

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 14, 2015

1. **Call to Order by Mayor**
2. **Statement of Compliance with the Open Public Meetings Act**
3. **Roll Call**
4. **Flag Salute**
5. **PROCLAMATIONS: DAYS OF REMEMBRANCE
MONTH OF THE MILITARY CHILD**
6. **COUNCIL COMMENTS**
7. **ORDINANCES ON FIRST READING:**

**ORDINANCE NO. 2341-2015
(RESOLUTION NO. 188-2015)**

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR
LAWN, 2000, BY AMENDING AND SUPPLEMENTING VARIOUS
CHAPTERS TO REVISE FEES**

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

**ORDINANCE NO. 2342-2015
(RESOLUTION NO. 189-2015)**

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR
LAWN 2000, SPECIFICALLY CHAPTER 223 ENTITLED "TOWING" AND
CHAPTER 94, "FEES", ARTICLE VI SCHEDULE OF FEES**

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

**ORDINANCE NO. 2343-2015
(RESOLUTION NO. 190-2015)**

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN 2000, SPECIFICALLY CHAPTER 232 ENTITLED "VEHICLES AND TRAFFIC", MORE PARTICULARLY SECTION 232-68 ENTITLED "PEDESTRIAN SIGNS"

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

**ORDINANCE NO. 2344-2015
(RESOLUTION NO. 191-2015)**

AN ORDINANCE FIXING THE SALARIES OF CERTAIN NEW EMPLOYEES OF THE BOROUGH OF FAIR LAWN, BERGEN COUNTY, AND NEW JERSEY IS AMENDED (CIVIL ENGINEER TRAINEE)

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

8. ORDINANCES ON SECOND READING:

**ORDINANCE NO. 2336-2015
(RESOLUTION NO. 192-2015)**

AN ORDINANCE FIXING THE SALARIES OF EXISTING FULL TIME BLUE AND WHITE BARGAINING UNIT EMPLOYEES OF THE BOROUGH OF FAIR LAWN, BERGEN COUNTY, NEW JERSEY AS AMENDED

- Mayor asks for a motion to open the time for public comments. Mayor asks for a Mover, Secunder, Roll Call.
- Mayor opens time for public comments asking if anyone wishes to be heard.

- Mayor calls for a motion to close the time for public comments. Mayor asks for a Mover, Second, Roll Call.
- Municipal Clerk reads the Resolution of Adoption. Mayor asks for a Mover, Second, Discussion, Roll Call.

**ORDINANCE NO. 2337-2015
(RESOLUTION NO. 193-2015)**

**BOND ORDINANCE APPROPRIATING \$2,100,000, AND
AUTHORIZING THE ISSUANCE OF \$1,999,000 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**

- Mayor asks for a motion to open the time for public comments. Mayor asks for a Mover, Second, 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, Second, Roll Call.
- Municipal Clerk reads the Resolution of Adoption. Mayor asks for a Mover, Second, Discussion, Roll Call.

**ORDINANCE NO. 2338-2015
(RESOLUTION NO. 194-2015)**

**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 \$1,200,000
THEREFORE AND AUTHORIZING THE ISSUANCE OF \$1,142,800
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, Second, 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, Second, Roll Call.
- Municipal Clerk reads the Resolution of Adoption. Mayor asks for a Mover, Second, Discussion, Roll Call.

**ORDINANCE NO. 2339-2015
(RESOLUTION NO. 195-2015)**

BOND ORDINANCE APPROPRIATING \$800,000, AND AUTHORIZING THE ISSUANCE OF \$761,800 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. 2340-2015
(RESOLUTION NO. 196-2015)**

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN, 2010, BY AMENDING CHAPTER 232 ENTITLED "VEHICLES AND TRAFFIC", MORE PARTICULARLY SECTION 232-9 ENTITLED "PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS"

- 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 #9-2015

- Municipal Clerk reads Resolutions by Consent.
 - a. Resol. #197-2015 - Approval of Minutes:
 - Work Session 2/17/15
 - Closed Session 2/17/15
 - Regular Meeting 2/24/15
 - Work Session 3/3/15
 - Regular Meeting 3/10/15
 - Closed Session 3/10/15
 - b. Resol. #198-2015 - Refund of Overpayment of Taxes
 - c. Resol. #199-2015 - Professional Services: Animal Control Services
 - d. Resol. #200-2015 - Authorizing Awarding of Contracts with Certain Approved State Contract Vendor - Beyer Ford (Police Chief's Vehicle)
 - e. Resol. #201-2015 - Extension of Contract: Radio Repair and Maintenance
 - f. Resol. #202-2015 - Confirmation of Fire Board Actions
 - g. Resol. #203-2015 - Authorizing the Knights of Pythias Circus at Memorial Pool
 - h. Resol. #204-2015 - Appointment to the Zoning Board
 - i. Resol. #205-2015 - Appointment to the Property Maintenance / Facelift Committee
- Mayor asks for a Mover, Secunder, 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

April 14, 2015

RESOLUTION NO. 188-2015

By

Seconded by

BE IT RESOLVED that Ordinance No. 2341-2015 entitled:

**“AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR
LAWN, 2000, BY AMENDING AND SUPPLEMENTING VARIOUS CHAPTERS
TO REVISE FEES”**

be introduced and does now pass a first reading and that said ordinance be further considered for final passage at a regular meeting of the Borough Council to be held at the Municipal Building, 8-01 Fair Lawn Avenue, Fair Lawn, New Jersey, on the 28th day of April, 2015, at 7:30 p.m. or as soon thereafter as the matter can be reached and at said time and place, all persons interested be given an opportunity to be heard concerning the same, and the Municipal Clerk is hereby authorized and directed to publish said ordinance according to law prior to said hearing with a notice of its introduction and of the time and place, when, and where said ordinance will be considered for final passage.

ORDINANCE NO. 2341-2015

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN, 2000, BY AMENDING AND SUPPLEMENTING VARIOUS CHAPTERS TO REVISE FEES

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

Section 1. CHAPTER 85 CONSTRUCTION CODES, UNIFORM is hereby amended as follows:

§85-3C. Fees

C. The plumbing subcode fees shall be:

- (1) The plumbing subcode permit minimum fee shall be \$80.
- (2) First fixture and/or first stack: \$54.
- (3) Each additional fixture and/or stack: \$21.
- (4) Water softener, storage tank, water line to swimming pool, lawn sprinkler, grease traps, sewer pumps, etc.: \$65 each.
- (5) Replacement of water line or sewer line: \$90.
- (6) Hot-water boilers, steam boilers, gas heating systems, storage tanks: \$80.
- (7) Water heaters:
 - (a) Residential: flat fee of \$80.
 - (b) Commercial: \$125.
- (8) Oil burner and storage facilities:
 - (a) Oil burner:
 - [1] Residential: \$80.
 - [2] Commercial: \$150.
 - (b) Oil tank to 550 gallons, install or remove:
 - [1] Residential: \$75.
 - [2] Commercial: \$125.

- (c) Oil tank over 550 gallons, install or remove:
 - [1] Residential: \$80.
 - [2] Commercial: \$150.
- (d) Gasoline tanks, install or remove: \$250.
- (9) Gas piping:
 - (a) First unit:
 - [1] Residential: \$40.
 - [2] Commercial: \$135.
 - (b) Each additional unit:
 - [1] Residential: \$25.
 - [2] Commercial: \$75.
- F. Certificate of Occupancy / Temporary Certificate of Occupancy
 - (1) The fee for a certificate of occupancy shall be 4% of the permit fee, with a minimum fee of \$50 for one and two-family and a minimum fee of \$125 for all others.
 - (2) The fee for a certificate of continued occupancy shall be \$175.
 - (3) The fee for a certificate of occupancy granted pursuant to a change of use shall be \$175.
 - (4) The fee for a Code letter at the time of resale or when refinancing a one or two-family dwelling or other Code letter requests shall be \$50.
 - (5) The fee for a change in contractor shall be \$25 per subcode.
 - (6) The fee for a temporary certificate of occupancy (UCC) shall be \$45. The maximum time period for a TCO shall be (60) sixty calendar days. After the initial (60) sixty day period each extension will be considered a new TCO.

G. The Mechanical Inspector fee (R-3, R-4, R-5 use groups only and does not include the electrical subcode) shall be:

- (1) Minimum fee: \$ 80.
- (2) Heat producing appliances (i.e. Furnace, Boilers, Gas Fire Places and Stoves) oil, gas: \$160.
- (3) Replacement of a non-testable backflow preventers with another appliance: \$21.
- (4) Replacement of a non-testable backflow preventer alone: \$80.
- (5) Chimney liner: \$80.
- (6) Generators: \$160.
- (7) Residential gas pipe: \$40.
- (8) Water Heater: \$80.
- (9) All other (Duct work, Hydronic Heating etc.): \$65.
- (10) Condensate line:
 - (a) First line: \$65.
 - (b) Each additional line: \$21.

The Mechanical inspector fee applies only to the installation of the specific residential mechanical equipment listed when it is not part of a larger multi subcode residential project. When mechanical equipment is being installed as part of a larger project the fees under the individual subcode sections shall apply.

The Mechanical inspector fee section does not apply to any commercial installation.

Section 2. Chapter 94 FEES is hereby amended as follows:

§94-12 Miscellaneous fees is hereby amended as follows:

(2) Section 160-6A. Annual membership fees and other charges to permit the use of parks, playgrounds, swimming pools and all other municipally

operated recreation facilities:

Memorial Pool, Inter-local pool membership agreements

Memorial Pool

Type	Fee
Family membership (Father, Mother & all children not having completed 12 th School year. Also, any college student up to 23 years of Age who lives at the parents Fair Lawn address. You must Include a driver's license for proof of age and residency.)	\$200
Single Adult membership	\$ 95
Junior membership	\$ 60
Senior Citizen (62 years or older) Proof of age is required	\$ 25

Inter-local Pool Membership Agreements

Type	Fee
Family membership	\$325
Adult membership	\$160
Seniors	\$ 95
Guest fees – Per Day	
Weekdays	\$10 per guest
Weekends/Holidays	\$20 per guest

(4) Section 160-6C. Recreation programs.

Add:

Program	Fees
Camp Iroquois – Cherokee	
(1) One Week Session	\$110
Before Care (1) one week session 8:00 a.m. to 9:00 a.m.	\$ 35
After Care (1) one week session 5:00 p.m. to 6:00 p.m.	\$ 35
Camp Small Fry	
(1) One Week Session	\$ 75

Section 3. Except as herein amended and supplemented, Chapter 94 shall remain in full force and effect.

Section 4. Each section of this Ordinance and every subsection hereof shall be deemed independent, separate and distinct from all other sections, and the holding of any section or a part hereof to be unconstitutional, void, or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any section or part hereof.

Section 5. All ordinances, codes or parts thereof that are inconsistent with this ordinance are repealed or otherwise modified.

Section 6. 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

Introduced: April 14, 2015
Adopted:

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

April 14, 2015

RESOLUTION NO. 189-2015

By

Seconded by

BE IT RESOLVED that Ordinance No. 2342-2015 entitled:

**“AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR
LAWN 2000, SPECIFICALLY CHAPTER 223 ENTITLED TOWING” AND
CHAPTER 94, “FEES”, ARTICLE VI SCHEDULE OF FEES”**

be introduced and does now pass a first reading and that said ordinance be further considered for final passage at a regular meeting of the Borough Council to be held at the Municipal Building, 8-01 Fair Lawn Avenue, Fair Lawn, New Jersey, on the 28th day of April, 2015, at 7:30 p.m. or as soon thereafter as the matter can be reached and at said time and place, all persons interested be given an opportunity to be heard concerning the same, and the Municipal Clerk is hereby authorized and directed to publish said ordinance according to law prior to said hearing with a notice of its introduction and of the time and place, when, and where said ordinance will be considered for final passage.

ORDINANCE 2342-2015

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN 2000, SPECIFICALLY CHAPTER 223 ENTITLED "TOWING" AND CHAPTER 94, "FEES", ARTICLE VI SCHEDULE OF FEES

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

SECTION 1: Chapter 94 FEES is hereby amended as follows:

§94-12 Miscellaneous Fees

Delete the entire section:

Z. Chapter 223, towing and storage and related fees:

Add:

Z. Chapter 223, towing and storage and related fees:

(1) Light Duty Fees:

- (a) Towing – For the first 5 miles, not to exceed \$100
- (b) Towing – For each additional mile, not to exceed \$2 per mile
- (c) Recovery / Winching – \$50 per hour (1 hour minimum)
- (d) Storage – Inside, \$20 for the first day, \$40 each additional day
- (e) Storage – Outside, \$15 for the first day, \$30 each additional day
- (f) Road Service - \$50 plus the cost of fuel and parts

(2) Medium Duty Fees:

- (a) Towing – For the first 5 miles, not to exceed \$200
 - (b) Towing – For each additional mile, not to exceed \$5 per mile
 - (c) Recovery / Winching – \$100 per hour (1 hour minimum)
 - (d) Storage – Inside, \$100 for the first day, \$150 each additional day

(e) Storage – Outside, \$50 for the first day, \$100 each additional day

(f) Road Service - \$100 per hour plus the cost of fuel and parts

(3) Heavy Duty Fees:

(a) Towing – Per single unit, for the first 5 miles not to exceed \$300

(b) Towing – Per single unit, for each additional mile, not to exceed \$10 per mile

(c) Towing – Per combination unit, for the first 5 miles, not to exceed \$400

(d) Towing – Per combination unit, for each additional mile, not to exceed \$20 per mile

(e) Recovery / Winching – \$300 per hour (1 hour minimum)

(f) Storage – Inside, per single unit \$150 for the first day, \$200 each additional day

(g) Storage – Inside, per combination unit, \$200 for the first day, \$250 each additional day

(h) Storage – Outside, per single unit, \$100 for the first day, \$150 each additional day

(i) Storage – Outside, per combination unit, \$150 for the first day, \$200 each additional day

(j) Road Service – \$150 per hour, plus the cost of fuel and parts

(4) Miscellaneous Towing Related Fees:

(a) Absorbents - \$20

(b) After Hours Release Fee - \$65

(c) Crane / Rotator and/or Other Specialty Equipment - \$650 per hour

(d) Debris Clean Up, Standard - \$20

(e) Debris Clean Up, Extensive - \$50 per hour

- (f) Driveshaft / Axle removal - \$40
 - (g) Extra Personnel - \$50 per hour
 - (h) Tarping - \$50
 - (i) Vehicle Wrapping, front or rear - \$40
 - (j) Vehicle Wrapping, one side - \$50
- (5) Borough Towing Related Fees
- (a) Initial Towing Application - \$200
 - (b) Annual Towing Reapplication - \$100
 - (c) Annual Towing License - \$400
 - (d) Towing of Borough Vehicles – One half of the regular rate

SECTION 2: Section 223-2 entitled "Purpose and Intent" is hereby amended as follows:

§ 223-2. Purpose and intent

A. Insert after N.J.S.A. 40:48-2-49 et seq.:

N.J.S.A. 56:13-7 et seq. and as guided by the NJ Division of Consumer Affairs, and as guided by the Garden State Towers Association, Inc.,

Delete B in its entirety.

SECTION 3: Section 223-3 entitled "Definitions" is hereby amended as follows:

Delete the following definitions in their entirety:

CLASS A VEHICLE

CLASSIFICATION OF TOWING VEHICLES

OWNER

PRIVATE PARKING LOT

TOW

TRESPASS TOWING

WRECKER

Add:

ABSORBENTS – Any group of products used to soak up spills or vehicle fluids including oil dry, absorbent pads, socks, booms, etc.

ADMINISTRATION CHARGE – Charges for services including but not limited to physical inspection, telephone and/or fax calls, copying of documentation, removal of personal items and additional office paperwork before and at the time of release.

ANNUAL TOWING LICENSE – Upon approval of a tow company application, the Borough shall issue an annual towing company license. The tow company license shall be valid from May 1st of the issuing year and shall expire on April 30 of the following year.

CLASSIFICATION OF TOWING VEHICLES

A. LIGHT DUTY TOW TRUCK

Used to tow and recover small light duty vehicles up to 10,000 pounds.

B. MEDIUM DUTY TOW TRUCK

Used to tow and recover small commercial type vehicles up to 26,000 pounds or light duty vehicles unable to be recovered with light duty tow truck or flatbed.

C. HEAVY DUTY TOW TRUCK

(1) Commercial manufactured truck with wrecker body

(2) Minimum GVWR 26,001 pounds.

(3) Used to tow and recover commercial type vehicles over 26,001 pounds GVW or smaller vehicles unable to be recovered by other means.

D. HYDRAULIC FLATBED CAR CARRIER

Commercial motor vehicle designed exclusively to transport motor vehicles by means of bodily winching motor vehicles from roadway level up onto hydraulic bed for transporting purposes.

DEBRIS CLEANUP

- (1) Standard – refers to the amount of debris removal that should reasonably be anticipated at the scene of a motor vehicle crash or incident. The standard site cleanup is usually defined from the point of impact to the final resting place of the vehicle and the associated debris field.
- (2) Extensive – refers to the removal of debris as defined in standard clean up, and areas of pre and post impact where vehicle disintegration and/or other property damage occurs as a result of a crash or other incident.

EXTRA PERSONNEL – The additional personnel needed to complete a recovery, winching or towing of a vehicle that is beyond the scope of a basic tow. The charge for additional personnel shall be based on a per person hourly rate with a one hour minimum.

LABOR – The additional work done at the scene by the tow truck operator that is beyond the scope of a basic tow. The charge for additional labor shall be based on an hourly rate in fifteen minute increments.

PRIVATE PROPERTY OWNER – Means the owner or lessee of private property or an agent of such owner or lessee, but shall not include a private property towing company acting as an agent of such owner or lessee.

TARPING – Covering or recovering a vehicle to prevent against further weather damage or unauthorized access.

TOWING – Means the moving or removing from public or private property or from a storage facility by a motor vehicle of a consumer's motor vehicle that is damaged as a result of an accident or otherwise disabled, is recovered after being stolen or is illegally or otherwise without authorization or the immobilization of or preparation for moving or removing of such motor vehicle, for which a service charge is made, either directly or indirectly. Dues or other charges of clubs or associations which provide towing services to club or association members shall not be considered a service charge for purposes of this definition; and when a tow truck and/or hydraulic flatbed carrier takes in its possession the care, control and custody of a motor vehicle by means of standard industry procedures.

TOWING, NON-CONSENSUAL – Means the towing of a motor vehicle without the consent of the owner or operator of the vehicle.

TOWING, PRIVATE PROPERTY – Means the non-consensual towing from private property or from a storage facility by a motor vehicle of a consumer's motor vehicle

that that is damaged as a result of an accident or otherwise disabled, is recovered after being stolen or is illegally or otherwise without authorization or the immobilization of or preparation for moving or removing of such motor vehicle for which a service charge is made, either directly or indirectly. This term shall not include the towing of a motor vehicle that has been abandoned on private property in violation of section 1 of P.L. 196, c. 305 (39:4-56.5), provided that the abandoned vehicle is reported to the appropriate law enforcement agency prior to removal and the vehicle is removed in accordance with section 1 of P.L. 1973, c.137 (C.39:4-56.6).

VEHICLE ACCESS CHARGE – Owner and/or insurance representative must be accompanied into the secured storage yard facility to inspect, remove personal belongings, adjust and take vehicle photographs. Documentation such as the driver license of the vehicle owner or business card of the insurance representative must be photocopied and time stamped when this additional service is performed.

VEHICLE OWNER – A person, firm, corporation or partnership who owns and/or operates a vehicle on the roads and highways within the Borough of Fair Lawn, which vehicles, by reason of being disabled or abandoned on the roads and highways of the Borough, requires towing and/or storage.

WAIT TIME – Additional time a tow operator spends at the scene other than the time required for actual tow and/or recovery.

WINCHING – The process of moving a motor vehicle by the use of additional chains, slings and additional lengths of winch cable from a position that is not accessible for direct hook up by conventional means for towing and/or loading onto a tow vehicle. Winching is not pulling a vehicle onto a flatbed carrier or lifting a motor vehicle by conventional means (tow slings, wheel lift, etc.)

WRAP – Material used to cover exposed areas from weather elements.

WRECKING – The process of removing wreckage from the roadway, e.g. the vehicle and its debris including the removal of vehicle pieces and other objects from a crash scene, with the end result being that roadway is returned to pre-crash condition.

SECTION 4: Section 232-5 entitled Qualification, criteria and application procedures for emergency towing and road service is hereby deleted in its entirety.

Add:

§232-5. Qualification, criteria, application and licensing procedures for towing operators.

A. Application:

It shall be the responsibility of the Police Department to review all applications submitted by towing operators to be considered for providing this service to the borough. On forms provided by the borough, applications will be accepted approximately two months prior to the expiration of the existing tow licenses. A non-refundable fee to cover the administrative expense of processing the application shall be collected at the time of application as set forth in §94-12Z. All towing operators shall submit documentation that they are in compliance with current New Jersey laws and the qualification and criteria requirements set forth below.

B. Qualifications and Criteria

(1) Insurance.

- (a) Guideline. The towing operator shall maintain insurance policies of the type and with the minimum limits indicated below and in a form satisfactory to the borough. The towing operator shall provide a certified copy of the policies and/or certificates of insurance satisfactory to the Borough of Fair Lawn prior to the commencement of work.
- (b) Garage liability insurance. Limit of liability shall not be less than \$1,000,000 combined single limit (bodily injury and property damage) per occurrence including premises operations and products/completed operations.
- (c) Automobile liability insurance. Limit of liability shall not be less than \$1,000,000 combined single limit (bodily injury and property damage) per occurrence.
- (d) Garage keeper's legal liability insurance. Physical damage insurance policies shall be specifically endorsed to provide direct primary insurance, where applicable, for vehicles in tow, possession of or storage on property owned or controlled by the operator. Limit of said coverage shall be not less than \$100,000.
- (e) Excess umbrella insurance. Limit of liability shall be not less than \$1,000,000 providing protection in excess of the \$1,000,000 garage and auto liability coverage. NOTE: this requirement may be waived if the limits of liability in Subsection 1(b) and 1(c) above are not less than \$1,500,000 combined single limit.
- (f) Additional Insured. On all liability policies, the Borough of Fair Lawn shall be added as an additional insured, and insurance certificates

shall indicate such coverage as primary coverage notwithstanding any insurance carried by the municipality.

- (g) Worker's compensation insurance. Statutory coverage, including employers liability coverage with a limit of at least \$500,000/\$500,000/\$500,000.
- (h) Additional Insurance requirements.
 - [1] Certified copies of all insurance policies provided above or certificates thereof satisfactory to the Borough of Fair Lawn shall be furnished prior to a towing operator performing towing services. Each such policy or certificate shall contain a provision that it is not subject to change, cancellation or nonrenewal unless 30 days prior written notice via certified mail/return receipt shall have been given to the Borough of Fair Lawn by the towing operator's insurer. These must be received 30 days prior to commencement of towing operations.
 - [2] Providing any insurance required herein does not relieve the towing operator of any of the responsibilities or obligations assumed by it for which it may be liable by law or otherwise.
 - [3] If any policies contain deductibles or co-payments, it shall be the responsibility of the towing operator to pay such sums at the same time a claim is settled by its insurance company.
 - [4] If any policies contain limits of liability with an aggregate limit, the towing operator or its insurance company shall provide the municipality, quarterly during the policy period, a statement evidencing the limits of liability required to be in force.
 - [5] Failure to provide and continue in force such insurance as required above shall be deemed a material breach by the towing operator.
 - [6] All policies shall be written in either a company licensed to do business in the State of New Jersey or a New Jersey eligible Surplus Lines Company, with a minimum Best rating of A-X. They shall be written on an ISO (Insurance Service Office) form or better.

- (2) Indemnity. The towing operator will defend, indemnify and hold harmless the borough from any and all claims for personal injury or property damage arising out of the operation of any towing services or repair services. The towing operator will further defend the municipality at its expense, in connection with any claim, demand, suit or action brought against the municipality arising out of the awarding or operation of any towing, garage or repair services under this chapter.
- (3) Business office. Any person, firm, corporation or partnership operating a towing and storage business shall endeavor to maintain a principal place of operation within the Borough as a property taxpayer. In maintaining a principal place of operation with the Borough, any person, firm, corporation or partnership operating a towing and storage business shall conform to a legally approved zoning and/or site plan and shall comply fully with all of the Borough's zoning, land use and property maintenance codes. Failure to comply with the Borough's zoning, land use and development and property maintenance codes may subject any operator to suspension from the Rotational Duty Service List upon request to the Borough Manager from the Borough's Construction Code Official, Zoning Officer or Property Maintenance Officer. In no event shall the principal place of operation be further than one mile from the border of the Borough of Fair Lawn.
- (4) Storage facility. All towing operators shall have a storage facility which can accommodate a minimum of 10 medium-sized vehicles. The storage facilities shall be lighted, fenced and/or secured in order to guaranty the safe storage of all vehicles in accordance with the minimum requirements for indoor and outdoor secure and unsecured storage facilities as defined under §223-3 of this chapter. The storage facility, however, shall be no further than five miles from the border of the Borough of Fair Lawn. The storage facility for any towing operator which provides towing service to the Borough on the rotational duty service list, shall be no further than one mile from the border of the Borough of Fair Lawn and legally zoned and operational in the municipality.
- (5) Vehicles. In addition to other equipment which is necessary for the safe performance of towing emergency road and storage services, all towing operators must own and have available at least two light duty tow trucks, one flatbed truck, one medium duty tow truck, and one heavy-duty tow truck. Failure of the towing operator to own or have available at least one heavy-duty tow truck shall not disqualify the owner from being added to the rotation for towing; however, the available heavy duty tow truck utilized must be have a Borough tow license.

- (6) Equipment. All towing operators' trucks shall be equipped with brooms, shovels and any other street sweeping equipment for the purpose of clearing debris off the roadways. The towing operator shall at the time of removing any motor vehicle, in response to a police request, remove from the public or private roads or highways, any motor vehicle debris or material in the area surrounding the vehicle, except for any debris or material which may be hazardous, such as oil, gasoline, kerosene or other petroleum or chemical products. The cleanup of debris, other than hazardous materials, shall be performed by the towing operator, without charge to the Borough of Fair Lawn or the vehicle owner.

- (7) Miscellaneous.
 - (a) The towing operators' wrecker(s) and all other vehicles shall be properly licensed and registered with the New Jersey Motor Vehicle Commission. All towing operators' vehicles shall display New Jersey commercial license plates.

 - (b) All towing operators shall have facilities and equipment that will ensure and guarantee the furnishing of prompt and efficient services for all standard passenger automobiles.

 - (c) The towing operators' company name, address and telephone number(s) shall be prominently and permanently displayed on both sides of all wrecker(s) and other towing vehicles.

C. Licensing.

- (1) It shall be the responsibility of the Borough Manager or his/her designee, upon recommendation of the Chief of Police, to issue a license to towing operators that have complied with the criteria as set forth in the application process. The license year shall be from the last Monday in June to the Last Sunday in June of the following year.

- (2) The licensing fee shall be as set forth in §94-12Z.

SECTION 5: Section 232-6 entitled Minimum standards governing operator performance is hereby deleted in its entirety.

Add:

§232-6. Minimum standards governing operator performance.

A. All towing operators selected to serve on a rotational basis must guarantee the availability of all services to the Borough Manager seven days a week, 24 hours a

day. In this respect, a towing operator shall immediately respond to any type of towing emergency road service or storage call with the appropriate vehicle and/or equipment within 20 minutes after receipt of telephone notification from the Police Department's Dispatcher/Desk Officer. Unless heavy or unusual traffic conditions or inclement weather within the borough prevent a towing operator from arriving at the scene within 20 minutes, failure to respond within the time frame shall be considered a breach of this chapter. In the event that a towing operator fails to respond within 20 minutes from the time of the call, the Police Department reserves the right to contact the next available towing operator on the rotational list and utilize its services.

- B. In times of emergencies and/or natural disasters, the Borough of Fair Lawn reserves the right to contact other towing service operators who may not be on the rotational list.
- C. The owner of a vehicle involved in an accident shall have the right, if he/she so desires, to designate a towing operator of his/her choice as long as public safety needs do not dictate otherwise.
- D. Employees of the towing operator, in responding to a call, shall request and be afforded police assistance during the course of providing towing, emergency road services or removal of abandoned or accident vehicles when such employees find it necessary to turn around, back up, tow in the opposite direction of traffic or cross the median.
- E. A towing operator shall not permit a vehicle to be removed from the site of a vehicular accident, the scene of a crime or any other instance or situation without the prior approval and permission of a police officer and/or superior at the scene.
- F. No towing operator serving on the Rotational Duty Service List shall charge for private towing and storage services in excess of the amounts established in §94-12Z herein for towing and storage services initiated by the Borough Police Department or any other Borough department or official.
- G. No towing operator serving on the Rotational Duty Service List shall be engaged in the practice of "cruising," as hereinabove defined in §223-3.

SECTION 6: Section 223-7 entitled "Fee schedule for the removal and storage of vehicles" is hereby amended as follows:

Delete:

- C. between the hours of 8:30 a.m. and 4:30 p.m.

Add:

- C. during regular business hours.

Delete:

- F. Fees for towing, storage and ancillary services.

Add:

- F. Fees as set forth in Chapter 94, Article VI of this Code.

SECTION 7: Section 232-8 entitled, Establishment of towing operator's rotational list is hereby amended as follows:

Delete:

Following the approval of applications by the Borough Manager,

Add:

Following the issuance of a tow license by the Borough Manager,

SECTION 8: Section 223-10 entitled "Hours of Operation" is hereby amended as follows:

Delete:

during the hours of 7:00 a.m. to 10:00 a.m.

Add:

Monday through Friday, except holidays, from 8:00 a.m. to 5:00 p.m.

SECTION 9: 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 10: All ordinances, codes or parts thereof that are inconsistent with this Ordinance are repealed or otherwise modified.

SECTION 11: This Ordinance shall take effect on June 29, 2015.

ATTEST:

APPROVED:

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

John Cosgrove, Mayor

Introduced: April 14, 2015

Adopted:

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

April 14, 2015

RESOLUTION NO. 190-2015

By

Seconded by

BE IT RESOLVED that Ordinance No. 2343-2015 entitled:

“AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN 2000, SPECIFICALLY CHAPTER 232 ENTITLED “VEHICLES AND TRAFFIC”, MORE PARTICULARLY SECTION 232-68 ENTITLED “PEDESTRIAN SIGNS”

be introduced and does now pass a first reading and that said ordinance be further considered for final passage at a regular meeting of the Borough Council to be held at the Municipal Building, 8-01 Fair Lawn Avenue, Fair Lawn, New Jersey, on the 28th day of April, 2015, at 7:30 p.m. or as soon thereafter as the matter can be reached and at said time and place, all persons interested be given an opportunity to be heard concerning the same, and the Municipal Clerk is hereby authorized and directed to publish said ordinance according to law prior to said hearing with a notice of its introduction and of the time and place, when, and where said ordinance will be considered for final passage.

ORDINANCE 2343-2015

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR
LAWN 2000, SPECIFICALLY CHAPTER 232 ENTITLED "VEHICLES AND
TRAFFIC", MORE PARTICULARLY SECTION 232-68 ENTITLED
"PEDESTRIAN SIGNS"**

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

SECTION 1: Section 232-68 entitled "Pedestrian signs" is hereby amended as follows:

§ 223-68. Pedestrian signs.

Add:

Name of Street

Intersection of

Fair Lawn Avenue

Mandon Place

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: April 14, 2015

Adopted:

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

April 14, 2015

RESOLUTION NO. 191-2015

By

Seconded by

BE IT RESOLVED that Ordinance No. 2344-2015 entitled:

**AN ORDINANCE FIXING THE SALARIES OF CERTAIN NEW EMPLOYEES OF
THE BOROUGH OF FAIR LAWN, BERGEN COUNTY, AND NEW JERSEY IS
AMENDED (CIVIL ENGINEER TRAINEE)**

be introduced and does now pass a first reading and that said ordinance be further considered for final passage at a regular meeting of the Borough Council to be held at the Municipal Building, 8-01 Fair Lawn Avenue, Fair Lawn, New Jersey, on the 28th day of April, 2015, at 7:30 p.m. or as soon thereafter as the matter can be reached and at said time and place, all persons interested be given an opportunity to be heard concerning the same, and the Municipal Clerk is hereby authorized and directed to publish said ordinance according to law prior to said hearing with a notice of its introduction and of the time and place, when, and where said ordinance will be considered for final passage.

ORDINANCE NO. 2344-2015

AN ORDINANCE FIXING THE SALARIES OF CERTAIN NEW EMPLOYEES OF THE BOROUGH OF FAIR LAWN, BERGEN COUNTY, AND NEW JERSEY IS AMENDED (CIVIL ENGINEER TRAINEE)

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

SECTION 1. That there are hereby established salary ranges for the following classifications of certain employees:

WHEREAS, a need has occurred to amend Ordinance 2267-2013, adopted on April 23, 2013, and

WHEREAS, the position of Civil Engineer Trainee will be added to the Borough of Fair Lawn's Blue and White Collar Bargaining Unit Salary Ordinance 2267-2013 as follows:

<u>New Employees hired on or after March 12, 2013</u>	<u>2015 Min / 2015 Max</u>
Civil Engineer Trainee	55,761 / 84,114

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

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

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

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

ATTEST:

APPROVED:

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

John Cosgrove
Mayor

Introduced: April 14, 2015

Adopted:

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

April 14, 2015

RESOLUTION NO. 192-2015

By

Seconded by

BE IT RESOLVED that Ordinance No. 2336-2015 entitled:

AN ORDINANCE FIXING THE SALARIES OF EXISTING FULL TIME BLUE AND WHITE BARGAINING UNIT EMPLOYEES OF THE BOROUGH OF FAIR LAWN, BERGEN COUNTY, NEW JERSEY AS AMENDED

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

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

ORDINANCE NO. 2336-2015

AN ORDINANCE FIXING THE SALARIES OF EXISTING FULL TIME BLUE AND WHITE BARGAINING UNIT EMPLOYEES OF THE BOROUGH OF FAIR LAWN, BERGEN COUNTY, NEW JERSEY AS AMENDED

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF FAIR LAWN AS FOLLOWS:

SECTION 1. BE IT ORDAINED by the Borough Council of the Borough of Fair Lawn, as follows;

WHEREAS, a need has occurred to amend Ordinances 2266-203, adopted on May 26, 2013; and

WHEREAS, the positions of Electrician and Keyboarding Clerk 2/Payroll/Finance were hereby deleted from Ordinance 2266-2013, and

WHEREAS, the positions of Electrician and Keyboarding Clerk 2/Payroll/Finance as of January 1, 2015 will be added to The Borough of Fair Lawn's Blue and White Collar Bargaining Unit Salary Ordinance 2266-2013 as follows:

Existing Employee on or before March 11, 2013	<u>2015 Min/2015 Max</u>
Electrician	69,000 / 82,352
Keyboarding Clerk 2/Payroll/Finance	69,000 / 88,877

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

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

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

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

ATTEST:

APPROVED:

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

John Cosgrove, Mayor

Introduced: March 24, 2015

Adopted:

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

April 14, 2015

RESOLUTION NO. 193-2015

By

Seconded by

BE IT RESOLVED that Ordinance No. 2337-2015 entitled:

**BOND ORDINANCE APPROPRIATING \$2,100,000, AND AUTHORIZING THE
ISSUANCE OF \$1,999,000 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.**

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. 2337-2015

BOND ORDINANCE APPROPRIATING \$2,100,000, AND AUTHORIZING THE ISSUANCE OF \$1,999,000 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.

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

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized as general improvements to be made or acquired by the Borough of Fair Lawn, New Jersey. For the said several improvements or purposes stated in said Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriations made for said improvements or purposes, said sums being inclusive of all appropriations heretofore made therefor and amounting in the aggregate to \$2,100,000 including the aggregate sum of \$101,000 as the several down payments for said improvements or purposes required by law and more particularly described in said Section 3 and now available therefor by virtue of provision in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes.

Section 2. For the financing of said improvements or purposes and to meet the part of said \$2,100,000 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 \$1,999,000 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 \$1,999,000 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) CPR machine, radios and personal protective equipment for use by the Ambulance Squad of the Borough, fencing and one (1) asphalt hot box for use by the Department of Public Works of the Borough, personal protective equipment and self-contained breathing apparatus for use by the Fire Department of the Borough, generators, scott air packs, confined space equipment, defibrillators, extrication equipment, and personal protection equipment for use by the Office of Emergency Management of the Borough, arcade equipment, dugout benches and lighting detectors for use by the Parks and Recreation Department of the Borough, and electronic signs, radar equipment and video cameras 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>	\$577,500	\$550,000

(b) Improvement of municipally-owned properties and facilities in and by the Borough, including the Municipal Building by the renovation thereof and the upgrade of the fire alarm system, the

Memorial Pool by the improvements thereto, the Naugle House by the renovation thereof, Borough parks by the improvements thereof, the Free Public Library by the installation of a new garage door, the Emergency Operations Center, by the upgrade thereof, and the installation of new trees at various locations in the Borough, 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

372,000

354,000

(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

457,000

435,000

(d) Acquisition by purchase and installation, as necessary, of new and additional computer and communications equipment, including software and tablets for use by the Fire Department of the Borough, computer upgrades and video streaming equipment, computer equipment for use by the Office Emergency Management of the Borough, computer equipment for use by the Administration Department of the Borough, laptops,

144,500

137,500

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 17.27 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 \$1,999,000, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

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

Section 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers

thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Borough at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

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

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

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

Attest:

Approved:

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

John Cosgrove, Mayor

Introduced March 24, 2015

Adopted:

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

April 14, 2015

RESOLUTION NO. 194-2015

By

Seconded by

BE IT RESOLVED that Ordinance No. 2338-2015 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 \$1,200,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$1,142,800 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. 2338-2015

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 \$1,200,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,142,800 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 \$1,200,000, said sum being inclusive of all appropriations heretofore made therefor and including the sum of \$57,200 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 \$1,200,000 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 \$1,142,800 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 \$1,142,800 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

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

(b) The estimated maximum amount of bonds or notes to be issued for said purpose is \$1,142,800.

(c) The estimated cost of said purpose is \$1,200,000, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor being the amount of the said \$57,200 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 \$1,142,800, 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 \$100,000 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 24, 2015

Adopted:

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

April 14, 2015

RESOLUTION NO. 195-2015

By

Seconded by

BE IT RESOLVED that Ordinance No. 2339-2015 entitled:

BOND ORDINANCE APPROPRIATING \$800,000, AND AUTHORIZING THE ISSUANCE OF \$761,800 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. 2239-2015

BOND ORDINANCE APPROPRIATING \$800,000, AND AUTHORIZING THE ISSUANCE OF \$761,800 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 \$800,000 including the aggregate sum of \$38,200 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 \$800,000 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 \$761,800 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 \$761,800 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) meter truck and one (1) utility vehicle, 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	\$82,000	\$78,000
(b) Improvement of the water supply and distribution system in and by the Borough, including upgrade of the water system, the replacement of water meters, the reconstruction and renovation of wells, well houses, and pumping stations, and the upgrade of the Scada system, 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>718,000</u>	<u>683,800</u>
Totals	\$800,000	\$761,800

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 36.4 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 \$761,800, 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 \$80,000 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 by said Local Bond Law.

Attest:

Approved:

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

John Cosgrove, Mayor

Introduced March 24, 2015

Adopted:

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

April 14, 2015

RESOLUTION NO. 196-2015

By

Seconded by

BE IT RESOLVED that Ordinance No. 2340-2015 entitled:

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN, 2010, BY AMENDING CHAPTER 232 ENTITLED "VEHICLES AND TRAFFIC", MORE PARTICULARLY SECTION 232-9 ENTITLED "PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS"

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. 2340-2015

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN, 2010, BY AMENDING CHAPTER 232 ENTITLED "VEHICLES AND TRAFFIC", MORE PARTICULARLY SECTION 232-9 ENTITLED "PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS"

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF FAIR LAWN AS FOLLOWS:

SECTION 1. Section 232-9, entitled "Parking prohibited at all times on certain streets" is hereby amended as follows:

Add:

Name of Street	Sides	Location
Pollitt Drive Extension	Both	Entire length

The balance of Section 232-9 shall remain in full force and effect.

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 hereof to be unconstitutional, void, or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any section or part hereof.

SECTION 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 24, 2015

Adopted:

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

April 14, 2015

CONSENT AGENDA 9-2015

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. #197-2015 - Approval of Minutes:
 - Work Session 2/17/15
 - Closed Session 2/17/15
 - Regular Meeting 2/24/15
 - Work Session 3/3/15
 - Regular Meeting 3/10/15
 - Closed Session 3/10/15
- b. Resol. #198-2015 - Refund of Overpayment of Taxes
- c. Resol. #199-2015 - Professional Services: Animal Control Services
- d. Resol. #200-2015 - Authorizing Awarding of Contracts with Certain Approved State Contract Vendor - Beyer Ford (Police Chief's Vehicle)
- e. Resol. #201-2015 - Extension of Contract: Radio Repair and Maintenance
- f. Resol. #202-2015 - Confirmation of Fire Board Actions
- g. Resol. #203-2015 - Authorizing the Knights of Pythias Circus at Memorial Pool
- h. Resol. #204-2015 - Appointment to the Zoning Board
- i. Resol. #205-2015 - Appointment to the Property Maintenance / Facelift Committee

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

April 14, 2015

RESOLUTION NO. 197-2015

By

Seconded by

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

Work Session 2/17/15
Closed Session 2/17/15
Regular Meeting 2/24/15
Work Session 3/3/15
Regular Meeting 3/10/15
Closed Session 3/10/15

are hereby approved.

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

April 14, 2015

RESOLUTION NO. 198-2015

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>
4802	2	Michael Caccavelli, Esq. for 18-01 Pollitt Drive, LLC 166 Gatzmer Avenue Jamesburg, New Jersey 08831	\$5,382.50

(Refund of overpayment of 2009 taxes as a result of a Tax Court judgment)

4802	2	Michael Caccavelli, Esq. for 18-01 Pollitt Drive, LLC 166 Gatzmer Avenue Jamesburg, New Jersey 08831	\$10,045.20
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(Refund of overpayment of 2010 taxes as a result of a Tax Court judgment)

1113	2	Core Logic Refund Unit DFW 1-3 1 Core Logic Drive Westlake, TX 76262	\$3,646.48
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<u>Block</u>	<u>Lot</u>	<u>Name</u>	<u>Amount</u>
1207	6	Lereta, LLC Attn: Central Refund Dept. 1123 Park View Drive Covina, CA 91724	\$2,041.28
2322	2	Khodik, Roman & Diana 39-20 Dorbin Court, Apt. 392A Fair Lawn, New Jersey 07410	\$1,131.11
2805	21	Core Logic Refund Unit DFW 1-3 1 Core Logic Drive Westlake, TX 76262	\$2,874.70
2815	18	Wells Fargo RE Tax Svc, LLC 1 Home Campus MAC #x2301-37 Att: WCP Des Moines, IA 50328	\$5,198.67
5401	13	Core Logic Refund Unit DFW 1-3 1 Core Logic Drive Westlake, TX 76262	\$2,084.88
5817	19	Core Logic Refund Unit DFW 1-3 1 Core Logic Drive Westlake, TX 76262	\$1,886.31
6904	24	Core Logic Refund Unit DFW 1-3 1 Core Logic Drive Westlake, TX 76262	\$1,483.11

(Refund of overpayment of 2014 taxes as a result of a duplicate payment)

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

April 14, 2015

RESOLUTION NO. 199-2015

By
Seconded by

WHEREAS, the Borough Council has deemed it necessary to obtain professional Animal Control Services in accordance with the provisions of N.J.S.A. 19-44A-20.5; and

WHEREAS, a proposal for professional animal control services for year 2015 with a proposed retainer agreement has been submitted by Tyco Animal Control Service having an office located at 1 Stout Lane, Ho-Ho-Kus, New Jersey 07423;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Lawn, as follows:

1. That upon recommendation of the Borough Manager and Health Officer that said services are necessary, a contract be awarded to Tyco Animal Control Service, to provide Animal Control Services for the Borough of Fair Lawn, in accordance with its proposal for professional animal control services aforesaid, which services are to be billed in monthly installments totaling the sum of \$39,600.00 and all charges for said ancillary services shall be submitted to the Mayor and Council for approval prior to the commencement of said work.
2. The term of the contract shall be from April 15, 2015 and expiring on April 14, 2016.
3. No additional services shall be rendered for which the Contractor shall seek additional payment without written authorization by the Borough pursuant to law.

4. The Mayor and Municipal Clerk are hereby authorized to execute an Agreement with Tyco Animal Control Service, 1 Stout Lane, Ho-Ho-Kus, New Jersey 07423, provided all statutory requirements are met.
5. A notice of this resolution shall be published in The Record as required by law.

BE IT FURTHER RESOLVED that Tyco Animal Control Service have 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 award of this non-fair and open contract is contingent upon the Chief Financial Officer filing a Certificate of Availability of Funds with the Municipal Clerk's office.

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

April 14, 2015

RESOLUTION NO. 200-2015

By
Seconded by

WHEREAS, the Borough of Fair Lawn, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the Borough of Fair Lawn has the need on a timely basis to purchase goods or services utilizing State contracts; and

WHEREAS the Borough of Fair Lawn has the need to purchase one (1) 2015 Ford Explorer 4WD color black, at \$ 24,708.00, under State Contract # 83013; and

WHEREAS, the Borough of Fair Lawn intends to enter into contract for this purchase with Beyer Ford, having an office located at 170 Ridgedale, Avenue, Morristown, NJ 07960, through this resolution and properly executed purchase agreement, which shall be subject to all the conditions applicable to the current State contracts;

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Fair Lawn pursuant to N.J.A.C. 5:30-5.5(b), has allocated in the 2015 Municipal Budget for the purchase of a Police Chief's vehicle, and through this resolution a certification of availability of funds will be completed by the Chief Finance Officer.

BE IT FURTHER RESOLVED, that the Mayor and Council of the Borough of Fair Lawn authorizes the Borough Manager to purchase the above listed vehicle from Beyer Ford, an approved New Jersey State Contract Vendor, pursuant to all conditions of the State Contract # 83013.

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

April 14, 2015

RESOLUTION NO. 201-2015

By

Seconded by

WHEREAS, pursuant to Resolution No. 195-2014 dated May 13, 2014, the Borough entered into a contract dated May 23, 2014 with Communications Specialists, Inc. having an office located at 11C Harts Lane, East Brunswick, New Jersey 08816 as the lowest responsible bidder for Radio Repair and Maintenance; 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 May 14, 2015 and ending on May 13, 2016;

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

April 14, 2015

RESOLUTION NO. 202-2015

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:

Leave of Absence:

Steve Pinsker
6-12 6th Street
Co. 1

Resignations:

Brian Rypkema
37 Walray Avenue
North Haledon, New Jersey
Co. 3

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

April 14, 2015

RESOLUTION NO. 203-2015

By

Seconded by

WHEREAS, the Knights of Pythias has applied to the Borough Council for permission to use the municipal parking facilities located at Memorial Pool on Sunday, May 31, 2015 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 14, 2015

RESOLUTION NO. 204-2015

By

Seconded by

BE IT RESOLVED by the Mayor and Council of the Borough of Fair Lawn that the following named individual be and is hereby appointed to the Zoning Board of Adjustment of the Borough of Fair Lawn for the terms as noted:

<u>NAME AND ADDRESS</u>	<u>TERM COMMENCES</u>	<u>TERM EXPIRES</u>
Jeanne Baratta 12-02 Fair Lawn Avenue Regular Member	4/21/15	12/31/15 *

* filling unexpired term

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

April 14, 2015

RESOLUTION NO. 205-2015

By

Seconded by

BE IT RESOLVED by the Mayor and Council of the Borough of Fair Lawn the following named individual be and is hereby appointed to serve at the pleasure of Council subject to termination for three unexcused absences, on the Fair Lawn Property Maintenance/Face Lift Committee:

Craig Miller
5 Ramapo Terrace