

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.

MAY 26, 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: TOURETTE SYNDROME AWARENESS DAY
GIRLS HIGH SCHOOL TRACK TEAM
6. COUNCIL COMMENTS
7. MANAGER'S REPORT
8. ORDINANCES ON FIRST READING:

**ORDINANCE NO. 2355-2015
(RESOLUTION NO. 259-2015)**

**AN ORDINANCE TO PROVIDE FOR A CERTAIN CAPITAL IMPROVEMENT
IN THE BOROUGH OF FAIR LAWN AND TO PROVIDE FOR THE RECEIPT,
ACCEPTANCE AND DEPOSIT OF FUNDS THEREFORE (FEMA)**

- 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.

9. ORDINANCES ON SECOND READING:

**ORDINANCE NO. 2352-2015
(RESOLUTION NO. 260-2015)**

**AN ORDINANCE OF THE BOROUGH OF FAIR LAWN, COUNTY OF
BERGEN, STATE OF NEW JERSEY, ADOPTING THE REDEVELOPMENT
PLAN FOR PROPERTY IDENTIFIED AS BLOCK 5834, LOT 1.02 IN THE
BOROUGH IN ACCORDANCE WITH THE LOCAL REDEVELOPMENT AND
HOUSING LAW, N.J.S.A. 40A:12A-1 ET. SEQ.**

- 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. 2353-2015
(RESOLUTION NO. 261-2015)**

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR
LAWN 2000, SPECIFICALLY TO AMEND CHAPTER 163 ENTITLED
"PEDDLING AND SOLICITING", MORE PARTICULARLY SECTION 163-9
ENTITLED "PROHIBITED ACTS"**

- 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.

10. 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.

11. RESOLUTIONS BY CONSENT #13-2015

- Municipal Clerk reads Resolutions by Consent.
 - a. Resol. #262-2015 - Approval of Minutes:
Regular Meeting 4/28/15
 - b. Resol. #263-2015 - Interlocal Agreement with the Borough of
Elmwood Park for the Use of Memorial Pool

- c. Resol. #264-2015 - Extension of Temporary Easement with PSE&G - Banta Place
- d. Resol. #265-2015 - Refund of Overpayment of Taxes
- e. Resol. #266-2015 - Rescinding Resolution No. 256-2015 and Awarding the Bid for Water Main, Sanitary Sewer, Storm Water Facility Repairs
- f. Resol. #267-2015 - Issuance of Estimated Tax Bills for Third Quarter 2015
- g. Resol. #268-2015 - Licensing Agreement: 26-02 Berdan Avenue
- h. Resol. #269-2015 - Approving Change Order #1- Security Surveillance System
- i. Resol. #270-2015 - Appointment of Community Development Representatives
- j. Resol. #271-2015 - Appointment to Zoning Board

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

**12. RESOLUTION NO. 272-2015 - APPROVAL OF MINUTES:
Work Session 4/21/15
Closed Session 4/21/15**

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

13. 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.

14. ADJOURNMENT

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

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

May 26, 2015

RESOLUTION NO. 259-2015

By

Seconded by

BE IT RESOLVED that Ordinance No. 2355-2015 entitled:

**AN ORDINANCE TO PROVIDE FOR A CERTAIN CAPITAL IMPROVEMENT
IN THE BOROUGH OF FAIR LAWN AND TO PROVIDE FOR THE RECEIPT,
ACCEPTANCE AND DEPOSIT OF FUNDS THEREFORE
(FEMA)**

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 16th day of June, 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. 2355-2015

AN ORDINANCE TO PROVIDE FOR A CERTAIN CAPITAL IMPROVEMENT IN THE BOROUGH OF FAIR LAWN AND TO PROVIDE FOR THE RECEIPT, ACCEPTANCE AND DEPOSIT OF FUNDS THEREFORE (FEMA)

WHEREAS, the Borough of Fair Lawn has been approved to receive grant funding from the Federal Emergency Management Agency (FEMA) under HMGP-DR-4086-NJ-0136-R in the amount of \$250,000, for a generator project for Emergency Services; and

WHEREAS, receipt of the above grant requires a \$11,698 match of funding from the Borough of Fair Lawn; and

WHEREAS, at the direction of the Borough Manager and approval of the Mayor and Council, via this ordinance, the Borough of Fair Lawn's match requirement for the above stated grant was funded in the 2013 Capital Program in Borough Ordinance #2284-2013; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Fair Lawn, in the County of Bergen as follows:

SECTION 1. The Borough of Fair Lawn in the County of Bergen shall proceed with the generator project, as detailed in the grant award dated January 9, 2015; and

SECTION 2. The cost of completing said improvement set forth in Section 1 shall be provided as a reimbursement by the State of New Jersey Department of Law and Public Safety in the amount of \$250,000 and by the grant required match from the Borough of Fair Lawn as provided in Ordinance #2284-2013 in an equal amount of \$11,698; and

SECTION 3. It is hereby determined and stated:

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

(b) It is not necessary to finance said purpose by the issuance of obligations by the Borough of Fair Lawn pursuant to the Local Bond Law of the State of New Jersey, for the reason that monies sufficient to cover the whole

cost, as set forth is authorized and available through the State of New Jersey and the Borough of Fair Lawn's Capital Fund.

SECTION 4. It is hereby determined and stated that the supplemental debt statement has been made and signed in connection with said purpose, as defined under the Local Bond Law.

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

Attest:

Approved:

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

John Cosgrove
Mayor

Introduced: May 26, 2015

Adopted:

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

May 26, 2015

RESOLUTION NO. 260-2015

By

Seconded by

BE IT RESOLVED that Ordinance No. 2352-2015 entitled:

AN ORDINANCE OF THE BOROUGH OF FAIR LAWN, COUNTY OF BERGEN, STATE OF NEW JERSEY, ADOPTING THE REDEVELOPMENT PLAN FOR PROPERTY IDENTIFIED AS BLOCK 5834, LOT 1.02 IN THE BOROUGH IN ACCORDANCE WITH THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET. SEQ.

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. 2352-2015

AN ORDINANCE OF THE BOROUGH OF FAIR LAWN, COUNTY OF BERGEN, STATE OF NEW JERSEY, ADOPTING THE REDEVELOPMENT PLAN FOR PROPERTY IDENTIFIED AS BLOCK 5834, LOT 1.02 IN THE BOROUGH IN ACCORDANCE WITH THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET. SEQ.

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. ("Redevelopment Law") authorizes municipalities to determine whether certain parcels of land located therein constitute an area in need of rehabilitation; and

WHEREAS, in accordance with the LRHL the Municipal Council of the Borough of Fair Lawn (the "Borough Council") designated Block 5834, Lot 1.02 in the Borough of Fair Lawn, in the County of Bergen (the "Property"), known as the rear portion of the KEM property, as an area in need of rehabilitation on September 11, 2012 through the adoption of Resolution No. 273-2012;

WHEREAS, the Borough Council directed the Planner of Record, Matrix New World Engineering, to prepare a Redevelopment Plan for the Property;

WHEREAS, the Planner of Record prepared a Redevelopment Plan for the Property and submitted said Redevelopment Plan to the Borough Council for review;

WHEREAS, pursuant to N.J.S.A. 40A:12A-7(e), the Borough Council referred the Redevelopment Plan to the Planning Board of the Borough of Fair Lawn (the "Planning Board") for review and recommendation (The Redevelopment Plan is available in the Municipal Clerk's Office); and

WHEREAS, on May 11, 2015 the Planning Board reviewed the Redevelopment Plan and issued a Report to the Borough Council, which found that the Redevelopment Plan was consistent with the Fair Lawn Borough Master Plan and recommended that the Borough Council adopt the Redevelopment Plan;

WHEREAS, the Borough Council desires to adopt this Ordinance and the Redevelopment Plan for the Redevelopment Area in accordance with the Redevelopment Law.

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

SECTION 1: The aforementioned recitals are incorporated herein as though fully set forth at length.

SECTION 2: The Borough Council of the Borough of Fair Lawn, County of Bergen, State of New Jersey, being the governing body thereof, that pursuant to N.J.S.A. 40A:12A-7 the Council hereby accepts, approves and adopts the Redevelopment Plan for Block 5834, Lot 1.02, a copy of which is available in the Municipal Clerk's Office.

SECTION 3: It is hereby found and determined that the Redevelopment Plan conforms to the Master Plan of the Borough of Fair Lawn.

SECTION 4: It is hereby found and determined that the Redevelopment Plan gives due consideration to the provision of appropriate allowable uses of the Areas as is desirable for improvement, with special consideration for the health, safety and welfare of the residents of the Areas and the Borough of Fair Lawn.

SECTION 5: It is hereby found and determined that the Redevelopment Plan will afford maximum opportunity, consistent with the sound needs of the locality as a whole, for the redevelopment of the area.

SECTION 6: In order to facilitate the implementation of the Redevelopment Plan, it is hereby found and determined that certain official action must be taken by this Body and, accordingly, this body hereby: (a) pledges its cooperation in helping to carry out the Redevelopment Plan, and (b) requests the various officials, departments, boards and agencies of the Borough of Fair Lawn having administrative responsibility in the premises to cooperate in such end and to exercise their respective functions and powers in a manner consistent with the Development Plan and this Ordinance, and take appropriate action upon proposals and measures designed to effectuate the same.

SECTION 7: The Redevelopment Plan for the Area, having been duly reviewed and considered, is hereby approved, and the Borough Clerk is hereby directed to file a copy of the Redevelopment Plan with the minutes of this meeting.

SECTION 8: The Zoning Map of the Borough of Fair Lawn is hereby amended to incorporate the provisions of the Redevelopment Plan and delineate the boundaries of the Redevelopment Area.

SECTION 9: If any section, paragraph, subsection, clause, or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication

shall apply only to the section, paragraph, subsection, clause, or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective.

SECTION 10: Any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

SECTION 11: To the extent that any portion of the Redevelopment Plan conflicts with or amends or modifies any provision of any other of the Borough's development regulations, the Redevelopment Plan shall supersede or amend or modify, as applicable, such development regulations and the Zoning Map included in the Borough's Ordinance shall be deemed amended accordingly.

SECTION 12: This Ordinance shall take effect upon passage and publication in accordance with applicable law.

ATTEST:

APPROVED:

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

John Cosgrove
Mayor

Introduced: May 12, 2015

Adopted:

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

May 26, 2015

RESOLUTION NO. 261-2015

By

Seconded by

BE IT RESOLVED that Ordinance No. 2353-2015 entitled:

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR
LAWN 2000, SPECIFICALLY TO AMEND CHAPTER 163 ENTITLED
"PEDDLING AND SOLICITING", MORE PARTICULARLY SECTION 163-9
ENTITLED "PROHIBITED ACTS"**

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. 2353-2015

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN 2000, SPECIFICALLY TO AMEND CHAPTER 163 ENTITLED "PEDDLING AND SOLICITING", MORE PARTICULARLY SECTION 163-9 ENTITLED "PROHIBITED ACTS"

WHEREAS, the Mayor and Council of the Borough of Fair Lawn publically declare their concern for the safety of the residents visited by peddlers and solicitors and to prevent unfair competition and dishonest practices by regulation of peddler and solicitors; and

WHEREAS, the Mayor and Council wish to restrict the hours peddlers and solicitors may sell to day light;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Fair Lawn that the following amendments be made to Chapter 163 ([brackets] denote deletions and underline denotes additions):

SECTION 1. § 163-9B entitled "Prohibited Acts", is hereby amended as follows:

- B. No person covered by this article shall sell or attempt to sell in accordance with the terms of this article before 9:00 a.m. or after [7:00] 5:00 p.m. prevailing time. The aforesaid time limitation shall not apply to persons who are expressly invited into homes by the occupant thereof.

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: May 12, 2015

Adopted:

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

May 26, 2015

CONSENT AGENDA 13-2015

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. #262-2015 - Approval of Minutes:
Regular Meeting 4/28/15
- b. Resol. #263-2015 - Interlocal Agreement with the Borough of Elmwood Park for the Use of Memorial Pool
- c. Resol. #264-2015 - Extension of Temporary Easement with PSE&G - Banta Place
- d. Resol. #265-2015 - Refund of Overpayment of Taxes
- e. Resol. #266-2015 - Rescinding Resolution No. 256-2015 and Awarding the Bid for Water Main, Sanitary Sewer, Storm Water Facility Repairs
- f. Resol. #267-2015 - Issuance of Estimated Tax Bills for Third Quarter 2015
- g. Resol. #268-2015 - Licensing Agreement: 26-02 Berdan Avenue
- h. Resol. #269-2015 - Approving Change Order #1- Security Surveillance System
- i. Resol. #270-2015 - Appointment of Community Development Representatives
- j. Resol. #271-2015 - Appointments to Zoning Board

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

May 26, 2015

RESOLUTION NO. 262-2015

By

Seconded by

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

Regular Meeting 4/28/15

are hereby approved.

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

May 26, 2015

RESOLUTION NO. 263-2015

By

Seconded by

WHEREAS, the Borough of Elmwood Park has requested that the Borough of Fair Lawn permit the usage of Memorial Pool by residents of the Borough of Elmwood Park and their guests; and

WHEREAS, providing said service will be beneficial to the residents of Fair Lawn by generating revenue for the Borough;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Fair Lawn that the Borough hereby enter into an interlocal government services agreement with the Borough of Elmwood Park; and

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk be and they are hereby authorized to execute said agreement in a form to be approved by the Borough Attorney; and

BE IT FURTHER RESOLVED that this resolution is subject to the condition that the Borough of Elmwood Park adopt a resolution concurrent herewith for the execution of said agreement.

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

May 26, 2015

RESOLUTION NO. 264-2015

By

Seconded by

WHEREAS, the Mayor and Council granted Public Service Electric and Gas Company (PSE&G) a temporary easement over Borough owned property for PSE&G to upgrade and expand its electrical substation at Banta Place by Resolution No. 116-2014 on March 11, 2014; and

WHEREAS, PSE&G has requested that said temporary easement be extended from November 1, 2015 to June 30, 2016;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Fair Lawn that the temporary easement be extended; and

BE IT FURTHER RESOLVED, that the Borough Manager is hereby authorized to execute the agreement.

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

May 26, 2015

RESOLUTION NO. 265-2015

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>
2813	18	Wells Fargo RE Tax Service, LLC 1 Home Campus Des Moines, IA 50328	\$6,782.26

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

2312	23	Michael J. Donnelly Esq. for R. Beshlian 75 Eisenhower Pkwy, Suite 120 Roseland, New Jersey 07068	\$880.39
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(Refund of overpayment of 2011 taxes as a result of a Tax Court Judgment)

3323	5.02	Douglas M. Standriff Esq. for Sharkey, Brian 60 West Ridgewood Avenue	\$1,068.18
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(Refund of overpayment of 2014 taxes as a result of a Tax Court Judgment)

<u>Block</u>	<u>Lot</u>	<u>Name</u>	<u>Amount</u>
3323	5.02	Douglas M. Standriff Esq. for Sharkey, Brian 60 West Ridgewood Avenue Ridgewood, New Jersey 07450	\$1,055.12

(Refund of overpayment of 2013 taxes as a result of a Tax Court Judgment)

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

May 26, 2015

RESOLUTION NO. 266-2015

By
Seconded by

WHEREAS, bids for Water Main, Sanitary Sewer, Storm Water Facility Repairs was awarded by Resolution No. 256-2015 dated May 12, 2015; and

WHEREAS, due to a calculation error said resolution is hereby rescinded; and

WHEREAS, John Garcia Construction Co. Inc., 183 Friar Lane, Clifton, New Jersey 07013 is the lowest primary bidder, J. Fletcher Creamer & Son, Inc., 101 E. Broadway, Hackensack, New Jersey 07601 is the secondary bidder and Colonnelli Bros., Inc. 409 So. River Street, Hackensack, New Jersey 07601 is the tertiary bidder, in accordance with the attached "Schedule A" and

WHEREAS, the following bidders shall be awarded the contract to be used only when none of the first three bidders are available to respond in a timely manner: Dutra Excavating & Sewer, 10 Stone Hollow Road, Montvale, New Jersey 07645; Montana Construction Corp., Inc, 80 Contant Avenue, Lodi, New Jersey 07644 and M. Ingannamorte & Son, Inc., 20 Chestnut Street, Suite 1, Tenafly, New Jersey 07670;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Fair Lawn that upon recommendation of the Borough Manager and appropriate Department Head, the award be made to John Garcia Construction Co., Inc, J. Fletcher Creamer & Son, Inc., Colonnelli Bros., Inc., Dutra Excavating & Sewer, Montana Construction Corp., Inc. and M. Ingannamorte & Son, Inc. subject to the execution of purchase orders by the Borough Manager and Borough Treasurer.

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

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

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

May 26, 2015

RESOLUTION NO. 267-2015

By
Seconded by

WHEREAS, P.L. 1994, c.72 authorizes the Tax Collector to prepare and mail estimated tax bills in accordance with N.J.S.A. 54: 4-66.3; and

WHEREAS, the Borough of Fair Lawn has not received a certified tax rate from the County of Bergen; and

WHEREAS, the Borough of Fair Lawn's Tax Collector may be unable to mail the Borough's 2015 tax bills on a timely basis; and

WHEREAS, the Borough of Fair Lawn's Chief Finance Officer, in consultation with the Borough of Fair Lawn's Tax Collector, has calculated an estimated tax levy in accordance with N.J.S.A. 54: 4-66.3, and they have both signed a certification showing the tax levies for the previous year, the tax rates and the range of permitted estimated tax levies.

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

1. The Borough of Fair Lawn's Tax Collector is hereby authorized and directed to prepare and issue estimated tax bills for the Borough for the third installment of 2015 taxes. The Tax Collector shall proceed after passage of this resolution and take such actions as are permitted and required by P.L. 1994, c.72 (N.J.S.A. 54:-66.2 and 54.4-66.3).

2. The entire estimated tax levy for 2015 is hereby set at \$129,436,291.71.

3. In accordance with law the third installment of 2015 taxes shall not be subject to interest until the later of August 10 or the 25th calendar day after the date estimated tax bills were mailed. The estimated bills shall contain a notice specifying the date on which interest may begin to accrue.

**BOROUGH OF FAIR LAWN
CALCULATION OF 2015 ESTIMATED TAX RATE**

2015 Proposed Borough Budget
2015 Estimated Borough School Budget
2015 Estimated Bergen County Levy
2015 Estimated Bergen County Open Space Levy
2015 Estimated Borough Open Space Levy

2014 TAX LEVY & TAX RATE			2015 ESTIMATED RANGE FOR TAX LEVY (Percentage of 2014 Levy)		
	LEVY	TAX RATE		95%	105%
COUNTY	10,200,975.43	0.247	COUNTY	9,690,926.66	10,711,024.20
CTY OPEN SPACE	110,655.30	0.003	CTY OPEN SPACE	105,122.54	116,188.07
MUNICIPAL OPEN SPACE	206,880.00	0.005	MUNICIPAL OPEN SPACE	196,536.00	217,224.00
SCHOOL	78,015,909.00	1.885	SCHOOL	74,115,113.55	81,916,704.45
LIBRARY MINIMUM	1,465,672.91	0.035	LIBRARY MINIMUM	1,392,389.26	1,538,956.56
MUNICIPAL	35,242,984.21	0.851	MUNICIPAL	33,480,835.00	37,005,133.41
TOTALS:	125,243,076.85	3.026		118,980,923.01	131,505,230.69

2015 ESTIMATED TAX RATE

2015 Ratable Total - 4,166,964,826

Amount to be raised by Taxation:	Tax Rate:
COUNTY	10,609,014.45 0.255
CTY OPEN SPACE	125,008.94 0.003
MUNICIPAL OPEN SPACE	208,348.24 0.005
SCHOOL	79,824,286.00 1.916
LIBRARY MINIMUM	1,489,926.25 0.036
MUNICIPAL	37,179,707.83 0.892
TOTALS:	129,436,291.71 3.107

(2015 entire estimated tax levy is within the 95% to 105% range)

CERTIFIED BY:

Karen Palermo, Treasurer

Alice Lee, Tax Collector

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

May 26, 2015

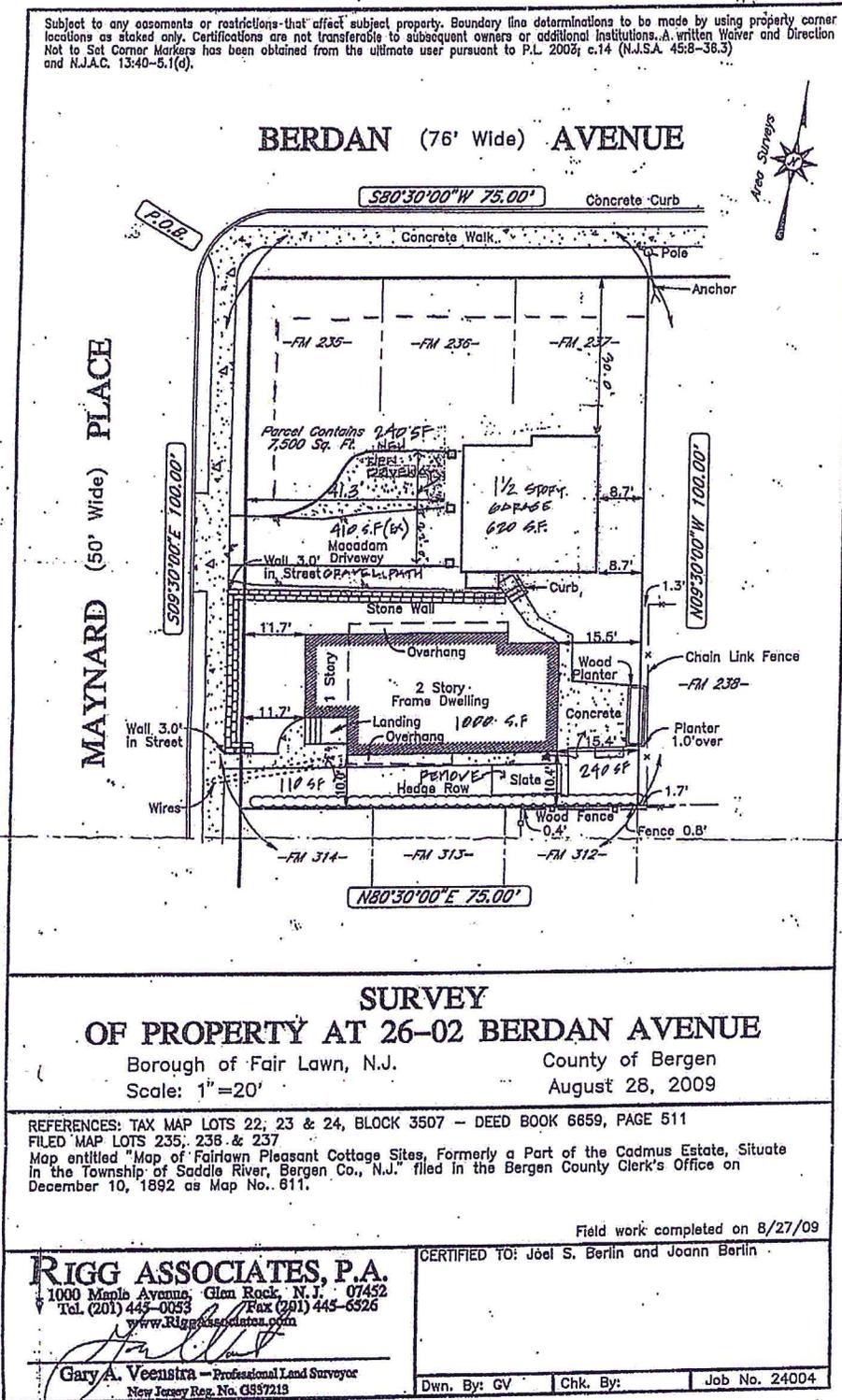
RESOLUTION NO. 268-2015

By

Seconded by

WHEREAS, the Mayor and Council of the Borough of Fair Lawn does hereby grant to Joel and Joann Berlin, residing at 26-02 Berdan Avenue (Lot 22, 23 & 24 in Block 3507 on the Tax Assessment Map of the Borough of Fair Lawn), the right to construct a fence across the Borough's right of way, as shown more particularly on Schedule "A", attached hereto and made a part hereof, and which shall be done pursuant to and in accordance with all statutes, ordinances, rules and regulations of the State of New Jersey, County of Bergen and Borough of Fair Lawn.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Lawn that the Mayor and Municipal Clerk be and they are hereby authorized to execute a License Agreement with Joel and Joann Berlin, to be prepared by the Borough Attorney.



Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

May 26, 2015

RESOLUTION NO. 269-2015

By

Seconded by

WHEREAS, there is an existing contract between the Borough of Fair Lawn and Packetalk, LLC for Security Surveillance System; and

WHEREAS, it has been certified by the Borough Manager and Police Chief 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.

Fairlawn Police Department
Camera Surveillance Project
Quote number FLPD1108

PACKETALK, LLC
471 Valley Brook Avenue
Lyndhurst, NJ 07071

5,115

Packetalk Viewstation camera software Create any number of templates, views and multi-up setup. Point and click access to live and stored video supports multiple camera auto tours and schedules including Alarm management/queuing for Smart camera deployment	2	\$ 2,499	\$ 4,998.00
OUTDOOR BULLET RASISANT DOME IP High Definition camera. Automatic color camera with 26 optical zoom (10x total zoom) on a pan tilt unit assembled into an outdoor dome with automatic heater/blowger and blower-PTZ-3140-1HD-1	1	\$ 2,800	\$ 2,800.00
Total			\$ 7,798.00

Approved by:

Signature _____

Title _____

Print name _____

Date: _____

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

May 26, 2015

RESOLUTION NO. 270-2015

By

Seconded by

BE IT RESOLVED by the Mayor and Council of the Borough of Fair Lawn that the following named individuals be and are hereby appointed to serve on the Community Development Program effective July 1, 2015 through June 30, 2016 as follows:

Member:

Councilmember Lisa Swain
6 Fernwood Drive

Alternate Member:

Mayor John Cosgrove
7 Langan Court

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

May 26, 2015

RESOLUTION NO. 271-2015

By

Seconded by

BE IT RESOLVED by the Mayor and Council of the Borough of Fair Lawn that the following named individuals be and are 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>
Samuel Racenstein 13-12 Lyle Terrace Regular Member	5/26/15	12/31/18 *
Bradford Pohlman 37-01 Stelton Terrace Alternate 1	5/26/15	12/31/16 *
Avi Naveh 32-02 Norwood Drive Alternate II	5/26/15	12/31/15 *
Mark Zharnest 48 Schweid Court Alternate III	5/26/15	12/31/15 *

* filling unexpired term

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

May 26, 2015

RESOLUTION NO. 272-2015

By

Seconded by

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

Work Session 4/21/15
Closed Session 4/21/15

are hereby approved.