserve an important collection of artifacts and documents redolent of our County's proud place in the history of the State of New Jersey and of these United States of America for the benefit of present and future generations;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Fair Lawn hereby designates Wednesday, October 15, 2014, for celebration and commemoration of the 350th anniversary of the founding and naming of the State of New Jersey, and that all citizens are urged and invited to join in special remembrance of our American heritage as part of the Bergen 350 festivities.

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

September 9, 2014

RESOLUTION NO. 321-2014

By

Seconded by

WHEREAS, there is an existing contract between the Borough of Fair Lawn and Suburban Generator Co. for Project 2223 - Trailer Mounted Standby Generator; and

WHEREAS, it has been certified by the Borough Manager and Borough Engineer that the changes on the attached Change Order No. 1 & Final (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 and Final be and is hereby approved.

CHANGE ORDER

Project: Trailer Mounted Emergency Generator **Number:** 1 & Final
Contractor: Suburban Generator Compnay **Date:** _____

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: Additional cabling required to provide emergency power to Pump Stations

| Item No. | Description | Unit | Bid | As Built | Change | Unit Price | Amount |
|----------|------------------------------------|------|-----|----------|--------|--------------|----------|
| 1 | Traler Mounted Emergency Generator | LS | 1 | 1.00 | 0.00 | \$ 81,375.00 | 0.00 |
| 1S | Additional Eletrical Cabling | LS | 0 | 1.00 | 1.00 | \$ 3,415.00 | 3,415.00 |

| | | | |
|--------------------------------|--------------------|---------------|-------------------|
| Amount of Original Contract: | <u>\$81,375.00</u> | Extra: | <u>\$0.00</u> |
| Adjusted Amount | | Supplemental: | <u>\$3,415.00</u> |
| Based on Change Orders: 1, , , | <u>\$84,790.00</u> | Reduction: | <u>\$0.00</u> |
| % Change in Contract: | <u>4.2</u> | Total Change: | <u>\$3,415.00</u> |

Approved:

| | | | |
|--|-----------------|-----------------------|-----------------|
| _____ Kenneth R. Garrison Jr. (Borough Engineer) | _____ (Date) | _____ (Contractor) | _____ (Date) |
| _____ James VanKruningen (Borough Manager) | _____ (Date) | | |

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

September 9, 2014

RESOLUTION NO. 322-2014

By

Seconded by

BE IT RESOLVED that Ellen Levy, 12-57 Second Street, Fair Lawn, New Jersey 07410 be appointed to serve on the Fair Lawn Recreation Facilities Review Committee effective September 9, 2014 and expiring on January 22, 2015:

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

September 9, 2014

RESOLUTION NO. 323-2014

By

Seconded by

BE IT RESOLVED that Sandra Guevara, 8-05 Manor Avenue, Fair Lawn, New Jersey 07410 be appointed to serve at the pleasure of the Council on the Fair Lawn Arts Council effective September 9, 2014.

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

September 9, 2014

RESOLUTION NO. 324-2014

By

Seconded by

WHEREAS, by Resolution No. 334-2013, dated September 24, 2013 the Borough entered into an agreement with Green Sky Industries, 42 Chestnut Street, Clifton, New Jersey 07013 for the sale of commingled, paper and cardboard; and

WHEREAS, said contract was for a five-year term commencing October 1, 2014 and terminating on September 30, 2018; and

WHEREAS, on September 5, 2014 the Borough was notified by the Bergen County Utilities Authority that Green Sky Industries was ceasing business and closing its facilities at 4:00 p.m. on September 5, 2014; and

WHEREAS, for the safety, health and the welfare of the Borough and the immediate need to continue services, Atlantic Coast Fibers is willing to accept the Borough's recyclables on an emergency basis.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Fair Lawn that the Mayor and Municipal Clerk/Deputy Manager are hereby authorized to execute an agreement with Atlantic Coast Fibers, having an office located at 101 7th Street, Passaic, New Jersey 07055 in accordance with the attached Schedule "A"; and

BE IT FURTHER RESOLVED that the contract shall commence September 9, 2014 and terminate on December 31, 2014; and

BE IT FURTHER RESOLVED that Atlantic Coast Fibers has complied with the Business Entity Disclosure Certification for non-fair and open contracts required pursuant to N.J.S.A. 19:44A-20-8;

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification be placed on file with this resolution.



July 10 2014

Borough of Fairlawn
PO Box 376
Fairlawn, NJ 07410

Re: Recycling Market Proposal

All of us at Atlantic Coast Fibers and Zozzaro Atlantic Coast Processing would like to thank you for taking the time to discuss with us the Borough of Fairlawn's recycling needs. We are completely confident in being able to service the Borough in an expedient and professional manner.

At this time, we would like to offer the following proposal between the Borough of Fairlawn and Atlantic Coast Fibers in regards to accepting the Borough's Recyclables:

Atlantic Coast Fibers will accept at their facility located at 101 7th Street Passaic, NJ from the Borough of Fairlawn, including any contracted haulers of the Borough of Fairlawn, all mixed paper, cardboard, and commingled commodities generated via the Borough of Fairlawn's recycling program.

Atlantic Coast Fibers will rebate the Borough of Fairlawn for any News/Mix paper delivered to our Passaic location. Your current price for July would be \$32.50 per ton.

Atlantic Coast Fibers will rebate the Borough of Fairlawn for any clean source separated corrugated cardboard delivered to our Passaic location. The current price for July would be \$52.50 per ton.

Atlantic Coast Fibers will rebate the Borough of Fairlawn for all commingled cans and bottles delivered to our Passaic location based on the ACF monthly posted scale purchase price. The posted purchase price for July 2014 is \$11.00 per ton.

All materials received by Atlantic Coast Fibers are weighed on New Jersey State Certified Scales on site. A detailed report including full documentation by commodity, certified weight and prices will be provided each month. Full payment will be made by the 20th of the month following deliveries.

101 7TH STREET / PASSAIC, NJ 07055 / TEL: 973-614-9600 / FAX: 973-614-1663
101 MEMORIAL DRIVE / NEPTUNE, NJ 07753 / TEL: 732-897-7711

Schedule A

It would be our privilege to work with you and your staff toward developing a truly cost effective and comprehensive recycling program. We invite you to visit our facility at any time to witness for yourself a truly modern and highly automated approach to recycling the various commodities generated by our customers. We hope to have an opportunity to prove what we have to offer your community. Thank you once again for this opportunity.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Chris Riviello", with a long horizontal flourish extending to the right.

Chris Riviello
Managing Member

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

September 9, 2014

RESOLUTION NO. 325-2014

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:

Applications:

Steven Alvarez
25-11 Kipp Street
Co. 3

Resignations:

John Sandberg
2-08 29th Street
Co. 3

Jason Candaras
1-39 Plaza Road
Co. 3

John Cosgrove, Sr.
6 Langan Court
Co. 4

Leave of Absence:

Ted King
2 Barry Place
Co. 4