

NOTE: FORMAL ACTION MAY BE TAKEN AT REGULAR MEETINGS, WORK SESSIONS OR SPECIAL MEETINGS. AGENDAS ARE PUBLISHED 48 HOURS IN ADVANCE TO THE EXTENT KNOWN.

AGENDA

COUNCIL MEETING

7:30 P.M.

SEPTEMBER 29, 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: BREAST CANCER AWARENESS MONTH**
6. **COUNCIL COMMENTS**
7. **MANAGER'S REPORT**
8. **ORDINANCES ON FIRST READING:**

**ORDINANCE NO. 2365-2015
(RESOLUTION NO. 371-2015)**

AN ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FAIR LAWN, 2000, BY AMENDING AND SUPPLEMENTING CHAPTER 94 ENTITLED "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. 2366-2015
(RESOLUTION NO. 372-2015)**

AN ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FAIR LAWN 2000, BY AMENDING AND SUPPLEMENTING CHAPTER 62 ENTITLED "ANIMALS", ARTICLE 1 ENTITLED "DOGS" AND CHAPTER 94 ENTITLED "FEES", ARTICLE VI ENTITLED "SCHEDULE OF FEES"

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

9. ORDINANCES ON SECOND READING:

**ORDINANCE NO. 2362-2015
(RESOLUTION NO. 373-2015)**

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, 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. 2363-2015
(RESOLUTION NO. 374-2015)**

AN ORDINANCE FIXING THE SALARIES OF NEW PART TIME 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, 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. 2364-2015
(RESOLUTION NO. 375-2015)**

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR
LAWN 2000, SPECIFICALLY CHAPTER 232 ENTITLED "VEHICLES AND
TRAFFIC", MORE PARTICULARLY SECTION 232-45 ENTITLED "THROUGH
STREETS"; SECTION 232-46 ENTITLED "STOP INTERSECTIONS AND MULTI-
WAY STOP INTERSECTIONS"; AND SECTION 232-68 ENTITLED
"PEDESTRIAN SIGNS"**

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

11. RESOLUTIONS BY CONSENT #19-2015

- Municipal Clerk reads Resolutions by Consent.
 - a. Resol. #376-2015 = Approval of Minutes:
 - Work Session 7/21/15
 - Closed Session 7/21/15
 - Regular Meeting 7/21/15
 - b. Resol. #377-2015 = Cancellation of Capital Ordinances
 - c. Resol. #378-2015 = DOT Municipal Aid Program Grant Application
 - d. Resol. #379-2015 = Auction of Surplus Equipment
 - e. Resol. #380-2015 = Confirmation of Fire Board Actions

- f. Resol. #381-2015 - Authorizing Issuance of Massage Establishment License: Taiji Oriental Massage
- g. Resol. #382-2015 - Refund of Overpayment of Taxes
- h. Resol. #383-2015 - Endorsement of CDBG Application Care Plus New Jersey
- i. Resol. #384-2015 - Authorizing Execution of Bergen County Community Development Block Grant - Senior Center Room Divider
- j. Resol. #385-2015 - Authorizing Execution of Bergen County Community Development Block Grant - Roadway Improvements to Various Street
- k. Resol. #386-2015 - Award of Bid: Tree Trimming
- l. Resol. #387-2015 - Award of Bid: Tree & Stump Removal
- m. Resol. #388-2015 - Authorizing Purchases with Sullair Corporation through the National Joint Powers Alliance (NJPA)
- n. Resol. #389-2015 - Authorizing Awarding of Contract with Certain Approved State Contract Vendors - Mall Chevrolet
- o. Resol. #390-2015 - Authorizing Participation in the Passaic County Cooperative Pricing System

Mayor asks for a Mover, Secunder, Roll Call.

12. RESOLUTION NO. 391-2015 - APPROVAL OF MINUTES:

Work Session 8/18/15

Closed Session 8/18/15

Regular Meeting 8/18/15

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

13. RESOLUTION NO. 392-2015 - APPROVAL OF MINUTES:

Work Session 9/8/15

Special Meeting 9/8/15

Closed Session 9/8/15

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

14. 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.

15. CLOSED SESSION RESOLUTION - Personnel - Conflict Attorney

- Mayor asks Municipal Clerk to read the resolution. Mayor asks for a Mover, Secunder, Roll Call,

16. ADJOURNMENT:

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

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

September 29, 2015

RESOLUTION NO. 371-2005

By

Seconded by

BE IT RESOLVED that Ordinance No. 2365-2015 entitled:

AN ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FAIR LAWN, 2000, BY AMENDING AND SUPPLEMENTING CHAPTER 94 ENTITLED "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 13th day of October, 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. 2365-2015

AN ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FAIR LAWN, 2000, BY AMENDING AND SUPPLEMENTING CHAPTER 94 ENTITLED "FEES", ARTICLE VI, "SCHEDULE OF FEES"

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

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

ARTICLE VI, Schedule of Fees

Delete:

BB. Chapter 232, Vehicles and Traffic.

(2) Section 232-61 Administration

(b) Each non-resident vehicle \$3 per day or \$30 per month

Add:

BB. Chapter 232, Vehicles and Traffic.

(2) Section 232-61 Administration

(b) Each non-resident vehicle \$4 per day or \$40 per month

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 January 1, 2016.

Attest:

Approved:

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

John Cosgrove
Mayor

Introduced: September 29, 2015

Adopted:

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

September 29, 2015

RESOLUTION NO. 372-2005

By

Seconded by

BE IT RESOLVED that Ordinance No. 2366-2015 entitled:

AN ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FAIR LAWN 2000, BY AMENDING AND SUPPLEMENTING CHAPTER 62 ENTITLED "ANIMALS", ARTICLE 1 ENTITLED "DOGS" AND CHAPTER 94 ENTITLED "FEES", ARTICLE VI ENTITLED "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 13th day of October, 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. 2366-2015

AN ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FAIR LAWN 2000, BY AMENDING AND SUPPLEMENTING CHAPTER 62 ENTITLED "ANIMALS", ARTICLE 1 ENTITLED "DOGS" AND CHAPTER 94 ENTITLED "FEES", ARTICLE VI ENTITLED "SCHEDULE OF FEES"

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

SECTION 1. Chapter 62 ANIMALS is hereby amended as follows:

§ 62-1. Definitions.

Delete:

PET SHOP – Any room or group of rooms, cage or exhibition pet, not part of a kennel, wherein dogs for sale are kept or displayed.

Add:

PET SHOP – any place of business which is not part of a kennel, wherein animals, including, but not limited to dogs, cats, birds, fish, reptiles, rabbits, hamsters or gerbils are kept or displayed chiefly for the purpose of sale to individuals for personal appreciation and companionship rather than for business or research purposes.

§ 62-3. Kennel, pet shop, shelter or pound.

Add:

G. There shall be a fee for an annual inspection: the fee as provided in § 94-12B (5).

SECTION 2. Chapter 94 Fees is hereby amended as follows:

ARTICLE VI, Schedule of Fees

B. Chapter 62. Animals.

(5) Section 62-8 Schedule of fees.

Add:

Pet Shops, dog grooming, kennels, shelters
annual inspection \$100

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 September 29, 2015
Adopted:

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

September 29, 2015

RESOLUTION NO. 373-2015

By

Seconded by

BE IT RESOLVED that Ordinance No. 2362-2015 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. 2362-2015

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 2266-2013, adopted on May 26, 2013; and

WHEREAS, the position of Keyboard Clerk 2 / Chief of Staff 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>
Keyboarding Clerk 2/Chief of Staff	74,983 / 86,519

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: August 18, 2015

Adopted:

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

September 29, 2015

RESOLUTION NO. 374-2015

By

Seconded by

BE IT RESOLVED that Ordinance No. 2363-2015 entitled:

**AN ORDINANCE FIXING THE SALARIES OF NEW PART TIME 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. 2363-2015

AN ORDINANCE FIXING THE SALARIES OF NEW PART TIME 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 2275-2013, adopted on May 14, 2013; and

WHEREAS, the position of Accounting Clerk will be added to The Borough of Fair Lawn's New Part Time Employees Salary Ordinance 2275-2013 as follows:

New Employee after March 11, 2013	<u>2015 Min/2015 Max</u>
Accounting Clerk	\$25.00 per hour / \$45.00 per hour

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: August 18, 2015
Adopted:

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

September 29, 2015

RESOLUTION NO. 375-2015

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 232-45 ENTITLED "THROUGH STREETS"; SECTION 232-46 ENTITLED "STOP INTERSECTIONS AND MULTI-WAY STOP INTERSECTIONS"; AND SECTION 232-68 ENTITLED "PEDESTRIAN SIGNS"

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 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 232-45 ENTITLED "THROUGH STREETS"; SECTION 232-46 ENTITLED "STOP INTERSECTIONS AND MULTI-WAY STOP INTERSECTIONS"; 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 232-45 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 2. 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
Add:	
Lyncrest Avenue and Willow Street	All approaches

SECTION 3. 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 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 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 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, Mayor

Introduced: September 8, 2015

Adopted:

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

September 29, 2015

CONSENT AGENDA 19-2015

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. #376-2015 – Approval of Minutes:
 - Work Session 7/21/15
 - Closed Session 7/21/15
 - Regular Meeting 7/21/15
- b. Resol. #377-2015 – Cancellation of Capital Ordinances
- c. Resol. #378-2015 – DOT Municipal Aid Program Grant Application
- d. Resol. #379-2015 - Auction of Surplus Equipment
- e. Resol. #380-2015 – Confirmation of Fire Board Actions
- f. Resol. #381-2015 - Authorizing Issuance of Massage Establishment License: Taiji Oriental
- g. Resol. #382-2015 - Refund of Overpayment of Taxes
- h. Resol. #383-2015 - Endorsement of CDBG Application Care Plus New Jersey
- i. Resol. #384-2015 - Authorizing Execution of Bergen County Community Development Block Grant - Senior Center Room Divider
- j. Resol. #385-2015 - Authorizing Execution of Bergen County Community Development Block Grant - Roadway Improvements to Various Street
- k. Resol. #386-2015 - Award of Bid: Tree Trimming
- l. Resol. #387-2015 - Award of Bid: Tree & Stump Removal
- m. Resol. #388-2015 - Authorizing Purchases with Sullair Corporation through the National Joint Powers Alliance (NJPA)

- n. Resol. #389-2015 - Authorizing Awarding of Contract with Certain Approved State Contract Vendors
- Mall Chevrolet
- o. Resol. #390-2015 - Authorizing Participation in the Passaic County Cooperative Pricing System

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

September 29, 2015

RESOLUTION NO. 376-2015

By

Seconded by

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

Work Session 7/21/15
Closed Session 7/21/15
Regular Meeting 7/21/15

are hereby approved.

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

September 29, 2015

RESOLUTION NO. 377-2015

By
Seconded by

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

WHEREAS the capital project has been completed and/or cancelled: and

WHEREAS the Mayor and Council wish to cancel the below listed unspent unfunded Capital Ordinance balances;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Lawn, that the following capital ordinances be and are hereby cancelled and amounts be credited to Deferred Charges to Future Taxation - Unfunded and Municipal Open Space Trust Fund, respectively.

Unfunded Balance 07/31/2015 - Deferred Charges to Future Taxation-Unfunded

Ord. 2194-2010 - Multi Purpose	126,183.06
Ord. 2210-2011 - Purchase of Property	204,086.47
Ord. 2219-2011 - Multi Purpose	91,605.27
Ord. 2220-2011 - Multi Purpose	389.03
Ord. 2245-2012 - Multi Purpose	279,096.05
Ord. 2284-2013 - Multi Purpose	67,540.50
Ord. 2310-2014 - Multi Purpose	39,892.88

Unfunded Balance 07/31/2015 - Municipal Open Space Trust Fund

Ord. 2214-2011 - Purchase of Property	56,024.65
Ord. 2254-2012 - Purchase of Property	554.11

BE IT FURTHER RESOLVED that the amount of \$ 808,793.26 be cancelled to Deferred Charges to Future Taxation-Unfunded, and \$ 56,578.76 be canceled to Municipal Open Space Trust Fund.

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

September 29, 2015

RESOLUTION NO. 378-2015

By

Seconded by

WHEREAS, the Borough of Fair Lawn is requesting funding from the New Jersey Department of Transportation Municipal Aid Program identified as MA-2016-20th Street-00018;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Fair Lawn formally approves the grant application for the above stated project;

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk are hereby authorized to submit an electronic grant application to the New Jersey Department of Transportation on behalf of the Borough of Fair Lawn;

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Fair Lawn and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

September 29, 2015

RESOLUTION NO. 379-2015

By

Seconded by

WHEREAS, the Mayor and Council of the Borough of Fair Lawn has determined that the following items described below are not needed for public use; and

WHEREAS, the State of New Jersey permits the sale of surplus property no longer needed for public use through the use of an online auction service; and

WHEREAS, the sale is being conducted pursuant to Local Finance No. 2008-9; and

WHEREAS, the terms and conditions of the agreement entered into with GovDeals is available on GovDeals' website and are available in the Municipal Clerk's Office; and

WHEREAS the Borough of Fair Lawn has the property listed in Schedule A, attached hereto and desires to sell same online;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Lawn that the Municipal Clerk is hereby authorized to post an offer to sell the items listed on Schedule A on an auction website as follows:

Online auction site: GovDeals.com

Auction fees: None other than what is outlined in State Contract A70967

Method of Payment: Check

Shipping: N/A – all items must be picked up

Possession: Every item is sold "AS IS WHERE IS"

Other Terms: in accordance with the Conditions of Sale in Schedule A

Minimum Bid: \$5 for all items except as more specifically set forth in Schedule A.

Schedule A

		Minimum Bid:
1)	Year: 2009 Make: Dodge Charger Serial #: 519277 Mileage: 113,752	\$500.00
2)	Year: 2010 Make: Dodge Charger Serial #: 116533 Mileage: 93,445	\$500.00
3)	Year: 2009 Make: Dodge Charger Serial #: 512892 Mileage: 76,278	\$500.00
4)	Year: 2004 Make: Ford Crown Victoria Serial #: 175271 Mileage: 99,995	\$300.00
5)	Year: 1999 Make: Ford Crown Victoria Serial #: XX20440 Mileage: 121,605	\$300.00
6)	Year: 2001 Make: Chevy Impala Serial #: 270317 Mileage: 100,608	\$1,000
7)	Year: 2000 Make: Ford Crown Victoria Serial #: 110312 Mileage: 77,917	\$300.00
8)	Year: 2006 Make: Ford Crown Victoria Serial #: 104313 Mileage: 90,000 +	\$300.00
9)	Year: 2000 Make: Ford Crown Victoria Serial #: 110197 Mileage: 112,178	\$300.00

10)	Year: 2001 Make: GMC Van Serial #: 195051 Mileage: 121,249	\$750.00
11)	Year: 1997 Make: Volvo Packer Serial #: 857828 Mileage: 60,000	\$2,500.00
12)	Year: 2000 Make: Ford Crown Victoria Serial #: 110227 Mileage: 77,917	\$300.00
13)	Year: 1998 Make: Toyota 4 Runner Serial #: 134942 Mileage: 135,970	\$500.00

Miscellaneous Item:

Two (2) Pool Slides with platform deck, rails steps and canopy	\$500.00
Skate Park Equipment: Main platform 3 x 6 Grind-box 4 ft steel grind-rail Many steel plates and accessories	\$1,000.00
Thirteen (13) Various Arcade Games	\$1,500.00
Seed Spreader	\$150.00
Drop Soil Spreader	\$150.00
Steel-Grader Attachment	\$150.00
Miscellaneous Computers, Monitors, Keyboards, Printers and fax machines	\$300.00

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

September 29, 2015

RESOLUTION NO. 380-2015

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:

Applications:

Edward J. Beverly
23-16 Howard Avenue
Co. 4

Anthony Messina
36 Westwood Drive
Co. 3

Kevin Beites
5-29 Elizabeth Street
Co. 3

Angela Bachman
10-10 Underwood Place
Co. 3

Resignation:

Jerry Jastrab
38-04 Grant Street
Co. 4

Six Month Leave of Absence:

Wendy Alvarez
25-11 Kipp Street
Co. 3

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

September 29, 2015

RESOLUTION NO. 381-2015

By

Seconded by

WHEREAS, Taiji Oriental Massage located at 23-14 Broadway, Fair Lawn, New Jersey, has made application to the Borough pursuant to RGO144-2 for its massage establishment license; and

WHEREAS, the applicant has complied with all of the requirements of the aforesaid ordinance, and there has been no just cause shown why the Mayor and Council should reject said application;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Lawn that pursuant to RGO 144-2, et. seq., the application for a massage establishment license by the aforesaid applicant be and is hereby approved and the Municipal Clerk be and is hereby authorized to issue same.

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

September 29, 2015

RESOLUTION NO. 382-2015

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>
1508	2	Jennifer R. Jacobus, Esq. 8-12 Saddle River Road, LLC 301 South Livingston Ave. #105 Livingston, New Jersey 07039-3929	\$2,107.25

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

1508	1	Jennifer R. Jacobus, Esq. Syrtaş-Ochs, LLC 301 South Livingston Ave. #105 Livingston, New Jersey 07039-3929	\$2,889.83
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(Refund of overpayment of 2014 taxes as a result of a Tax Court judgment)

2214	21	Vyacheslav Rozman 42 Stonewall Court Woodcliff Lake, New Jersey 07677	\$114.40
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(Refund of overpayment of 215 Water charges as a result of an over estimated water billing)

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

September 29, 2015

RESOLUTION NO. 383-2015

By

Seconded by

WHEREAS, a Bergen County Community Development grant of \$101,871 has been proposed by CarePlus of New Jersey for Children Services in the municipality of Fair Lawn, and

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

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

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

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

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

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

September 29, 2015

RESOLUTION NO. 384-2015

By
Seconded by

BE IT RESOLVED, that the Mayor and Council of the Borough of Fair Lawn wishes to enter into a grant agreement with the County of Bergen for the purpose of using \$21,400 in 2015 Community Development Block Grant funds for Senior Center Room Divider in the Borough of Fair Lawn; and

BE IT RESOLVED, that the Mayor and Council hereby authorizes James Van Kruijning, Borough Manager to be a signatory to the aforesaid grant agreement; and

BE IT RESOLVED, that the Mayor and Council hereby authorizes James Van Kruijning, Borough Manager to sign all County vouchers submitted in connection with the aforesaid project; and

BE IT RESOLVED, that the Mayor and Council recognizes that the Borough of Fair Lawn is liable for any funds not spent in accordance with the Grant Agreement; and that liability of the Mayor and Council is in accordance with HUD requirements.

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

September 29, 2015

RESOLUTION NO. 385-2015

By

Seconded by

BE IT RESOLVED, that the Mayor and Council of the Borough of Fair Lawn wishes to enter into a Grant Agreement with the County of Bergen for the purpose of using \$183,900 in 2015 Community Development Block for Roadway Improvements to Various Streets; and

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorizes James Van Kruiningen, Borough Manager to be a signatory to aforesaid Grant Agreement; and

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorizes James Van Kruiningen, Borough Manager, to sign all county vouchers submitted in connection with the aforesaid project; and

BE IT FURTHER RESOLVED, that the Mayor and Council recognizes that the Borough of Fair Lawn is liable for any funds not spent in accordance with the Grant Agreement; and that the liability of the Mayor and Council is in accordance with HUD requirements.

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

September 29, 2015

RESOLUTION NO. 386-2015

By

Seconded by

WHEREAS, bids were received for Tree Trimming by the Assistant Municipal Clerk on September 22, 2015; and

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

WHEREAS, Downes Tree Service Co., Inc. having an office located at 65 Royal Avenue, Hawthorne, New Jersey 07506 is the lowest responsible bidder in accordance with the attached Schedule "A" for a period of two (2) years beginning on November 30, 2015 through November 29, 2017;

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 Downes Tree Service 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.

BID RESULTS

Bid: TREE TRIMMING

Bid Date: 9/22/15

Bidder and Location	Downes Tree Service Hawthorne
Bid Deposit	Bid Bond
Item 1: 13" x 18" Diameter	Year 1: \$50.00 Year 2: \$50.00
Item 2: 19" x 24" Diameter	Year 1: \$85.00 Year 2: \$85.00
Item 3: 25" Diameter	Year 1: \$120.00 Year 2: \$120.00

Option 1 A: Emergency Response Weekdays, 7 AM to 5 PM

Crane Crew w/4 Men	Year 1: \$425.00 Year 2: \$425.00
Bucket Crew w/3 Men	Year 1: \$225.00 Year 2: \$225.00
Crane/Bucket Crew w/ 5 Men	Year 1: \$500.00 Year 2: \$500.00
Chip Crew w/ 3 Men	Year 1: \$200.00 Year 2: \$200.00
Log Truck w/1 Man	Year 1: \$100.00 Year 2: \$100.00

Option 1 B: Emergency Response Weekdays, 5 PM to 7 AM

Crane Crew w/4 Men	Year 1: \$425.00 Year 2: \$425.00
Bucket Crew w/3 Men	Year 1: \$225.00 Year 2: \$225.00
Crane/Bucket Crew w/ 5 Men	Year 1: \$500.00 Year 2: \$500.00
Chip Crew w/ 3 Men	Year 1: \$200.00 Year 2: \$200.00
Log Truck w/1 Man	Year 1: \$100.00 Year 2: \$100.00

Schedule "A"

Bidder and Location	Downes Tree Service Hawthorne
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Option 1 C: Emergency Response Weekends and Holidays 7 AM to 5 PM

Crane Crew w/4 Men	Year 1: \$425.00 Year 2: \$425.00
Bucket Crew w/3 Men	Year 1: \$225.00 Year 2: \$225.00
Crane/Bucket Crew w/ 5 Men	Year 1: \$500.00 Year 2: \$500.00
Chip Crew w/ 3 Men	Year 1: \$200.00 Year 2: \$200.00
Log Truck w/1 Man	Year 1: \$100.00 Year 2: \$100.00

Option 1 D: Emergency Response Weekends and Holidays 5 PM to 7 AM

Crane Crew w/4 Men	Year 1: \$425.00 Year 2: \$425.00
Bucket Crew w/3 Men	Year 1: \$225.00 Year 2: \$225.00
Crane/Bucket Crew w/ 5 Men	Year 1: \$500.00 Year 2: \$500.00
Chip Crew w/ 3 Men	Year 1: \$200.00 Year 2: \$200.00
Log Truck w/1 Man	Year 1: \$100.00 Year 2: \$100.00

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

September 29, 2015

RESOLUTION NO. 387-2015

By

Seconded by

WHEREAS, bids were received for Tree & Stump Removal by the Assistant Municipal Clerk on September 22, 2015; and

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

WHEREAS, Downes Tree Service Co., Inc. having an office located at 65 Royal Avenue, Hawthorne, New Jersey 07506 is the lowest responsible bidder in accordance with the attached Schedule "A" for a period of two (2) years beginning on November 30, 2015 through November 29, 2017;

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 Downes Tree Service 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.

BID RESULTS

Bid: TREE & STUMP REMOVAL

Bid Date: 9/22/15

Bidder and Location	Downes Tree Service Hawthorne
Bid Deposit:	Bid Bond
Item 1: 8" – 14" Breast High	Year 1: \$120.00 Year 2: \$120.00
Item 2: 15" – 18" Breast High	Year 1: \$225.00 Year 2: \$225.00
Item 3: 19" – 23" Breast High	Year 1: \$400.00 Year 2: \$400.00
Item 4: 24" and Larger Breast High	Year 1: \$800.00 Year 2: \$800.00

Option 1 A: Emergency Response Weekdays, 7 AM to 5 PM

Crane Crew w/4 Men	Year 1: \$425.00 Year 2: \$425.00
Bucket Crew w/3 Men	Year 1: \$225.00 Year 2: \$225.00
Crane/Bucket Crew w/ 5 Men	Year 1: \$500.00 Year 2: \$500.00
Chip Crew w/ 3 Men	Year 1: \$200.00 Year 2: \$200.00
Log Truck w/1 Man	Year 1: \$100.00 Year 2: \$100.00

Option 1 B: Emergency Response Weekdays, 5 PM to 7 AM

Crane Crew w/4 Men	Year 1: \$425.00 Year 2: \$425.00
Bucket Crew w/3 Men	Year 1: \$225.00 Year 2: \$225.00
Crane/Bucket Crew w/ 5 Men	Year 1: \$500.00 Year 2: \$500.00
Chip Crew w/ 3 Men	Year 1: \$200.00 Year 2: \$200.00
Log Truck w/1 Man	Year 1: \$100.00 Year 2: \$100.00

Schedule "A"

Bidder and Location	Downes Tree Service Hawthorne
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Option 1 C: Emergency Response Weekends and Holidays 7 AM to 5 PM

Crane Crew w/4 Men	Year 1: \$425.00 Year 2: \$425.00
Bucket Crew w/3 Men	Year 1: \$225.00 Year 2: \$225.00
Crane/Bucket Crew w/ 5 Men	Year 1: \$500.00 Year 2: \$500.00
Chlp Crew w/ 3 Men	Year 1: \$200.00 Year 2: \$200.00
Log Truck w/1 Man	Year 1: \$100.00 Year 2: \$100.00

Option 1 D: Emergency Response Weekends and Holidays 5 PM to 7 AM

Crane Crew w/4 Men	Year 1: \$425.00 Year 2: \$425.00
Bucket Crew w/3 Men	Year 1: \$225.00 Year 2: \$225.00
Crane/Bucket Crew w/ 5 Men	Year 1: \$500.00 Year 2: \$500.00
Chip Crew w/ 3 Men	Year 1: \$200.00 Year 2: \$200.00
Log Truck w/1 Man	Year 1: \$100.00 Year 2: \$100.00

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

September 29, 2015

RESOLUTION NO. 388-2015

By

Seconded by

WHEREAS, the Borough of Fair Lawn wishes to avail itself of the right to purchase air compressors under contracts for such materials, supplies and equipment entered into on behalf of the National Joint Powers Alliance (NJPA) Cooperative pursuant to P.L. 2011, c.139 which allows local contracting units to utilize national cooperative contracts as a method of procurement; and

WHEREAS, the purchasing agent has recommended the utilization of these additional State contracts on the grounds that it represents the best price available; and

WHEREAS, Chief Financial Officer will certify the availability of funds for the following contract:

Sullair Corporation #052015-SAC

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that the above-mentioned vendors, be awarded the contracts as recommended by the Purchasing Agent.

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

September 29, 2015

RESOLUTION NO. 389-2015

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 two (2) 2016 Express 2500 12 passenger vans with options at a cost of \$47,990 and one (1) 2016 Chevrolet Colorado Crew 4WD at a cost of \$28,094, under State contracts #88229 and #88716 respectively; and

WHEREAS, the Borough of Fair Lawn intends to enter into contract for the purchase of said vehicle with Mall Chevrolet, having an office located at 75 Haddonfield Road, Cherry Hill, New Jersey 08002, through this resolution and properly executed purchase agreement, which shall be subject to all the conditions applicable to the current State contracts; and

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 said 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 vehicles from Mall Chevrolet an approved New Jersey State Contract Vendor, pursuant to all conditions of the State Contract ##88229 and #88716 respectively.

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

September 29, 2015

RESOLUTION NO. 390-2015

By

Seconded by

WHEREAS, the Borough of Fair Lawn wishes to avail itself of the right to purchase materials, supplies and equipment under contracts for such materials, supplies and equipment entered into on behalf of the County of Passaic Division of Purchasing Registered Cooperative Pricing System #38 PCCP; AND

WHEREAS, the Purchasing Agent has recommended the utilization of these contracts on the grounds that it represents the best price available, and

WHEREAS, the Chief Financial Officer will certify the availability of funds when required for the following contracts:

Aton Computing

Lightpath of Parsippany

NOW THEREFORE BE IT RESOLVED by the Mayor and Council that the above-mentioned vendors, be awarded the contracts as recommended by the Purchasing Agent.

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

September 29, 2015

RESOLUTION NO. 391-2015

By

Seconded by

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

Work Session 8/18/15
Closed Session 8/18/15
Regular Meeting 8/18/15

are hereby approved.

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

September 29, 2015

RESOLUTION NO. 392-2015

By

Seconded by

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

Work Session 9/8/15
Special Meeting 9/8/15
Closed Session 9/8/15

are hereby approved.