

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.

November 24, 2015

1. **Call to Order by Mayor**
2. **Statement of Compliance with the Open Public Meetings Act**
3. **Roll Call**
4. **Flag Salute**
5. **PRESENTATION OF PROPERTY MAINTENANCE COMMITTEE BEAUTIFICATION CERTIFICATES**
6. **COUNCIL COMMENTS**
7. **MANAGER'S REPORT**
8. **ORDINANCES ON FIRST READING:**

**ORDINANCE NO. 2368-2015
(RESOLUTION NO. 424-2015)**

"AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN 2000, SPECIFICALLY TO AMEND CHAPTER 150 ENTITLED "NOISE", MORE PARTICULARLY SECTION 150-10 ENTITLED "CONSTRUCTION AND DEMOLITION"

- 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. 2369-2015
(RESOLUTION NO. 425-2015)**

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN 2000, BY AMENDING AND SUPPLEMENTING CHAPTER 232 ENTITLED "VEHICLES AND TRAFFIC", ARTICLE II, "PARKING", SUBSECTION 232-11, PARKING PROHIBITED DURING CERTAIN HOURS ON CERTAIN STREETS, AND ARTICLE VIII "TRAFFIC", SUBSECTION 232-50 "BUS STOPS"

- 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. 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, 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.
- Mayor closes the time for public comments.

10. RESOLUTIONS BY CONSENT #22-2015

- Municipal Clerk reads Resolutions by Consent.
 - a. Resol. #426-2015 - Approval of Minutes:
 - Regular Meeting 10/13/15
 - Work Session 10/20/15
 - Closed Session 10/20/15
 - b. Resol. #427-2015 - Confirmation of Fire Board Actions
 - c. Resol. #428-2015 - Transfer of Funds
 - d. Resol. #429-2015 - Issuance of Special Emergency Notes
 - e. Resol. #430-2015 - Authorizing Exercising Option for Recycling Collection - Cali Carting, Inc.
 - f. Resol. #431-2015 - Refund of Overpayment of Parking Permit
 - g. Resol. #432-2015 - Authorizing Sale of Packer Truck to the Borough of Midland Park
 - h. Resol. #433-2015 - Authorizing Donation of Backhoe to the Fair Lawn Board of Education
 - i. Resol. #434-2015 - Authorizing Waiving of Water Bill: 39-06 Northern Drive
 - j. Resol. #435-2015 - Authorizing Execution of Bergen County Community Development Grant Application - Roadway Improvements
 - k. Resol. #436-2015 - Authorizing Execution of Bergen County Community Development Grant Application - Barrier Free Improvements
 - l. Resol. #437-2015 - Approving Change Order #1: Project 2232 - Library Restroom Renovations

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

**11. RESOLUTION NO. 438-2015 - APPROVAL OF MINUTES:
REGULAR MEETING 10/27/15**

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

12. 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.

**13. CLOSED SESSION RESOLUTION - CONTRACT NEGOTIATIONS - BLUE AND
WHITE COLLAR ASSOCIATION AND
SUPERVISORS ASSOCIATION**

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

14. ADJOURNMENT:

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

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

November 24, 2015

RESOLUTION NO. 424-2015

By

Seconded by

BE IT RESOLVED that Ordinance No. 2368-2015 entitled:

“AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN 2000, SPECIFICALLY TO AMEND CHAPTER 150 ENTITLED "NOISE", MORE PARTICULARLY SECTION 150-10 ENTITLED "CONSTRUCTION AND DEMOLITION”

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 8th day of December, 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. 2368-2015

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN 2000, SPECIFICALLY TO AMEND CHAPTER 150 ENTITLED "NOISE", MORE PARTICULARLY SECTION 150-10 ENTITLED "CONSTRUCTION AND DEMOLITION"

WHEREAS, the Mayor and Council of the Borough of Fair Lawn have the authority to regulate noise as a public health nuisance under the statute known as Health and Vital Statistics (N.J.S.A. 26:3-45 et seq.), which is enforced by the local health agency, or under the Code of Criminal Justice as a disorderly persons offense (N.J.S.A. 2C: 33-12), which is enforced by the local police; and

WHEREAS, the Mayor and Council of the Borough of Fair Lawn publicly declare their concern for the public health of residents as a result of noise from the operation of any tools or equipment used in construction, drilling, earthmoving, excavating or demolition work within industrial or commercial property; and

WHEREAS, the Mayor and Council of the Borough of Fair Lawn desire to balance the needs of the construction and demolition businesses with the needs and public health of our residents; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Fair Lawn that the following amendment be made to Chapter 150 ([brackets] denote deletions and underline denotes additions):

SECTION 1. Borough Code §150-10A (3) entitled "Construction and demolition", is hereby amended as follows:

[Such work occurs within an industrial or commercial property, and the resulting noise does not impact on any residential property at a decibel level exceeding those in Table I above measured at the receiving residence].

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: November 24, 2015

Adopted:

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

November 24, 2015

RESOLUTION NO. 425-2015

By

Seconded by

BE IT RESOLVED that Ordinance No. 2369-2015 entitled:

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN 2000, BY AMENDING AND SUPPLEMENTING CHAPTER 232 ENTITLED "VEHICLES AND TRAFFIC", ARTICLE II, "PARKING", SUBSECTION 232-11, PARKING PROHIBITED DURING CERTAIN HOURS ON CERTAIN STREETS, AND ARTICLE VIII "TRAFFIC", SUBSECTION 232-50 "BUS STOPS"

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 8th day of December, 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. 2369-2015

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF FAIR LAWN 2000, BY AMENDING AND SUPPLEMENTING CHAPTER 232 ENTITLED "VEHICLES AND TRAFFIC", ARTICLE II, "PARKING", SUBSECTION 232-11, PARKING PROHIBITED DURING CERTAIN HOURS ON CERTAIN STREETS, AND ARTICLE VIII "TRAFFIC", SUBSECTION 232-50 "BUS STOPS"

SECTION 1. **Subsection 232-11 F.** Between 8:00 a.m. and 10:00 a.m. prevailing time, Monday through Friday, except holidays, is hereby amended as follows:

Add:

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
Fairclough Place	North	From Orchard Street to a point 275 feet easterly therefrom

SECTION 2. **Subsection 232-50,** Bus Stops is hereby amending as follows:

The following described locations are hereby designated as "bus stops":

A. Along Fair Lawn Avenue westbound on the northerly side thereof at:

Delete:

(8) Plaza Road (far side) beginning at the westerly curb line of Plaza Road and extending 150 feet westerly therefrom.

Add:

(8) Between Plaza Road and Pollitt Drive (mid-block) beginning 200 feet west of the westerly curb line of Plaza Road and extending 135 feet westerly herefrom.

SECTION 3. 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 4. All ordinances, codes or parts thereof that are inconsistent with this Ordinance are repealed or otherwise modified.

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: November 24, 2015
Adopted:

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

November 24, 2015

CONSENT AGENDA 22-2015

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. #426-2015 - Approval of Minutes:
Regular Meeting 10/13/15
Work Session 10/20/15
Closed Session 10/20/15
- b. Resol. #427-2015 - Confirmation of Fire Board Actions
- c. Resol. #428-2015 - Transfer of Funds
- d. Resol. #429-2015 - Issuance of Special Emergency Notes
- e. Resol. #430-2015 - Authorizing Exercising Option for Recycling Collection - Cali Carting, Inc.
- f. Resol. #431-2015 - Refund of Overpayment of Parking Permit
- g. Resol. #432-2015 - Authorizing Sale of Packer Truck to the Borough of Midland Park
- h. Resol. #433-2015 - Authorizing Donation of Backhoe to the Fair Lawn Board of Education
- i. Resol. #434-2015 - Authorizing Waiving of Water Bill: 39-06 Northern Drive
- j. Resol. #435-2015 - Authorizing Execution of Bergen County Community Development Grant Application - Roadway Improvements
- k. Resol. #436-2015 - Authorizing Execution of Bergen County Community Development Grant Application - Barrier Free Improvements
- l. Resol. #437-2015 - Approving Change Order #1: Project 2232 - Library Restroom Renovations

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

November 24, 2015

RESOLUTION NO. 426-2015

By

Seconded by

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

Regular Meeting 10/13/15
Work Session 10/20/15
Closed Session 10/20/15

are hereby approved.

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

November 24, 2015

RESOLUTION NO. 427-2015

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:

Jonathan Hoedemaker
8-06 Henderson Blvd.
Co. 2

Timothy Hoedemaker
8-06 Henderson Blvd.
Co. 3

Casey Russell
13-17 Sperber Road, Apt. B
Co. 4

Resignation:

Mark Ferlanti
15-39 George Street
Co. 2

Leave of Absence:

Fred Donatelli
69 Ridge Road
Glen Rock, New Jersey
Co. 4

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

November 24, 2015

RESOLUTION NO. 428-2015

By

Seconded by

WHEREAS, the Borough Treasurer has certified that it has become necessary to expend for the purposes of certain accounts herein set forth, amounts in excess of sums respectively appropriated therefore; and

WHEREAS, there is an excess of appropriations in other accounts herein set forth, over and above the amounts deemed to be necessary to fulfill the purposes of such appropriations;

NOW, THEREFORE, BE IT RESOLVED that the transfers between appropriations of the 2015 Current and Water Utility Budgets in accordance with the attached list are hereby approved by the Borough Council.

Account Description	TO	FROM
Admin & Executive - Salaries & Wages	72,000	
Tax Assessor - Salaries & Wages	2,000	
Animal Control - Other Expenses	35,000	
Recreation - Salaries & Wages	85,000	
Parks - Salaries & Wages	15,000	
Electrical - Salaries & Wages	2,500	
Recycling - Salaries & Wages	128,000	
DPW Admin - Salaries & Wages	22,500	
Fire Prevention - Other Expenses	4,000	
Uniform Construction Code - Other Expenses	2,500	
Buildings & Grounds - Other Expenses	40,000	
Maintenance Garage - Other Expenses	20,000	
Police - Other Expenses	6,100	
Admin & Executive - Other Expenses	7,500	
Mayor and Council - Other Expenses		7,500
Purchase of Vehicles		6,100
Statutory Expenses - Social Security		52,500
Fire - Other Expenses		10,000
Fire Prevention - Salaries & Wages		45,000
Financial Administration - Salaries & Wages		20,000
Uniform Construction Code - Salaries & Wages		85,000
Animal Control - Salaries & Wages		76,000
Engineering - Salaries & Wages		5,000
Dispatchers - Salaries & Wages		15,000
Municipal Court - Salaries & Wages		10,000
Shade Tree - Salaries & Wages		50,000
Sewer - Salaries & Wages		30,000
Building & Grounds - Salaries & Wages		30,000
Water Operating - Emergency Contractual Services	228,000	
Water Operating - Salaries & Wages		170,000
Water Purchases		15,000
Water Operating - Insurance		23,000
Water Operating - Social Security		10,000
Water Operating - Contractual Services		10,000

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

November 24, 2015

RESOLUTION NO. 429-2015

By

Seconded by

BE IT RESOLVED by the Mayor and Council of the Borough of Fair Lawn, in the County of Bergen, State of New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), as follows:

Section 1. Pursuant to an ordinance of the Borough of Fair Lawn, in the County of Bergen, New Jersey (the "Borough") entitled: "An ordinance authorizing and appropriating \$450,000 for a special emergency for the Borough of Fair Lawn, County of Bergen reassessment program", finally adopted on September 20, 2011 (#2228-2011), special emergency notes of the Borough are hereby authorized to be issued pursuant to the Local Budget Law of New Jersey (N.J.S.A. 40A:4-1 et seq. and, in particular, N.J.S.A. 40A:4-55) in a principal amount not exceeding \$90,000, including (to any extent necessary) the renewal of any special emergency notes heretofore issued therefor.

Section 2. The following matters in connection with the special emergency notes (the "Notes") referred to in Section 1 hereof are hereby determined:

(a) All Notes issued hereunder shall mature at such times as may be determined by the chief financial officer, interim chief financial officer or treasurer (the "Chief Financial Officer") of the Borough, provided that no Note shall mature later than one year from the date of the first Note issued hereunder unless the Borough shall have paid and retired amounts of such Notes sufficient to allow it, in accordance with provisions of Section 40A:4-55 of the Local Budget Law, to renew a portion thereof beyond the first 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; and

(c) The Notes shall be in the form prescribed by resolution heretofore adopted by the governing body of the Borough determining the form of special emergency notes issued pursuant to the Local Budget Law, and the Notes shall be signed or sealed by the Chief Financial Officer, the Mayor and the Borough Clerk in any manner permitted by law notwithstanding that said form or resolution may otherwise provide.

Section 3. The Chief Financial Officer is hereby authorized and directed to determine all matters in connection with the Notes not determined by this or a subsequent resolution, and the Chief Financial Officer's signature upon the Notes shall be conclusive as to such determinations.

Section 4. The Chief Financial Officer is hereby authorized to sell the 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 5. Any instrument issued pursuant to this resolution shall be a general obligation of the Borough, and the Borough'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 6. The Chief Financial Officer is hereby 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 7. The Chief Financial Officer is hereby further authorized and directed to file a copy of this resolution, as adopted, and all other resolutions or ordinances relating to the authorization of the aforementioned special emergency appropriation with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey.

Section 8. The Chief Financial Officer is hereby authorized and directed to do all other matters necessary, useful, convenient or desirable to accomplish the delivery of the 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 the Notes, (ii) preparation, distribution and publication, if necessary, of a Notice of Sale with respect to the Notes, (iii) execution of a Continuing Disclosure Undertaking, with respect to the 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 Borough, 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 the Notes is not included in gross income under Section 103 of the Internal Revenue Code of 1986, as amended.

Section 9. All action heretofore taken by Borough officials with respect to the sale, issuance and delivery of the Notes is hereby ratified, confirmed, adopted and approved.

Section 10. This resolution shall take effect immediately.

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

November 24, 2015

RESOLUTION NO. 430-2015

By

Seconded by

WHEREAS, on July 30, 2013 the Borough of Fair Lawn received bids for Solid Waste Collection / Recyclable Collection; and

WHEREAS, on September 10, 2013 the Borough of Fair Lawn awarded a contract for Solid Waste Collection only to the low bidder, Cali Carting, Inc. 450 Bergen Avenue, Kearny, New Jersey 07032; and

WHEREAS, said bid specifications included options for the Recyclable Collection Service and Vegetative Waste; and

WHEREAS, by Resolution No. 321-2013 the Mayor and Council reserved the right to award the recyclable section of bid at any time during the five year contract period; and

WHEREAS, the Mayor and Council have determined that it is in the best interest of the Borough of Fair Lawn and its residents due to the cost savings that will be generated to award Option 1 Comingling/Cardboard/Newspaper and Option 2 Vegetative Waste to the low bidder, Cali Carting;

WHEREAS, pursuant to N.J.A.C. 5:30-14.5(c)4, multi-year contracts entered into for periods in excess of twelve (12) months shall be certified and charged to the respective budgets in accordance with the time(s) at which the respective work or services are performed or liability for payment is otherwise incurred. Accordingly, commitments and payments required in excess of the initial twelve (12) months are contingent upon necessary funds being appropriated in future budgets by a subsequent Governing Body; and

WHEREAS, as required by N.J.S.A. 40A:4-57, N.J.A.C. 5:30-14.5, and any other applicable requirement, the Chief Financial Officer of the Borough of Fair Lawn has ascertained that there is available funding in the budget

appropriations and the Mayor and Council are committing to provide sufficient funding to execute an agreement with Cali Carting, 450 Bergen Avenue, Kearny, New Jersey 07032 for Recyclables and Vegetative Waste Collection Services. Funds for certification are therefore being made available and certified against the appropriation for Recycling - Other Expenses.

Agreement Period:	36 months (3 years)
Yearly Amount:	
2016	\$715,000
2017	\$727,000
2018	\$740,000
Total Amount of Agreement:	\$2,182,000

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Lawn, hereby authorizes an agreement for recyclables and vegetative waste collection services to Cali Carting, 450 Bergen Avenue, Kearny, New Jersey 07032.

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

November 24, 2015

RESOLUTION NO. 431-2015

By

Seconded by

WHEREAS, Denise Ferro, 9 Sherman Place, purchased monthly parking permits through Park Mobile from December 2014 through September 2015; and

WHEREAS, due to various medical illnesses Ms. Ferro was unable to work and therefore did not use any parking spaces during that time period; and

WHEREAS, Ms. Ferro has requested that the permit fees totaling \$100.00 be refunded to her;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Fair Lawn that the Chief Financial Officer be authorized to refund Ms. Ferro in the amount of \$100.00 upon receipt of the appropriate vouchers.

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

November 24, 2015

RESOLUTION NO. 432-2015

By

Seconded by

WHEREAS, the Mayor and Council of the Borough of Fair Lawn has determined that the 2004 Volvo Packer Truck, Vin #4V5KC9GFX4N358746 is not needed for public use; and

WHEREAS, pursuant to N.J.S.A. 40A11-36 the Borough of Fair Lawn does not have to advertise for bids when it makes a sale to another governmental entity; and

WHEREAS, the Borough of Midland Park wishes to purchase said vehicle to enhance the services they provide their residents;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Lawn that the 2004 Volvo Packer truck be sold to the Borough of Midland Park in the amount of \$10,000;

BE IT FURTHER RESOLVED that this sale is subject to the receipt of an authorizing resolution from the Borough of Midland Park.

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

November 24, 2015

RESOLUTION NO. 433-2015

By

Seconded by

WHEREAS, the Borough of Fair Lawn is in possession of a 1984 Case Backhoe, Vin #9871711; and

WHEREAS, the said piece of equipment no longer suits the needs of the Borough; and

WHEREAS, the Borough of Fair Lawn would like to donate said piece of equipment to the Fair Lawn Board of Education which has a need for such equipment; and

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

WHEREAS, the Fair Lawn Board of Education is willing to accept the donation of said piece of equipment;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Fair Lawn authorizes the donation of said piece of equipment to the Fair Lawn Board of Education and the Municipal Clerk is hereby authorized to execute the appropriate transfer approved by the Borough Attorney; and

BE IT FURTHER RESOLVED that this donation is subject to the receipt of an authorizing resolution from the Fair Lawn Board of Education.

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

November 24, 2015

RESOLUTION NO. 434-2015

By

Seconded by

WHEREAS, Bruce and Rita Navarati residing at 39-06 Northern Drive received a water bill in the amount of \$2,014.40 which is much higher than their usual bill; and

WHEREAS, upon investigation it was determined by the Fair Lawn Water Department that the water meter was faulty; and

WHEREAS, said water meter has been replaced; and

WHEREAS, Mr. and Mrs. Navarati have requested that the accumulated charges of \$2,014.40 be waived.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Lawn that the amount of \$2,014.40 should be waived.

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

November 24, 2015

RESOLUTION NO. 435-2015

By

Seconded by

WHEREAS, a Bergen County Community Development grant of \$291,148.00 has been proposed by the Borough of Fair Lawn for Roadway Improvements in the municipality of the Borough 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 Community Development funds.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Fair Lawn do 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

November 24, 2015

RESOLUTION NO. 436-2015

By

Seconded by

WHEREAS, a Bergen County Community Development grant of \$34,960.00 has been proposed by the Borough of Fair Lawn for Barrier Free Improvements in the municipality of the Borough 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 Community Development funds.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Fair Lawn do 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

November 24, 2015

RESOLUTION NO. 437-2015

By

Seconded by

WHEREAS, there is an existing contract between the Borough of Fair Lawn and Palpro-Builders, LLC for Project #2232 Library Restroom Renovations; and

WHEREAS, it has been certified by the Borough Manager and Borough Engineer that the changes on the attached Change Order No. 1 (Schedule A) are required;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Fair Lawn that in accordance with the recommendations made herewith, Change Order No. 1 be and is hereby approved.

BOROUGH OF FAIR LAWN

CHANGE ORDER

DEPARTMENT OF ENGINEERING

Project: 2232 Library Restroom Renovations Number: 1
 Contractor: Palpro-Builders, LLC Date: 11/13/2015

This order covers the contract modifications hereunder described and shall be performed under the same terms and conditions included in the original contract.

Nature and reason for change:

Additional work required for ADA compliance and unforeseen plumbing and construction work discovered during wall and floor demolition.

Item No.	Description	Unit	Bid	As Built	Change	Unit Price	Amount
1	Bonds & Insurances	LS	1	1.00	0.00	\$7,400.00	0.00
2	General Condition	LS	1	1.00	0.00	\$2,600.00	0.00
3	Mobilization	LS	1	1.00	0.00	\$2,500.00	0.00
4	Supervision	LS	1	1.00	0.00	\$6,000.00	0.00
5	Demolition	LS	1	1.00	0.00	\$12,700.00	0.00
6	Ceramic Tiles (material)	LS	1	1.00	0.00	\$19,500.00	0.00
7	Ceramic Tiles (labor)	LS	1	1.00	0.00	\$15,300.00	0.00
8	Toilet Partitions (material)	LS	1	1.00	0.00	\$8,500.00	0.00
9	Toilet Partitions (labor)	LS	1	1.00	0.00	\$1,500.00	0.00
10	Toilet Accessories (material)	LS	1	1.00	0.00	\$5,500.00	0.00
11	Toilet Accessories (labor)	LS	1	1.00	0.00	\$1,500.00	0.00
12	Painting (material)	LS	1	1.00	0.00	\$1,650.00	0.00
13	Painting (labor)	LS	1	1.00	0.00	\$2,850.00	0.00
14	Lighting Fixtures (material)	LS	1	1.00	0.00	\$12,000.00	0.00
15	Lighting Fixtures (labor)	LS	1	1.00	0.00	\$2,300.00	0.00
16	Plumbing Fixtures (material)	LS	1	1.00	0.00	\$15,600.00	0.00
17	Plumbing Fixtures (labor)	LS	1	1.00	0.00	\$10,500.00	0.00
18	Base Board Cover (material)	LS	1	1.00	0.00	\$2,500.00	0.00
19	Base Board Cover (labor)	LS	1	1.00	0.00	\$1,000.00	0.00
20	Punchlist	LS	1	1.00	0.00	\$1,000.00	0.00
21	Closeouts	LS	1	1.00	0.00	\$2,000.00	0.00
1s	Additional Wall Sheathing Group A&B	LS	0	1.00	1.00	\$1,418.78	1,418.78
2s	Additional Floor Level Group A&B	LS	0	1.00	1.00	\$3,285.09	3,285.09
3s	Mixing Valves	LS	0	1.00	1.00	\$4,170.64	4,170.64
4s	New Toilet Carriers Group C&D	LS	0	1.00	1.00	\$14,069.95	14,069.95

Amount of Original Contract: \$134,400.00
 Adjusted Amount: _____
 Based on Change Orders: 1, . . . \$157,344.46
 % Change in Contract: 17.1
 Approved: _____

Extra: _____
 Supplemental: \$22,944.46
 Reduction: _____
 Total Change: \$22,944.46

 Kenneth R. Garrison Jr. (Borough Engineer)

 (Date)

 (Contractor) (Date)

 Jim VanKruiningen (Borough Manager)

 (Date)

Aye Nay Abstain

Dunay
Lefkowitz
Peluso
Swain
Cosgrove

November 24, 2015

RESOLUTION NO. 438-2015

By

Seconded by

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

Regular Meeting 10/27/15

are hereby approved.