

9/2/15

WORK SESSION

7:30 P.M.

September 8, 2015

CLOSED SESSION

1. Personnel – Police Department

WORK SESSION

7:45 P.M.

1. Review of Tentative Agenda
(5 minutes)
2. Council Liaison Reports
(20 minutes)
3. Solar Powered Crosswalk Sign
(Manager Van Kruiningen)
(10 minutes)
4. Sidewalks Saddle River Road
(Council Carryover)
(10 minutes)
5. Estimate from Planner Regarding Rezoning Request by Barrister
(Council Carryover)
(5 minutes)
6. Town-wide Garage Sale
(Councilmember Swain)
(5 minutes)
7. Community Garden
(Councilmember Swain)
(5 minutes)
8. Amendment to Pet Shop Ordinance and Fee
(Manager Van Kruiningen)
(5 minutes)
9. Endorsement of CDBG Application – CarePlus New Jersey
(Municipal Clerk/Deputy Manager Kwasniewski)
(5 minutes)
10. Special Meeting
11. Miscellaneous Public Comments

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.

**TENTATIVE AGENDA FOR COUNCIL MEETING
OF TUESDAY SEPTEMBER 29, 2015**

COUNCIL WORK SESSION

SEPTEMBER 8, 2015

1. **Call to Order by Mayor**
2. **Statement of compliance with the Open Public Meetings Act**
3. **Roll Call**
4. **Flag Salute**
5. **PROCLAMATION: BREAST CANCER AWARENESS MONTH**
6. **COUNCIL COMMENTS**
7. **ORDINANCES ON FIRST READING**

Ord. No. 2365-2015 – Non-resident Parking Fees
8. **ORDINANCES ON SECOND READING**

Ord. No. 2362-2015 – Salary Keyboarding Clerk 2/Chief of Staff
Ord. No. 2363-2015 – Salary Account Clerk (Part Time)
Ord. No. 2364-2015 - Traffic
9. **PUBLIC COMMENTS ON CONSENT AGENDA ITEMS ONLY**
10. **RESOLUTIONS BY CONSENT #19-2015**
 - a. Resol. #375-2015 – Approval of Minutes:
Work Session 7/21/15
Closed Session 7/21/15
Regular Meeting 7/21/15
 - b. Resol. #376-2015 – Cancellation of Capital Ordinances
 - c. Resol. #377-2015 – DOT Municipal Aid Program Grant Application
 - d. Resol. #378-2015 - Auction of Surplus Equipment
 - e. Resol. #379-2015 – Confirmation of Fire Board Actions.
 - f. Resol. #380-2015 - Authorizing Issuance of Massage Establishment License: Taiji Oriental Massage
11. **RESOLUTION NO. 381-2015 – APPROVAL OF MINUTES: WORK SESSION 8/18/15, CLOSED SESSION 8/18/15 AND REGULAR MEETING 8/18/15**

12. PUBLIC COMMENTS

13. ADJOURNMENT

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

SPECIAL MEETING

September 8, 2015

1. ORDINANCES ON FIRST READING:

ORDINANCE NO. 2364-2015 (RESOLUTION NO. 364-2015)

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN 2000, SPECIFICALLY CHAPTER 232 ENTITLED "VEHICLES AND TRAFFIC", MORE PARTICULARLY SECTION 232-12 ENTITLED "STOPPING OR STANDING PROHIBITED ON CERTAIN STREETS"; SECTION 232-13 ENTITLED "PARKING TIME LIMITED ON CERTAIN STREETS"; SECTION 232-45 ENTITLED "THROUGH STREETS"; SECTION 232-46 ENTITLED "STOP INTERSECTIONS AND MULTI-WAY STOP INTERSECTIONS"; SECTION NO. 232-54 ENTITLED "TRAFFIC CONTROL SIGNALS" AND 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.

2. RESOLUTION BY CONSENT #18-2015

- Municipal Clerk reads Resolution by Consent.
- a. Resol. #365-2015 - Authorizing Application for Bergen County Open Space, Recreation, Farmland and Historic Preservation Trust Fund Grant - Naugle-Vanderbeck House – Short Term Renovations
- b. Resol. #366-2015 – Award of Bid: Project #2245 – Installation of Emergency Generators at Various Emergency Services Facilities
- c. Resol. #367-2015 – Authorizing the Issuance of Bond Anticipation Notes
- d. Resol. #368-2015 – Authorizing Awarding of Contract with Fisher Scientific Company, LLC (Fire Department)
- e. Resol. #369-2015 - Traffic Regulations – Memorial Middle School
- f. Resol. #370-2015 - Award of Bid: Project #2252 - Water Main Valve Replacement
- Mayor asks for a Mover, Secunder, Roll Call.

3. ADJOURNMENT TO WORK SESSION

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

September 8, 2015

RESOLUTION NO. 364-2015

By

Seconded by

BE IT RESOLVED that Ordinance No. 2364-2015 entitled:

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN 2000, SPECIFICALLY CHAPTER 232 ENTITLED "VEHICLES AND TRAFFIC", MORE PARTICULARLY SECTION 232-12 ENTITLED "STOPPING OR STANDING PROHIBITED ON CERTAIN STREETS"; SECTION 232-13 ENTITLED "PARKING TIME LIMITED ON CERTAIN STREETS"; SECTION 232-45 ENTITLED "THROUGH STREETS"; SECTION 232-46 ENTITLED "STOP INTERSECTIONS AND MULTI-WAY STOP INTERSECTIONS"; SECTION NO. 232-54 ENTITLED "TRAFFIC CONTROL SIGNALS" AND 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 29th day of September, 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 2364-2015

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN 2000, SPECIFICALLY CHAPTER 232 ENTITLED "VEHICLES AND TRAFFIC", MORE PARTICULARLY SECTION 232-12 ENTITLED "STOPPING OR STANDING PROHIBITED ON CERTAIN STREETS"; SECTION 232-13 ENTITLED "PARKING TIME LIMITED ON CERTAIN STREETS"; SECTION 232-45 ENTITLED "THROUGH STREETS"; SECTION 232-46 ENTITLED "STOP INTERSECTIONS AND MULTI-WAY STOP INTERSECTIONS"; SECTION NO. 232-54 ENTITLED "TRAFFIC CONTROL SIGNALS" AND 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 232-12 entitled "Stopping or standing prohibited on certain streets" is hereby amended as follows:

§ 232-12. Stopping or standing prohibited on certain streets.

Name of Street	Side	Location
Add:		
Route # 4	North	From a point 348 feet west of Banta Place to a Point 548 feet westerly therefrom

SECTION 2. Section 232-13 entitled "Parking time limited on certain streets" is hereby amended as follows:

§ 232-13. Parking time limited on certain streets.

G. One hour time limit: 8:00 a.m. to 8:00 p.m.

Name of Street	Side	Location
Delete:		
Route # 4	North	From 32 nd Street to Banta Place
Route # 4	North	From a point 250 feet west of the westerly curbline of Banta Place to Summit Avenue

Add:

Route # 4	North	From 32 nd Street to a point 348 feet west of Place
Route # 4	North	From a point 548 feet west of Banta Place to Summit Avenue

SECTION 3. Section 232-45 entitled "Through streets" is hereby amended as follows:

§ 232-45. Through streets

Name of Street

Limits

Delete:

Lyncrest Avenue	Route 4 to Morlot Avenue
Prospect Avenue	From the northerly curb line of Mandon Place to the southerly curb line of Jasper Road
Prospect Avenue	From the northerly curb line of Jasper Road to the Fair Lawn – Glen Rock corporate line

Add:

Lyncrest Avenue	From Route 4 to the southerly curb line of Willow Street
Lyncrest Avenue	From the northerly curb line of Willow Street to Morlot Avenue
Prospect Avenue	From the northerly curb line of Mandon Place to the Fair Lawn – Glen Rock corporate line

SECTION 4. Section 232-46 entitled "Stop intersections and multi-way stop intersections" is hereby amended as follows:

§ 233-46. Stop intersections and multi-way stop intersections.

Intersection

Stop Signs On

Delete:

Prospect Avenue and Jasper Road	All approaches
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Add:

Lyncrest Avenue and Willow Street All approaches

SECTION 5. Section 232-54 entitled "Traffic control signals" is hereby amended as follows:

§ 232-54. Traffic control signals.

B. No person shall make a right turn on red at any of the following described locations:

- (3) Fair Lawn Avenue and Pollitt Drive

Add:

- (b) From southbound on Pollitt Drive to westbound onto Fair Lawn Avenue

Add:

- (7) Fair Lawn Avenue and Orchard Street

- (a) From northbound on Orchard Street to eastbound onto Fair Lawn Avenue

SECTION 6: Section 232-68 entitled "Pedestrian signs" is hereby amended as follows:

§ 232-68. Pedestrian signs.

Add:

Name of Street

Intersection of

Fair Lawn Avenue

Burbank Street

SECTION 7: 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 8. All ordinances, codes or parts thereof that are inconsistent with this Ordinance are repealed or otherwise modified.

SECTION 9: 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: September 8, 2015

Adopted:

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

September 8, 2015

CONSENT AGENDA 18-2015

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. #365-2015 - Authorizing Application for Bergen County Open Space, Recreation, Farmland and Historic Preservation Trust Fund Grant - Naugle-Vanderbeck House – Short Term Renovations
- b. Resol. #366-2015 - Award of Bid: Project #2245 - Installation of Emergency Generators at Various Emergency Services Facilities
- c. Resol. #367-2015 - Authorizing the Issuance of Bond Anticipation Notes
- d. Resol. #368-2015 - Authorizing Awarding of Contract with Fisher Scientific Company, LLC (Fire Department)
- e. Resol. #369-2015 - Traffic Regulations - Memorial Middle School
- f. Resol. #370-2015 - Award of Bid: Project #2252 - Water Main Valve Replacement

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

September 8, 2015

RESOLUTION NO. 365-2015

By
Seconded by

WHEREAS, the Historic Preservation Trust Fund Grant Program of the Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund ("County Trust Fund"), provides matching grants to municipal governments for assistance in the preservation of historic buildings, districts, and sites; and

WHEREAS, the Borough of Fair Lawn desires to obtain a matching grant of \$132,000 from the Historic Preservation Trust Fund to fund the following project: Naugle-Vanderbeck House – Short Term Renovations; and

WHEREAS, the Mayor and Council of the Borough of Fair Lawn has reviewed the County Trust Fund Program Statement, and the Historic Preservation Trust Fund Grant Program application and instructions and desires to make an application for such a matching grant and provide application information and furnish such documents as may be required; and

WHEREAS, the County of Bergen shall determine whether the application is complete and in conformance with the scope and intent of the County Trust Fund; and,

WHEREAS, the applicant is willing to use the County Trust Fund in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the County of Bergen for the above named project and ensure its completion on or about the project contract expiration date.

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

1. That the Borough Manager is hereby authorized to submit the above completed project application to the County; and
2. That, in the event of a County Trust Fund award that may be less than the grant amount requested above, the Borough of Fair Lawn has, or will

secure, the balance of funding necessary to complete the project, or modify the project as necessary; and

3. That the Borough of Fair Lawn is committed to providing a dollar for dollar cash match for the project; and
4. That only those renovations identified and approved in the project application, its Trust Fund contract, or other documentation will be considered eligible for reimbursement; and
5. That the Borough of Fair Lawn agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and
6. That this resolution shall take effect immediately.

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

September 8, 2015

RESOLUTION NO. 366-2015

By

Seconded by

WHEREAS, bids were received for Project #2245 - Installation of Emergency Generators at Various Emergency Services Facilities by the Municipal Clerk on August 18, 2015; and

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

WHEREAS, Innovative Electrical Contracting, Inc. having an office located at 230 Route 206, Suite 2C, Flanders, New Jersey 07836 is the lowest responsible bidder for the base bid in the amount of \$171,264.00 plus Alternate Item #7 in the amount of \$27,648.00 for a total bid price in the amount of \$198,912.00;

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 Innovative Electrical contracting 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

September 8, 2015

RESOLUTION NO. 367-2015

By
Seconded by

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

Section 1. Pursuant to a bond ordinance of the Borough of Fair Lawn, in the County of Bergen (herein called "local unit"), entitled: "Bond ordinance authorizing the construction of various water utility capital improvements and the acquisition of various pieces of water utility capital equipment in and for the Borough of Fair Lawn, in the County of Bergen, New Jersey; appropriating the sum of \$814,800 therefor; authorizing the issuance of general obligation bonds or bond anticipation notes of the Borough of Fair Lawn, County of Bergen, New Jersey in the aggregate principal amount of up to \$776,000; making certain determinations and covenants; and authorizing certain related actions in connection with the foregoing", finally adopted on October 11, 2005 (#2031-2005), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$84,166 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 2. Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance appropriating \$3,087,000, and authorizing the issuance of \$2,940,000 bonds or notes of the Borough, for various improvements or purposes authorized to be undertaken by the Borough of Fair Lawn, in the County of Bergen, New Jersey", finally adopted on May 23, 2006 (#2053-2006), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$96,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 3. Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance appropriating \$373,800, and authorizing the issuance of \$356,000 bonds or notes of the Borough, for various water utility improvements or purposes authorized to be undertaken by the Borough of Fair Lawn, in the

County of Bergen, New Jersey", finally adopted on May 23, 2006 (#2054-2006), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$185,032 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 4. Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance appropriating \$2,730,000 and authorizing \$2,600,000 bonds or notes of the Borough for various improvements and purposes authorized to be undertaken by the Borough of Fair Lawn, in the County of Bergen, New Jersey", finally adopted on March 27, 2007 (#2074-2007), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$336,517 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 5. Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance appropriating \$2,642,000, and authorizing the issuance of \$2,516,000 bonds or notes of the Borough, for various improvements or purposes authorized to be undertaken by the Borough of Fair Lawn, in the County of Bergen, New Jersey", finally adopted on August 19, 2008 (#2122-2008), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$407,516 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 6. Pursuant to a bond ordinance of the local unit, entitled: "Bond ordinance appropriating \$92,400 and authorizing \$87,900 bonds or notes of the Borough for various water utility improvements and purposes authorized to be undertaken by the Borough of Fair Lawn, in the County of Bergen, New Jersey", finally adopted on August 19, 2008 (#2123-2008), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$67,729 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 7. Pursuant to a bond ordinance of the local unit, entitled: "Bond ordinance appropriating \$1,701,000 and authorizing \$1,619,500 bonds or notes of the Borough for various improvements and purposes authorized to be undertaken by the Borough of Fair Lawn, in the County of Bergen, New Jersey", finally adopted July 21, 2009 (#2159-2009), Bond Anticipation Notes of the local

unit in a principal amount not exceeding \$844,209 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 8. Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance appropriating \$294,000 and authorizing \$280,000 bonds or notes of the Borough for various water supply and distribution system improvements and purposes authorized to be undertaken by the Borough of Fair Lawn, in the County of Bergen, New Jersey", finally adopted on July 21, 2009 (#2160-2009), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$157,213 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 9. Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance providing for the acquisition of equipment for use by the Police Department of the Borough of Fair Lawn, in the County of Bergen, New Jersey; appropriating \$80,000 therefor and authorizing the issuance of \$43,300 bonds or notes of the Borough for financing such appropriation", finally adopted on May 11, 2010 (#2182-2010), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$35,013 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 10. Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance providing for the acquisition of equipment for use by the Fire Department of the Borough of Fair Lawn, in the County of Bergen, New Jersey, appropriating \$100,500 therefor and authorizing the issuance of \$12,218 bonds or notes of the Borough for financing such appropriation", finally adopted on June 15, 2010 (#2185-10), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$8,851 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 11. Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance appropriating \$1,297,050, and authorizing the issuance of \$1,232,000 bonds or notes of the Borough for various improvements or purposes authorized to be undertaken by the Borough of Fair Lawn, in the County of Bergen, New Jersey", finally adopted on September 19, 2010 (#2194-2010), Bond Anticipation Notes of the local unit in a principal amount not exceeding

\$1,152,520 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 12. Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance appropriating \$158,500 and authorizing \$150,500 bonds or notes of the Borough for various water supply and distribution system improvements and purposes authorized to be undertaken by the Borough of Fair Lawn, in the County of Bergen, New Jersey", finally adopted on September 19, 2010 (#2195-2010), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$140,190 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 13. Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance providing for the acquisition of the Naugle House Property in and by the Borough of Fair Lawn, in the County of Bergen, New Jersey appropriating \$1,850,000 therefor, authorizing the issuance of \$1,761,000 bonds or notes of the Borough for financing such appropriation and repealing an ordinance of the Borough heretofore adopted on December 7, 2010 (#2204-2010)", finally adopted on April 26, 2011 (#2210-11), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$204,244 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 14. Pursuant to a bond ordinance of the local unit, entitled: "Bond ordinance appropriating \$280,500 and authorizing \$267,000 bonds or notes of the Borough for various water supply and distribution system improvements and purposes authorized to be undertaken by the Borough of Fair Lawn, in the County of Bergen, New Jersey", finally adopted July 19, 2011 (#2218-11), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$238,157 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 15. Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance appropriating \$1,103,800 and authorizing \$1,051,000 bonds or notes of the Borough for various improvements and purposes authorized to be undertaken by the Borough of Fair Lawn, in the County of Bergen, New Jersey", finally adopted on July 11, 2011 (#2219-11), Bond Anticipation Notes of the local

unit in a principal amount not exceeding \$986,304 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 16. Pursuant to a bond ordinance of the local unit, entitled: "Bond ordinance providing for the improvement of various roads in and by the Borough of Fair Lawn, County of Bergen, New Jersey, appropriating the sum of \$610,000 therefor and authorizing the issuance of \$553,000 bonds or notes of the Borough for financing such appropriation", finally adopted July 19, 2011 (#2220-11), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$537,843 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 17. Pursuant to a bond ordinance of the local unit, entitled: "Bond ordinance providing for the improvement of various roads in and by the Borough of Fair Lawn, County of Bergen, New Jersey, appropriating the sum of \$510,000 therefor and authorizing the issuance of \$485,000 bonds or notes of the Borough for financing such appropriation", finally adopted September 11, 2012 (#2244-12), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$471,706 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 18. Pursuant to a bond ordinance of the local unit, entitled: "Bond ordinance appropriating \$2,781,000 and authorizing \$2,648,000 bonds or notes of the Borough for various improvements and purposes authorized to be undertaken by the Borough of Fair Lawn, in the County of Bergen, New Jersey", finally adopted September 11, 2012 (#2245-12), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$2,431,477 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 19. Pursuant to a bond ordinance of the local unit, entitled: "Bond ordinance appropriating \$1,688,000 and authorizing \$1,607,000 bonds or notes of the Borough for various water supply and distribution system improvements and purposes authorized to be undertaken by the Borough of Fair Lawn, in the County of Bergen, New Jersey", finally adopted September 11, 2012 (#2243-12), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$1,460,513 shall be issued for the purpose of temporarily financing

the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 20. Pursuant to a bond ordinance of the local unit, entitled: "Bond ordinance providing for the improvement of various roads in and by the Borough of Fair Lawn, County of Bergen, New Jersey, appropriating the sum of \$510,000 therefor and authorizing the issuance of \$485,500 bonds or notes of the Borough for financing such appropriation", finally adopted July 16, 2013 (#2285-13), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$464,500 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 21. Pursuant to a bond ordinance of the local unit, entitled: "Bond ordinance appropriating \$2,267,700 and authorizing \$2,153,315 bonds or notes of the Borough for various improvements and purposes authorized to be undertaken by the Borough of Fair Lawn, in the County of Bergen, New Jersey", finally adopted July 16, 2013 (#2284-13), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$480,100 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 22. Pursuant to a bond ordinance of the local unit, entitled: "Bond ordinance providing for the improvement of the water supply and distribution system in and by the Borough of Fair Lawn, in the County of Bergen, New Jersey, appropriating \$326,400 therefor and authorizing the issuance of \$310,080 bonds or notes of the Borough for financing such improvement or purpose", finally adopted July 16, 2013 (#2286-13), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$305,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 23. Pursuant to a bond ordinance of the local unit, entitled: "Bond ordinance appropriating \$2,267,700 and authorizing \$2,154,315 bonds or notes of the Borough for various improvements and purposes authorized to be undertaken by the Borough of Fair Lawn, in the County of Bergen, New Jersey", finally adopted July 16, 2013 (#2284-13), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$1,604,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in

Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 24. Pursuant to a bond ordinance of the local unit, entitled: "Bond ordinance providing for the improvement of various roads in and by the Borough of Fair Lawn, in the County of Bergen, New Jersey, appropriating \$910,000 therefor and authorizing the issuance of \$864,500 bonds or notes of the Borough for financing such appropriation", finally adopted April 8, 2014 (#2309-14), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$864,400 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 25. Pursuant to a bond ordinance of the local unit, entitled: "Bond ordinance appropriating \$545,000 and authorizing \$517,750 bonds or notes of the Borough for various water supply and distribution system improvements and purposes authorized to be undertaken by the Borough of Fair Lawn, in the County of Bergen, New Jersey", finally adopted April 8, 2014 (#2311-14), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$272,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 26. Pursuant to a bond ordinance of the local unit, entitled: "Bond ordinance appropriating \$1,612,000 and authorizing \$1,531,400 bonds or notes of the Borough for various improvements and purposes authorized to be undertaken by the Borough of Fair Lawn, in the County of Bergen, New Jersey", finally adopted April 8, 2014 (#2310-14), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$1,506,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 27. Pursuant to a bond ordinance of the local unit, entitled: "Bond ordinance appropriating \$2,100,000 and authorizing \$1,999,000 bonds or notes of the Borough for various improvements and purposes authorized to be undertaken by the Borough of Fair Lawn, in the County of Bergen, New Jersey", finally adopted April 14, 2015 (#2337-15), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$1,050,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 28. Pursuant to a bond ordinance of the local unit, entitled: "Bond ordinance appropriating \$800,000 and authorizing \$761,800 bonds or notes of the Borough for various water supply and distribution system improvements and purposes authorized to be undertaken by the Borough of Fair Lawn, in the County of Bergen, New Jersey", finally adopted April 14, 2015 (#2339-15), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$500,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 29. Pursuant to a bond ordinance of the local unit, entitled: "Bond ordinance providing for the improvement of various roads in and by the Borough of Fair Lawn, County of Bergen, New Jersey, appropriating the sum of \$1,200,000 therefor and authorizing the issuance of \$1,142,800 bonds or notes of the Borough for financing such appropriation", finally adopted April 14, 2015 (#2338-15), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$1,142,800 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 30. Pursuant to the provisions of Section 40A:2-26 of the Local Bond Law of New Jersey, particularly paragraph (f) thereof and in lieu of the sale of more than one issue of bonds as provided for in said Local Bond Law, the several issues of bonds of this local unit authorized pursuant to bond ordinances of the local unit hereinabove in Sections 1 to 29 described, shall be combined into a single and combined issue of bonds in the principal amount of \$18,034,000.

Section 31. The following matters in connection with said Bond Anticipation Notes are hereby determined:

(a) All notes issued hereunder shall mature at such times as may be determined by the chief financial officer or the acting chief financial officer (the "chief financial officer") of the local unit, provided that no note issued pursuant to Sections 1 to 29, inclusive, hereof shall mature later than (i) one year from the date of the first such note issued pursuant to the respective ordinances referred to in said Sections, and (ii) three years from the date of the first note issued pursuant to each such respective ordinance unless the local unit shall have paid and retired amounts of such notes sufficient to allow it, in accordance with provisions of Section 40A:2-8 of the Local Bond Law, to renew a portion thereof beyond the third anniversary date of the first of such notes;

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

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

Section 32. The chief financial officer of the local unit is hereby authorized and directed to determine all matters in connection with said notes not determined by this or a subsequent resolution, and the chief financial officer's signature upon said notes shall be conclusive as to such determinations.

Section 33. The chief financial officer of the local unit is hereby authorized to sell said Bond Anticipation Notes from time to time at public or private sale in such amounts as the chief financial officer may determine at not less than par and to deliver the same from time to time to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof and payment therefor.

Section 34. Any instrument issued pursuant to this resolution shall be a general obligation of the local unit, and the local unit's faith and credit are hereby pledged to the punctual payment of the principal of and interest on said obligations and, unless otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget and a tax sufficient to provide for the payment thereof shall be levied and collected.

Section 35. The chief financial officer of the local unit is authorized and directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of notes pursuant to this resolution is made, such report to include the amount, description, interest rate and maturity of the notes sold, the price obtained and the name of the purchaser.

Section 36. The chief financial officer of the local unit is hereby authorized and directed to do all other matters necessary, useful, convenient or desirable to accomplish the delivery of said notes to the purchasers thereof as promptly as possible, including (i) the preparation, execution and dissemination of a Preliminary Official Statement and Final Official Statement with respect to said notes, (ii) preparation, distribution and publication, if necessary, of a Notice of Sale with respect to said notes, (iii) execution of a Continuing Disclosure Undertaking, with respect to said notes in accordance with Rule 15c2-12

promulgated by the Securities and Exchange Commission and (iv) execution of an arbitrage and use of proceeds certificate certifying that, among other things, the local unit, to the extent it is empowered and allowed under applicable law, will do and perform all acts and things necessary or desirable to assure that interest paid on said notes is not included in gross income under Section 103 of the Internal Revenue Code of 1986, as amended.

Section 37. All action heretofore taken by local unit officials and professionals with respect to the sale of said notes is hereby ratified, confirmed, adopted and approved in all respects.

Section 38. This resolution shall take effect immediately.

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

September 8, 2015

RESOLUTION NO. 368-2015

By

Seconded by

WHEREAS, the Borough of Fair Lawn, pursuant to P.L. 2011, C139 may by resolution and without advertising for bids, purchase any goods or services utilizing National Cooperative Contracts; and

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

WHEREAS the Borough of Fair Lawn has the need to purchase SCBA bottles under Houston-Galveston Area Council Cooperative Purchasing Program #EP11-14 for a total of \$56,918.25.; and

WHEREAS, the Borough of Fair Lawn intends to enter into contract for this purchase with Fisher Scientific Company, LLC, having an office located at 300 Industry Drive, Pittsburgh, PA 15275 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 emergency services equipment, 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 equipment from Fisher Scientific Company, LLC, an approved National Cooperative Vendor, pursuant to all conditions of the Contract # EP11-14.

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

September 8, 2015

RESOLUTION NO. 369-2015

By

Seconded by

WHEREAS, the Mayor and Council has recently been advised that a particular traffic situation exists at Memorial Middle School; and

WHEREAS, the Mayor and Council deem it in the best interest of safety in this area to adopt special traffic regulations;

NOW, THEREFORE, BE IT RESOLVED, that pursuant to N.J.S.A. 39:4-197.3, the following area of Memorial Middle School will be designated as stopping or standing prohibited at all times for the reasons listed:

<u>Name of School</u>	<u>Location</u>	<u>Reason</u>
Memorial Middle School	Along the left side of the driveway in front of the School from the northerly entrance to the southerly exit on First Street	To eliminate the hazard created when passengers are discharged along that side and they attempt to get across that very active driveway

BE IT FURTHER RESOLVED that, as per N.J.S.A. 39:4-197.3, this special traffic regulation shall be for a period not in excess of three months.

BE IT FURTHER RESOLVED that, if this special traffic regulation is successful with creating a safer environment at these locations, an ordinance will be enacted to continue the regulations as per N.J.S.A. 39:4-197.

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

September 8, 2015

RESOLUTION NO. 370-2015

By

Seconded by

WHEREAS, bids were received for Project #2252 - Water Main Valve Replacement by the Assistant Municipal Clerk on August 25, 2015; and

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

WHEREAS, John Garcia Construction Co., Inc. having an office located at 183 Frier Lane, Clifton, New Jersey 07013 is the lowest responsible bidder in the amount of \$95,195.30;

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. 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.