

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.**

**MARCH 22, 2016**

1. **Call to Order by Mayor**
2. **Statement of Compliance with the Open Public Meetings Act**
3. **Roll Call**
4. **Flag Salute**
5. **SWEARING IN OF POLICE CHAPLAIN**
6. **PROCLAMATIONS: NATIONAL WOMEN'S HISTORY MONTH**
7. **COUNCIL COMMENTS**
8. **MANAGER'S REPORT**
9. **PUBLIC HEARING ON 2016 BUDGET**
  - Mayor asks for a motion to open the time for public hearing on the 2016 Budget. Mayor asks for Mover, Secunder, Discussion, Roll Call.
  - Mayor opens time for public comments asking if anyone wishes to be heard.
  - Mayor calls for motion to close the time for public comments. Mayor asks for a Mover, Secunder, Roll Call.
  - Mayor closes the time for public comments.
10. **RESOLUTION NO. 126-2016 ADOPTION OF 2016 BUDGET**
  - Mayor asks Municipal Clerk to read resolution. Mover, Secunder, Discussion, Roll Call.
11. **PUBLIC HEARING ON RRIC BUDGET AND CONSIDERATION OF ASSESSMENTS IN THE RIVER ROAD IMPROVEMENT DISTRICT**
  - Mayor asks for a motion to open the time for public hearing on the RRIC Budget and the assessments in the River Road Special

Improvement District.

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

**12. RESOLUTION NO. 127-2016 ADOPTION OF RRIC BUDGET**

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

**13. PUBLIC HEARING ON BIC BUDGET AND CONSIDERATION OF ASSESSMENTS IN THE BROADWAY IMPROVEMENT DISTRICT**

- Mayor asks for a motion to open the time for public hearing on the BIC Budget and the assessments in the Broadway Special Improvement District.
- Mayor asks for Mover, Secunder, Discussion, Roll Call.
- Mayor opens time for public comments asking if anyone wishes to be heard.
- Mayor calls for motion to close the time for public comments. Mayor asks for a Mover, Secunder, Roll Call.
- Mayor closes the time for public comments.

**14. RESOLUTION NO. 128-2016 ADOPTION OF BIC BUDGET**

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

**15. ORDINANCES ON FIRST READING:**

**ORDINANCE NO. 2376-2016  
(RESOLUTION NO. 129-2016)**

**BOND ORDINANCE APPROPRIATING \$2,300,000, AND AUTHORIZING THE ISSUANCE OF \$2,190,000 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 (GENERAL IMPROVEMENTS).**

- 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. 2377-2016  
(RESOLUTION NO. 130-2016)**

**BOND ORDINANCE PROVIDING FOR THE IMPROVEMENT OF VARIOUS ROADS IN AND BY THE BOROUGH OF FAIR LAWN, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$1,510,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,438,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION (ROADS).**

- 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. 2378-2016  
(RESOLUTION NO. 131-2016)**

**BOND ORDINANCE APPROPRIATING \$1,140,000, AND AUTHORIZING THE ISSUANCE OF \$1,085,000 BONDS OR NOTES OF THE BOROUGH, FOR VARIOUS WATER SUPPLY AND DISTRIBUTION SYSTEM IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH OF FAIR LAWN, IN THE COUNTY OF BERGEN, NEW JERSEY (WATER UTILITY).**

- 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.

**16. ORDINANCES ON SECOND READING:****ORDINANCE NO. 2374-2016  
(RESOLUTION NO. 132-2016)****AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14) CALENDAR YEAR 2016**

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

**ORDINANCE NO. 2375-2016  
(RESOLUTION NO. 133-2016)****AN ORDINANCE TO PROVIDE FOR A CERTAIN CAPITAL IMPROVEMENT IN THE BOROUGH OF FAIR LAWN AND TO PROVIDE FOR THE RECEIPT, ACCEPTANCE AND DEPOSIT OF FUNDS THEREFORE (NAUGLE-VANDERBECK HOUSE)**

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

**ORDINANCE NO. 2379-2016  
(RESOLUTION NO. 134-2016)****AN ORDINANCE TO PROVIDE FOR A CERTAIN CAPITAL IMPROVEMENT IN THE BOROUGH OF FAIR LAWN AND TO PROVIDE FOR THE RECEIPT, ACCEPTANCE AND DEPOSIT OF FUNDS FROM THE COUNTY OF BERGEN, DEPARTMENT OF ADMINISTRATION AND FINANCE COMMUNITY DEVELOPMENT DIVISION THEREFORE (ROAD RESURFACING)**

- Mayor asks for a motion to open the time for public comments. Mayor asks for a Mover, Secunder, Roll Call.
- Mayor opens time for public comments asking if anyone wishes to be heard.
- Mayor calls for a motion to close the time for public comments. Mayor asks for a Mover, Secunder, Roll Call.
- Municipal Clerk reads the Resolution of Adoption. Mayor asks for a Mover, Secunder, Discussion, Roll Call.

**ORDINANCE NO. 2380-2016  
(RESOLUTION NO. 135-2016)**

**AN ORDINANCE TO PROVIDE FOR A CERTAIN CAPITAL IMPROVEMENT IN THE BOROUGH OF FAIR LAWN AND TO PROVIDE FOR THE RECEIPT, ACCEPTANCE AND DEPOSIT OF FUNDS FROM THE COUNTY OF BERGEN, DEPARTMENT OF ADMINISTRATION AND FINANCE DIVISION OF COMMUNITY DEVELOPMENT THEREFORE (SENIOR CENTER ROOM DIVIDER)**

- Mayor asks for a motion to open the time for public comments. Mayor asks for a Mover, Secunder, Roll Call.
- Mayor opens time for public comments asking if anyone wishes to be heard.
- Mayor calls for a motion to close the time for public comments. Mayor asks for a Mover, Secunder, Roll Call.
- Municipal Clerk reads the Resolution of Adoption. Mayor asks for a Mover, Secunder, Discussion, Roll Call.

**ORDINANCE NO. 2381-2016  
(RESOLUTION NO. 136-2016)**

**AN ORDINANCE TO AMEND ORDINANCE NO. 1687-97 ENTITLED "AN ORDINANCE CREATING THE RIVER ROAD SPECIAL IMPROVEMENT DISTRICT WITHIN THE BOROUGH OF FAIR LAWN AND DESIGNATING A DISTRICT MANAGEMENT CORPORATION", AMENDING SCHEDULE A**

- Mayor asks for a motion to open the time for public comments. Mayor asks for a Mover, Secunder, Roll Call.
- Mayor opens time for public comments asking if anyone wishes to be heard.
- Mayor calls for a motion to close the time for public comments. Mayor asks for a Mover, Secunder, Roll Call.
- Municipal Clerk reads the Resolution of Adoption. Mayor asks for a Mover, Secunder, Discussion, Roll Call.

**ORDINANCE NO. 2382-2016  
(RESOLUTION NO. 137-2016)**

**AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 13 ENTITLED "FIRE DEPARTMENT" BY ADDING ARTICLE XIX "ENTITLED REFLECTIVE SYMBOL ON STRUCTURES USING ENGINEERED LUMBER"**

- Mayor asks for a motion to open the time for public comments. Mayor asks for a Mover, Secunder, Roll Call.
- Mayor opens time for public comments asking if anyone wishes to be heard.
- Mayor calls for a motion to close the time for public comments. Mayor asks for a Mover, Secunder, Roll Call.
- Municipal Clerk reads the Resolution of Adoption. Mayor asks for a Mover, Secunder, Discussion, Roll Call.

**17. PUBLIC COMMENTS ON CONSENT AGENDA ITEMS ONLY**

- Mayor calls for a motion to open time for public comments on Consent Agenda items only. Mayor asks for a Mover, Secunder, Roll Call.
- Mayor opens time for public comments asking if anyone wishes to be heard.
- Mayor calls for a motion to close the time for public comments. Mayor asks for a Mover, Secunder, Roll Call.
- Mayor closes the time for public comments.

**18. RESOLUTIONS BY CONSENT #5-2016**

- Municipal Clerk reads Resolutions by Consent.
  - a. Resol. #138-2016 – Approval of Minutes:
    - Budget Meeting 1/19/16
    - Regular Meeting 1/26/16
    - Budget Meeting 2/2/16
    - Work Session 2/9/16
    - Closed Session 2/9/16
    - Regular Meeting 2/16/16
  - b. Resol. #139-2016 – Transfer of Funds
  - c. Resol. #140-2016 – Interlocal Agreement - Bergen County Law Enforcement Mutual Aid
  - d. Resol. #141-2016 – Change Order #1 – 2245 Installation of Emergency Generators at Various Emergency Services Facilities

- e. Resol. #142-2016 - Authorizing Issuance of Requests for Proposals for Private Collection Agency of Municipal Court Debt
- f. Resol. #143-2016 – Refund of Overpayment of Taxes
- g. Resol. #144-2016 – Cancel & Refund Year 2016 Property Tax Due to Property Tax Classification Change from Taxable to Exempt
- h. Resol. #145-2016 - Cancel Year 2016 Property Tax Due to Property Tax Classification Change from Taxable to Exempt
- i. Resol. #146-2016 - Authorizing Licensing of Massage Establishment License: Sunshine Spa of Fair Lawn Inc.
- j. Resol. #147-2016 - Award of Bid: Project 2256 Scada System Maintenance and Improvements
- k. Resol. #148-2016 – Authorizing Execution of Memorandum of Understanding for Public Health Case Management for Childhood Lead Poisoning
- l. Resol. #149-2016 - Authorizing Procurement of the Concession Stand of Memorial Pool by Informal Quotes
- m. Resol. #150-2016 – Appointment to the Green Team Advisory Committee
- n. Resol. #151-2016 – Professional Services: Animal Control Services
- o. Resol. #152-2016 – Amending the Fair Lawn Affordable Housing Project Agreement
- p. Resol. #153-2016 – Appointments to the Zoning Board of Adjustment
- q. Resol. #154-2016 – Flood Planning Program Report
- r. Resol. #155-2016 – Tax Appeal Settlement: Health Resources of Fair Lawn, LLC – 12-15 Saddle River Road
- s. Resol. #156-2016 – Tax Appeal Settlement: Robert & Helen Rubinstein – 15-31 Landzettel Way
- t. Resol. #157-2016 – Tax Appeal Settlement: Thomas Sartoga – 14-16 Broadway
- u. Resol. #158-2016 – Tax Appeal Settlement: V. Stillman/ McDonald's Real Estate – 37-01 Broadway
- v. Resol. #159-2016 – Tax Appeal Settlement: Pollitt Realty, LLC – 15-01 Pollitt Drive, Unit 9
- w. Resol. #160-2016 – Award of Bid: Project #2205 Fair Lawn Avenue Improvements (Various Intersections)
- x. Resol. #161-2016 – Confirmation of Fire Board Actions

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

**19. RESOLUTION NO. 162-2016 - APPROVAL OF MINUTES**

Budget Meeting 1/19/16

- Municipal Clerk reads resolution. Mayor asks for a Mover, Seconder, Roll Call.

**20. PUBLIC COMMENTS**

- Mayor calls for a motion to open time for public comments. Mover, Seconder, Roll Call.
- Mayor opens time for public comments.
- Mayor calls for a motion to close the time for public comments. Mover, Seconder, Roll Call.
- Mayor closes the time for public comments.

**21. CLOSED SESSION RESOLUTION – PERSONNEL – GRIEVANCE NO. 2016-01**

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

**22. ADJOURNMENT:**

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



**SUMMARY OF APPROPRIATIONS**

5. GENERAL APPROPRIATIONS:		
Within "CAPS"		
(a&b) Operations Including Contingent	XXXXXX	XXXXXXXXXXXXXXXXXX
(e) Deferred Charges and Statutory Expenditures - Municipal	XXXXXXXX	XXXXXXXXXXXXXXXXXX
(g) Cash Deficit		33,353,350.00
Excluded from "CAPS"		4,098,634.00
(a) Operations - Total Operations Excluded from "CAPS"	XXXXXXXX	XXXXXXXXXXXXXXXXXX
(c) Capital Improvements		4,392,870.00
(d) Municipal Debt Service		315,000.00
(e) Deferred Charges - Municipal		3,700,000.00
(f) Judgements		91,788.35
(n) Transferred to Board of Education for Use of Local Schools (N.J.S.A. 40A:48-17.1 & 17.3)		
(g) Cash Deficit		
(k) For Local District School Purposes		
(m) Reserve for Uncollected Taxes (Include Other Reserves if any)		3,300,000.00
<b>6. SCHOOL APPROPRIATIONS - TYPE I SCHOOL DISTRICTS ONLY (N.J.S.A. 40A:4-13)</b>		<b>3,300,000.00</b>
<b>Total Appropriations</b>		<b>49,251,842.35</b>

It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution of the Governing Body on the 10th day of March 2016. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 2015 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

Certified by me this 22th day of March 2016, \_\_\_\_\_ Clerk.

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

March 22, 2016

**RESOLUTION NO. 127-2016**

By  
Seconded by

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Fair Lawn, County of Bergen that the Budget for the River Road Special Improvement District herein before set forth is hereby adopted and shall constitute an appropriation for the purposes stated and all the sums therein set forth as appropriations and authorization of the amount of

\$150,000 River Road Special Improvement District Budget

2016 RIVER ROAD SPECIAL IMPROVEMENT DISTRICT

<u>ANTICIPATED REVENUE</u>	<u>PRIVATE</u>	<u>BOROUGH</u>	<u>ASSESSMENT</u>	<u>TOTAL</u>
Trustees, Fees	2,375	0	0	2,375
Other	33,815	800	150,000	184,615
<b>TOTAL REVENUES</b>	<b>36,190</b>	<b>800</b>	<b>150,000</b>	<b>186,990</b>
<u>APPROPRIATIONS</u>				
Administration Expenses				70,400
Other Operating Expenses				33,600
Promotional/Marketing Exp				58,500
Planning & Economic Development				21,000
Reserve Fund				3,490
<b>TOTAL APPROPRIATIONS</b>				<b>186,990</b>

\$0.114 per \$100 of Assessed Valuation

Net Assessed Value	2016	\$131,572,300
Tax Rate		0.114

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

March 22, 2016

**RESOLUTION NO. 128-2016**

By  
Seconded by

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Fair Lawn, County of Bergen that the Budget for the Broadway Special Improvement District herein before set forth is hereby adopted and shall constitute an appropriation for the purposes stated and all the sums therein set forth as appropriations and authorization of the amount of

\$120,200 Broadway Special Improvement District Budget

2016 BROADWAY SPECIAL IMPROVEMENT DISTRICT

<u>ANTICIPATED REVENUE</u>	<u>PRIVATE</u>	<u>SPECIAL ASSESSMENT</u>	<u>TOTAL</u>
Trustees, Fees	1,750	0	1,750
Other	23,375	120,200	143,775
<b>TOTAL REVENUES</b>	<b>25,125</b>	<b>120,200</b>	<b>145,525</b>
<u>APPROPRIATIONS</u>			
Administrations (Operations)			69,500
Operations (Appearance)			20,500
Promotional/Marketing Exp			36,000
Planning Economic and Development			15,000
Capital Reserve Fund			4,525
<b>TOTAL APPROPRIATIONS</b>			<b>145,525</b>
	\$0.080 per \$100 of Assessed Valuation		
Net Assessed Value	2016		\$150,136,900
Tax Rate			0.080

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

March 22, 2016

**RESOLUTION NO. 129-2016**

By

Seconded by

**BE IT RESOLVED** that Ordinance No. 2376-2016 entitled:

**BOND ORDINANCE APPROPRIATING \$2,300,000, AND  
AUTHORIZING THE ISSUANCE OF \$2,190,000 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 (GENERAL IMPROVEMENTS).**

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 19th day of April, 2016, 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. 2376-2016**

**BOND ORDINANCE APPROPRIATING \$2,300,000, AND AUTHORIZING THE ISSUANCE OF \$2,190,000 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 (GENERAL IMPROVEMENTS).**

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

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized as general improvements to be made or acquired by the Borough of Fair Lawn, New Jersey. For the said several improvements or purposes stated in said Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriations made for said improvements or purposes, said sums being inclusive of all appropriations heretofore made therefor and amounting in the aggregate to \$2,300,000 including the aggregate sum of \$110,000 as the several down payments for said improvements or purposes required by law and more particularly described in said Section 3 and now available therefor by virtue of provision in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes.

Section 2. For the financing of said improvements or purposes and to meet the part of said \$2,300,000 appropriations not provided for by application hereunder of said down payments, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$2,190,000 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in a principal amount not exceeding \$2,190,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

Section 3. The improvements hereby authorized and the several purposes for the financing of which said obligations are to be issued, the appropriation made for and estimated cost of each such purpose, and the estimated maximum amount of bonds or notes to be issued for each such purpose, are respectively as follows:

<u>IMPROVEMENT OR PURPOSE</u>	<u>APPROPRIATION AND ESTIMATED COST</u>	<u>ESTIMATED MAXIMUM AMOUNT OF BONDS AND NOTES</u>
<p>(a) Acquisition by purchase and installation, as necessary, of new and additional equipment, including stretchers, loaders and personal protective equipment for use by the Ambulance Squad of the Borough, roll off containers and street signs for use by the Department of Public Works of the Borough, personal protective equipment, self-contained breathing apparatus and pagers for use by the Fire Department of the Borough, confined space equipment and personal protection equipment for use by the Office of Emergency Management of the Borough, lighting equipment and equipment, for use by the Parks and Recreation Department of the Borough, and body armor, a storage unit and video equipment for use by the Police Department of the Borough, together with for all the aforesaid all attachments, appurtenances and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved</p>	\$498,900	\$475,000

(b) Improvement of municipally-owned properties and facilities in and by the Borough, including the Municipal Buildings by the renovation thereof and the improvement of heating, ventilation and air conditioning system, the Naugle House by the renovation thereof, VanderPlaat Field by the installation of a new pitching mound, Garger Field and Zuckerman Field by the upgrade of the

infields thereof, Borough parks and fields by the installation of new fencing and the improvements thereof, the Free Public Library and the Parks and Recreation offices by the installation of new carpeting, together with for all the aforesaid all landscaping, equipment, structures, site work, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved

530,100

504,800

(c) Improvement of the storm water drainage system and the sanitary sewerage system in and by the Borough, the reconstruction and renovation of sanitary sewer lines, pumping stations and the Radburn station, together with all structures, equipment, site work, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved

148,500

141,400

(d) Acquisition by purchase and installation, as necessary, of new and additional computer equipment, including computer upgrades, software and video streaming equipment for use by the various departments of the Borough, together with all appurtenances, attachments and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved

120,600

114,800

(e) Acquisition by purchase of new and

874,100

832,300

additional vehicular equipment, including one (1) utility vehicle for use by the Department of Public Works of the Borough, one (1) utility vehicle for use by the Fire Department of the Borough, one (1) Hazmat/Rescue truck and two (2) utility vehicles for use by the Office of Emergency Management of the Borough, one (1) pick-up truck for use by the Parks and Recreation Department of the Borough, and one (1) utility vehicle for use by the Police Department of the Borough, together with all attachments, appurtenances and equipment necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved

(f) The acquisition by purchase of rights and interests in lands for the improvement of roadways, including all surveys and studies associated therewith, all shown on and in accordance with the plans therefor on file or to be filed in the office of the Borough Clerk and hereby approved

	<u>127,800</u>	<u>121,700</u>
Totals	\$2,300,000	\$2,190,000

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the said down payment for said purpose.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purposes described in Section 3 of this bond ordinance are not current expenses and each is a property or improvement which the Borough may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby,

(b) The average period of usefulness of said purposes within the limitations of said Local Bond Law and taking into consideration the respective amounts of the said obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 13.78 years.

(c) The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$2,190,000, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) Amounts not exceeding \$230,000 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under Section 40A:2-20 of said Local Bond Law may be included as part of the costs of said improvements and are included in the foregoing estimate thereof.

Section 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Borough at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

Section 6. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct,

unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of said obligations and interest thereon without limitation of rate or amount.

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

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

ATTEST:

APPROVED:

---

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

---

John Cosgrove, Mayor

Introduced: March 22, 2016

Adopted:

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

March 22, 2016

**RESOLUTION NO. 130-2016**

By

Seconded by

**BE IT RESOLVED** that Ordinance No. 2377-2016 entitled:

**BOND ORDINANCE PROVIDING FOR THE IMPROVEMENT OF VARIOUS ROADS IN AND BY THE BOROUGH OF FAIR LAWN, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$1,510,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,438,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION (ROADS).**

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 19th day of April, 2016, 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 2377-2016

**BOND ORDINANCE PROVIDING FOR THE IMPROVEMENT OF VARIOUS ROADS IN AND BY THE BOROUGH OF FAIR LAWN, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$1,510,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,438,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION (ROADS).**

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

Section 1. The improvement described in Section 3 of this bond ordinance is hereby authorized as a general improvement to be made or acquired by the Borough of Fair Lawn, New Jersey. For the said improvement or purpose stated in said Section 3, there is hereby appropriated the sum of \$1,510,000, said sum being inclusive of all appropriations heretofore made therefor and including the sum of \$72,000 as the down payment for said improvement or purpose required by law and now available therefor by virtue of provision in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes.

Section 2. For the financing of said improvement or purpose and to meet the part of said \$1,510,000 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$1,438,000 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Borough in a principal amount not exceeding \$1,438,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

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

and specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved.

(b) The estimated maximum amount of bonds or notes to be issued for said purpose is \$1,438,000.

(c) The estimated cost of said purpose is \$1,510,000, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor being the amount of the said \$72,000 down payment for said purpose.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purpose described in Section 3 of this bond ordinance is not a current expense and is a property or improvement which the Borough may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of said purpose within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is ten (10) years.

(c) The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$1,438,000, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$150,000 for interest on said obligations, costs of issuing said obligations and other items of expense listed in and permitted under section 40A:2-20 of said Local Bond Law may be included as part of the cost of said improvement and is included in the foregoing estimate thereof.

Section 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be

determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. §40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Borough at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

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

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

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

ATTEST:

APPROVED:

---

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

---

John Cosgrove, Mayor

Introduced: March 22, 2016

Adopted:

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

March 22, 2016

**RESOLUTION NO. 131-2016**

By

Seconded by

**BE IT RESOLVED** that Ordinance No. 2378-2016 entitled:

**BOND ORDINANCE APPROPRIATING \$1,140,000, AND AUTHORIZING THE ISSUANCE OF \$1,085,000 BONDS OR NOTES OF THE BOROUGH, FOR VARIOUS WATER SUPPLY AND DISTRIBUTION SYSTEM IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH OF FAIR LAWN, IN THE COUNTY OF BERGEN, NEW JERSEY (WATER UTILITY).**

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 19th day of April, 2016, 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. 2378-2016**

**BOND ORDINANCE APPROPRIATING \$1,140,000, AND AUTHORIZING THE ISSUANCE OF \$1,085,000 BONDS OR NOTES OF THE BOROUGH, FOR VARIOUS WATER SUPPLY AND DISTRIBUTION SYSTEM IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH OF FAIR LAWN, IN THE COUNTY OF BERGEN, NEW JERSEY (WATER UTILITY).**

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

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized as general improvements to be made or acquired by the Borough of Fair Lawn, New Jersey. For the said several improvements or purposes stated in said Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriations made for said improvements or purposes, said sums being inclusive of all appropriations heretofore made therefor and amounting in the aggregate to \$1,140,000 including the aggregate sum of \$55,000 as the several down payments for said improvements or purposes required by law and more particularly described in said Section 3 and now available therefor by virtue of provision in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes.

Section 2. For the financing of said improvements or purposes and to meet the part of said \$1,140,000 appropriations not provided for by application hereunder of said down payments, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$1,085,000 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in a principal amount not exceeding \$1,085,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

Section 3. The improvements hereby authorized and the several purposes for the financing of which said obligations are to be issued, the appropriation made for and estimated cost of each such purpose, and the estimated maximum amount of bonds or notes to be issued for each such purpose, are respectively as follows:

<u>IMPROVEMENT OR PURPOSE</u>	<u>APPROPRIATION AND ESTIMATED COST</u>	<u>ESTIMATED MAXIMUM AMOUNT OF BONDS AND NOTES</u>
(a) Acquisition by purchase of new and additional vehicular equipment for use by the water utility of the Borough, including one (1) utility vehicle with plow, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved	\$39,000	\$37,000
(b) Improvement of the water supply and distribution system in and by the Borough, including by the upgrade of the water system, the installation of new water meters, the upgrade and renovation of the water house, wells, well houses, and pumping stations, and the upgrade of the Scada system, together with all structures, equipment, site work, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved	918,000	874,000
(c) Acquisition by purchase of new and additional equipment for use by the water utility of the Borough, including one (1) air compressor, one (1) valve maintenance trailer system and one (1) storage shed, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved	<u>183,000</u>	<u>174,000</u>
Totals	\$1,140,000	\$1,085,000

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the said down payment for said purpose.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purposes described in Section 3 of this bond ordinance are not current expenses and each is a property or improvement which the Borough may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said purposes within the limitations of said Local Bond Law and taking into consideration the respective amounts of the said obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 34.7 years.

(c) The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$1,085,000, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) Amounts not exceeding \$112,000 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under Section 40A:2-20 of said Local Bond Law may be included as part of the costs of said improvements and are included in the foregoing estimate thereof.

Section 5 All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder

may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Borough at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

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

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

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

ATTEST:

APPROVED:

---

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

---

John Cosgrove, Mayor

Introduced: March 22, 2016

Adopted:

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

March 22, 2016

**RESOLUTION NO. 132-2016**

By

Seconded by

**BE IT RESOLVED** that Ordinance No. 2374-2016 entitled:

**AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET  
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A.  
40A: 4-45.14) CALENDAR YEAR 2016**

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. 2381-2016**

**AN ORDINANCE TO AMEND ORDINANCE NO. 1687-97 ENTITLED "AN ORDINANCE CREATING THE RIVER ROAD SPECIAL IMPROVEMENT DISTRICT WITHIN THE BOROUGH OF FAIR LAWN AND DESIGNATING A DISTRICT MANAGEMENT CORPORATION", AMENDING SCHEDULE A**

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

**SECTION 1.** Schedule A is hereby amended as follows:

Delete the property known as Block 5723, Lot 7 located at 17-10 River Road, #3A and owned by the Jewish Historical Society as an assessable property and add said property as an exempt property.

Delete the property known as Block 5723, Lot 7 located at 17-10 River Road, #3E and owned by the Jewish Historical Society as an assessable property and add said property as an exempt property.

**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: February 16, 2016  
Adopted:

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

March 22, 2016

**RESOLUTION NO. 133-2016**

By

Seconded by

**BE IT RESOLVED** that Ordinance No. 2375-2016 entitled:

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

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. 2375-2016**

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

**WHEREAS**, the Borough of Fair Lawn has been approved to receive grant funding from the Bergen County Open Space, Recreation, Farmland & Historical Preservation Trust Fund in the amount of \$ 115,000 for Project Number 15-00393, for the purpose of the Naugle-Vanderbeck House, and;

**WHEREAS**, receipt of the above grant requires an equal match of funding from the Borough of Fair Lawn, and;

**WHEREAS** at the direction of the Borough Manager and approval of the Mayor and Council, via this ordinance, the Borough of Fair Lawn's match requirement for the above stated grant was funded in the 2014 Capital Budget, Capital Ordinance #2310-2014 Account # C-04-14-310-165-913;

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

**SECTION 1.** The Borough of Fair Lawn in the County of Bergen shall proceed with Project Number: 15-00393, as detailed in the attached grant for the Bergen County Open Space, Recreation, Farmland & Historical Preservation Trust Fund.

**SECTION 2.** The cost of completing said improvement set forth in Section 1 shall be provided by the Bergen County Open Space, Recreation, Farmland & Historical Preservation Trust Fund in the amount of \$115,000 and by the grant required match of the Borough of Fair Lawn 2014 Capital Budget Capital Ordinance #2310-2014,

Account # C-04-14-310-165-913.

**SECTION 3.** It is hereby determined and stated:

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

(b) It is not necessary to finance said purpose by the issuance of obligations by the Borough of Fair Lawn pursuant to the Local Bond Law of the State of New Jersey, for the reason that monies sufficient to cover the whole cost, as set forth is authorized and available through the Bergen County Open Space, Recreation, Farmland & Historical Preservation Trust Fund.

**SECTION 4.** It is hereby determined and stated that no supplemental debt statement is required to be made and signed in connections with said purpose, since the gross debt of the Municipality as defined under the Local Bond Law is not increased by this ordinance and no obligations in the matter of notes or bonds are authorized by this ordinance.

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

Attest:

Approved:

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

\_\_\_\_\_  
John Cosgrove  
Mayor

Introduced: February 16, 2016  
Adopted:

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

March 22, 2016

**RESOLUTION NO. 134-2016**

By

Seconded by

**BE IT RESOLVED** that Ordinance No. 2379-2016 entitled:

**AN ORDINANCE TO PROVIDE FOR A CERTAIN CAPITAL IMPROVEMENT  
IN THE BOROUGH OF FAIR LAWN AND TO PROVIDE FOR THE RECEIPT,  
ACCEPTANCE AND DEPOSIT OF FUNDS FROM THE COUNTY OF  
BERGEN, DEPARTMENT OF ADMINISTRATION AND FINANCE  
COMMUNITY DEVELOPMENT DIVISION THEREFORE (ROAD  
RESURFACING)**

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. 2379-2016**

**AN ORDINANCE TO PROVIDE FOR A CERTAIN CAPITAL IMPROVEMENT IN THE BOROUGH OF FAIR LAWN AND TO PROVIDE FOR THE RECEIPT, ACCEPTANCE AND DEPOSIT OF FUNDS FROM THE COUNTY OF BERGEN, DEPARTMENT OF ADMINISTRATION AND FINANCE COMMUNITY DEVELOPMENT DIVISION THEREFORE (ROAD RESURFACING)**

**WHEREAS**, the Borough of Fair Lawn has been approved to receive funds from the County of Bergen, Department of Administration and Finance Division of Community Development; and

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

**SECTION 1.** The Borough of Fair Lawn in the County of Bergen shall proceed with the following improvements at the cost following the items hereinafter set forth.

**Road Resurfacing           \$ 183,900**  
Contract Number CN-02-15  
Account Number 21-213-765-155-32-09

**SECTION 2.** The cost of completing said improvement set forth in Section 1 shall be paid by the Borough out of funds to be received specifically for said purpose in the amount of \$183,900 through the County of Bergen Community Development Block Grant Program.

**SECTION 3.** It is hereby determined and stated:

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

(b) It is not necessary to finance said purpose by the issuance of obligations by the Borough of Fair Lawn pursuant to the Local Bond Law is not increased buy this ordinance and no obligations in the matter of notes or bonds are authorized by the his ordinance.

**SECTION 4.** It is hereby determined and stated that no supplemental debt statement is required to be made and signed in connection with said purpose, since the gross debt of the Municipality as defined under the Local

Bond Law is not increased by this ordinance and no obligations in the matter of notes or bonds are authorized by this ordinance.

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

ATTEST:

APPROVED:

---

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

---

John Cosgrove  
Mayor

Introduced: February 16, 2016

Adopted:

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

March 22, 2016

**RESOLUTION NO. 135-2016**

By

Seconded by

**BE IT RESOLVED** that Ordinance No. 2380-2016 entitled:

**AN ORDINANCE TO PROVIDE FOR A CERTAIN CAPITAL IMPROVEMENT IN THE BOROUGH OF FAIR LAWN AND TO PROVIDE FOR THE RECEIPT, ACCEPTANCE AND DEPOSIT OF FUNDS FROM THE COUNTY OF BERGEN, DEPARTMENT OF ADMINISTRATION AND FINANCE DIVISION OF COMMUNITY DEVELOPMENT THEREFORE (SENIOR CENTER ROOM DIVIDER)**

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. 2380-2016**

**AN ORDINANCE TO PROVIDE FOR A CERTAIN CAPITAL IMPROVEMENT IN THE BOROUGH OF FAIR LAWN AND TO PROVIDE FOR THE RECEIPT, ACCEPTANCE AND DEPOSIT OF FUNDS FROM THE COUNTY OF BERGEN, DEPARTMENT OF ADMINISTRATION AND FINANCE DIVISION OF COMMUNITY DEVELOPMENT THEREFORE (SENIOR CENTER ROOM DIVIDER)**

**WHEREAS**, the Borough of Fair Lawn has been approved to receive funds from the County of Bergen, Department of Administration and Finance Division of Community Development Block Grant;

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

**SECTION 1.** The Borough of Fair Lawn in the County of Bergen, shall proceed with the following improvements at the cost following the items hereinafter set forth.

**Senior Center Room Divider     \$ 21,400**  
Contract Number CN-06-15  
Account Number 21-213-746-124-40-69

**SECTION 2.** The cost of completing said improvement set forth in Section 1 shall be paid by the Borough out of funds to be received specifically for said purpose in the amount of \$21,400 through the County of Bergen Community Development Block Grant Program.

**SECTION 3.** It is hereby determined and stated:

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

(b) It is not necessary to finance said purpose by the issuance of obligations by the Borough of Fair Lawn pursuant to the Local Bond Law is not increased by this ordinance and no obligations in the matter of notes or bonds are authorized by the his ordinance.

**SECTION 4.** It is hereby determined and stated that no supplemental debt statement is required to be made and signed in connection with said purpose, since the gross debt of the Municipality as defined under the Local Bond Law is not increased by this ordinance and no obligations in the matter of notes or bonds are authorized by this ordinance.

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

Attest:

Approved:

---

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

---

John Cosgrove  
Mayor

Introduced: February 16, 2016  
Adopted:

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

March 22, 2016

**RESOLUTION NO. 136-2016**

By

Seconded by

**BE IT RESOLVED** that Ordinance No. 2381-2016 entitled:

**AN ORDINANCE TO AMEND ORDINANCE NO. 1687-97 ENTITLED "AN ORDINANCE CREATING THE RIVER ROAD SPECIAL IMPROVEMENT DISTRICT WITHIN THE BOROUGH OF FAIR LAWN AND DESIGNATING A DISTRICT MANAGEMENT CORPORATION", AMENDING SCHEDULE A**

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. 2381-2016**

**AN ORDINANCE TO AMEND ORDINANCE NO. 1687-97 ENTITLED "AN ORDINANCE CREATING THE RIVER ROAD SPECIAL IMPROVEMENT DISTRICT WITHIN THE BOROUGH OF FAIR LAWN AND DESIGNATING A DISTRICT MANAGEMENT CORPORATION", AMENDING SCHEDULE A**

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

**SECTION 1.** Schedule A is hereby amended as follows:

Delete the property known as Block 5723, Lot 7 located at 17-10 River Road, #3A and owned by the Jewish Historical Society as an assessable property and add said property as an exempt property.

Delete the property known as Block 5723, Lot 7 located at 17-10 River Road, #3E and owned by the Jewish Historical Society as an assessable property and add said property as an exempt property.

**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: February 16, 2016  
Adopted:

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

March 22, 2016

**RESOLUTION NO. 137-2016**

By

Seconded by

**BE IT RESOLVED** that Ordinance No. 2382-2016 entitled:

**AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 13 ENTITLED  
"FIRE DEPARTMENT" BY ADDING ARTICLE XIX "ENTITLED REFLECTIVE  
SYMBOL ON STRUCTURES USING ENGINEERED LUMBER"**

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. 2382-2016**

**AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 13 ENTITLED  
"FIRE DEPARTMENT" BY ADDING ARTICLE XIX ENTITLED "REFLECTIVE  
SYMBOL ON STRUCTURES USING ENGINEERED LUMBER"**

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

**SECTION 1.** Chapter 13. Fire Department is hereby amended as follows:

Add:

Article XIX  
**Reflective Symbol on Structures Using Engineered Lumber**

§ 13-80. Title.

This article shall be cited "Reflective Symbol on Structures Using Engineered Lumber."

§ 13-81. Definitions.

As used in this section, the following terms shall have the meanings indicated:

**ENGINEERED LUMBER** - Prefabricated I-joists, truss joists, truss rafters and laminated beams and studs.

**REFLECTIVE SYMBOL** - An emblem made of reflective material, in the shape and form designed by the Fair Lawn Fire Department, containing information identifying a structure as containing engineered lumber.

**STRUCTURE** - A combination of materials to form a construction for occupancy, use or ornamentation, whether installed on, above or below the surface of a parcel of land.

§13-82. Reflective Symbol Required.

The Borough Construction Official shall determine if a structure contains engineered lumber. All structures containing engineered lumber must have a reflective symbol affixed to an electrical meter serving the structure. The reflective symbol shall be applied by the Construction Official or designee and shall be a condition of the issuance of a UCC Certificate of Occupancy.

§13-83. Design of Symbol.

The reflective symbol shall be in the form designed by the Fair Lawn Fire Department and will contain lettering to identify the location of any engineered lumber in the structure. The following letters, of a size and color to make them conspicuous, shall be printed on the emblem: "F" to signify a floor with truss construction; "R" to signify a roof with truss construction; or "F/R" to signify both a floor and roof with truss construction.

§13-84. Applicability.

This section shall apply to all residential one and two family structures, including structures existing at the time of the effective date of this section.

§13-85. Enforcement.

This section shall be enforced by the Fire Prevention Official of the Borough of Fair Lawn.

§13-86. Violations and Penalties.

Any person violating this section by refusing to use the reflective symbol or by removing or tampering with the reflective symbol shall be subject to a fine in an amount of twenty-five (\$25.00) dollars per violation. Each day that a violation continues shall be deemed to be a separate and distinct offense.

ATTEST:

APPROVED:

---

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

---

John Cosgrove, Mayor

Introduced: February 16, 2016

Adopted:

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

March 22, 2016

**CONSENT AGENDA 5-2016**

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. #138-2016 – Approval of Minutes:
  - Regular Meeting 1/26/16
  - Budget Meeting 2/2/16
  - Work Session 2/9/16
  - Closed Session 2/9/16
  - Regular Meeting 2/16/16
- b. Resol. #139-2016 – Transfer of Funds
- c. Resol. #140-2016 – Interlocal Agreement - Bergen County Law Enforcement Mutual Aid
- d. Resol. #141-2016 – Change Order #1 – 2245 Installation of Emergency Generators at Various Emergency Services Facilities
- e. Resol. #142-2016 - Authorizing Issuance of Requests for Proposals for Private Collection Agency of Municipal Court Debt
- f. Resol. #143-2016 – Refund of Overpayment of Taxes
- g. Resol. #144-2016 – Cancel & Refund Year 2016 Property Tax Due to Property Tax Classification Change from Taxable to Exempt
- h. Resol. #145-2016 - Cancel Year 2016 Property Tax Due to Property Tax Classification Change from Taxable to Exempt
- i. Resol. #146-2016 - Authorizing Licensing of Massage Establishment License: Sunshine Spa of Fair Lawn Inc.

- j. Resol. #147-2016 - Award of Bid: Project 2256 Scada System Maintenance and Improvements
- k. Resol. #148-2016 - Authorizing Execution of Memorandum of Understanding for Public Health Case Management for Childhood Lead Poisoning
- l. Resol. #149-2016 - Authorizing Procurement of the Concession Stand of Memorial Pool by Informal Quotes
- m. Resol. #150-2016 - Appointment to the Green Team Advisory Committee
- n. Resol. #151-2016 - Professional Services: Animal Control Services
- o. Resol. #152-2016 - Amending the Fair Lawn Affordable Housing Project Agreement
- p. Resol. #153-2016 - Appointments to the Zoning Board of Adjustment
- q. Resol. #154-2016 - Flood Planning Program Report
- r. Resol. #155-2016 - Tax Appeal Settlement: Health Resources of Fair Lawn, LLC - 12-15 Saddle River Road
- s. Resol. #156-2016 - Tax Appeal Settlement: Robert & Helen Rubinstein - 15-31 Landzettel Way
- t. Resol. #157-2016 - Tax Appeal Settlement: Thomas Sartoga - 14-16 Broadway
- u. Resol. #158-2016 - Tax Appeal Settlement: V. Stillman/McDonald's Real Estate - 37-01 Broadway
- v. Resol. #159-2016 - Tax Appeal Settlement: Pollitt Realty, LLC - 15-01 Pollitt Drive, Unit 9
- w. Resol. #160-2016 - Award of Bid: Project #2205 Fair Lawn Avenue Improvements (Various Intersections)
- x. Resol. #161-2016 - Confirmation of Fire Board Actions

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

March 22, 2016

**RESOLUTION NO. 138-2016**

By

Seconded by

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

Regular Meeting 1/26/16  
Budget Meeting 2/2/16  
Work Session 2/9/16  
Closed Session 2/9/16  
Regular Meeting 2/16/16

are hereby approved.

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

March 22, 2016

**RESOLUTION NO. 139-2016**

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 Budget Reserves, as per list attached, and are hereby approved by the Mayor and Council.

<b>2015 Municipal Budget</b>	<b>TO</b>	<b>FROM</b>
Ambulance - Other Expenses	5,000	
Liability Self Insurance Trust	250,000	
Workers Comp Self Insurance Trust	300,000	
Buildings & Grounds - Other Expenses	6,000	
Library Other Expenses	76,000	
Snow Emergency Trust	85,000	
Terminal Leave Reserve	120,000	
Utilities - Natural Gas	10,000	
Insurance - Liability		95,500
Insurance - Workers Comp		145,500
Library - Salaries and Wages		67,000
Legal Services		35,000
Finance - Salaries & Wages		5,000
Finance - Other Expenses		5,000
Group Insurance		150,000
Insurance		100,000
Buildings & Grounds - Salaries & Wages		4,000
Sewer - Salaries & Wages		30,000
Shade Tree - Salaries & Wages		20,000
Gasoline		85,000
Social Security		85,000
Social Services - Salaries and Wages		15,000
Community Services		10,000
<b>2015 Utility Budget</b>	<b>TO</b>	<b>FROM</b>
Water Accounting - Other Expenses	5,000	
Liability Self Insurance Trust	65,000	
Workers Comp Self Insurance Trust	70,000	
Group Insurance	25,000	
Terminal Leave Reserve	33,500	
Insurance Workers Comp		70,000
Insurance Liability		20,000
Water Distribution Other Expenses		5,000
Water Purchases		39,000
Telephone		8,000
Electricity		15,000
Gasoline		8,000
Salaries & Wage Adjustment		33,500

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

March 22, 2016

**RESOLUTION NO. 140-2016**

By

Seconded by

**WHEREAS**, the Police Departments in Bergen County have a day to day responsibility to provide for the security of lives and property, for the maintenance and preservation of the public peace and order, and

**WHEREAS**, Law Enforcement Officials also have a responsibility to provide for preparedness against natural emergencies, such as floods, hurricanes, earthquakes, major storms, etc., man-made causes, civil unrest, and civil disobedience such as riot, strikes, jail or prison riots, train wrecks, aircraft crashes, major fires, ethnic disorders, riots, terrorist incidents and bombings, state and national emergencies, and

**WHEREAS**, the Bergen County Police Chief's Association has proposed a Mutual Aid Plan and Rapid Deployment Force to deal with these emergencies, and

**WHEREAS**, this Plan is adopted in accordance with the provisions of N.J.S.A. 40A:14-156, N.J.S.A. 40A:14-156.1, N.J.S.A. 40A:14-156.4 and N.J.S.A. App. A:9-40.6, and

**WHEREAS**, this Plan will provide a uniform procedure for the coordination of the requesting, dispatching, and utilization of law enforcement personnel and equipment whenever a local law enforcement agency requires mutual aid assistance from any other jurisdiction, both contiguous and non-contiguous, in the event of an emergency, riot or disorder, in order to protect life and property, and

**WHEREAS**, it is also recognized that the Fair Lawn Chief of Police in accordance with the provisions of N.J.S.A. 40A:14-118 and under the authority of the Bergen County Prosecutor, has the authority to assign officers to a Task Force, Rapid Deployment Team, or Regional SWAT Team operated in conjunction with the Bergen County Prosecutor's Office, and

**WHEREAS**, it is the desire of the Mayor and Council of the Borough of Fair Lawn to participate in a Mutual Aid Plan and Rapid Deployment Force in accordance with the Plan as submitted by the Bergen County Police Chief's Association.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Fair Lawn that the Police Department of the Borough of Fair Lawn, under the direction of the Chief of Police, cooperate with the Bergen County Police Chief's Association to create an Interlocal Services Agreement with all municipalities in the County of Bergen in order to put into place the Mutual Aid Plan and Rapid Deployment Force, and

**BE IT FURTHER RESOLVED** that a copy of the Resolution be forwarded to the County Executive, the Board of Chosen Freeholders, the County Prosecutor, and all municipalities in the County of Bergen.

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

March 22, 2016

**RESOLUTION NO. 141-2016**

By

Seconded by

**WHEREAS**, there is an existing contract between the Borough of Fair Lawn and Innovative Electrical Contracting, Inc. for Project #2245 Installation of Emergency Generators at Various Emergency Services Facilities; 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.

**CHANGE ORDER**

**Project:** #2245 Installation of Emergency Generators at various Emergency Services Facilities **Number:** # 1  
**Date:** 2/12/2016  
**Contractor:** Inovative Electrical Contracting Inc.

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:** **ATS Required to be upgraded at Fire Company # 3 to meet full electrical load of building**

Item No.	Description	Unit	Bill	As Bill	Change	Unit Price	Amount
1	Fair Lawn Ambulance Corps	LS	1.00	1.00	0.00	30,762.00	0.00
2	Fair Lawn Rescue Squad	LS	1.00	1.00	0.00	26,912.00	0.00
3	Fair Lawn Fire Co. No. 1	LS	1.00	1.00	0.00	31,206.00	0.00
4	Fair Lawn Fire Co. No. 2	LS	1.00	1.00	0.00	31,799.00	0.00
5	Fair Lawn Fire Co. No. 3	LS	1.00	1.00	0.00	26,912.00	0.00
6	Fair Lawn Fire Co. No. 4	LS	1.00	1.00	0.00	23,673.00	0.00
7	Fair Lawn Emergency Mgt.	LS	1.00	1.00	0.00	27,648.00	0.00
1S	Upgrade ATS @ Fire Company # 3	LS	0.00	1.00	1.00	1,995.00	1,995.00

Amount of Original Contract:	<u>\$198,912.00</u>	Extra:	_____
Adjusted Amount		Supplemental:	<u>\$1,995.00</u>
Based on Change Orders: 1, , ,	<u>\$200,907.00</u>	Reduction:	_____
% Change In Contract:	<u>1.0</u>	Total Change:	<u>\$1,995.00</u>

**Approved:**

\_\_\_\_\_  
 Kenneth R. Garrison Jr.  
 (Borough Engineer)

(Date)

\_\_\_\_\_  
 (Contractor) (Date)

\_\_\_\_\_  
 James VanKruiningen  
 (Acting Borough Manager)

(Date)

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

March 22, 2016

**RESOLUTION NO. 142-2016**

By  
Seconded by

**WHEREAS**, it has become necessary for the Borough of Fair Lawn (hereinafter the "Borough") to engage a professional Private Collection Agency of Municipal Court Debt and the Borough desires to appoint such professional by a "fair and open process" pursuant to N.J.S.A. 19:44A-20.1 et seq.

**WHEREAS**, a "fair and open process" constitutes the following: (1) public advertisement of a Request for Proposals (hereinafter the "RFP") with twenty (20) calendar days notice prior to the receipt of responses to the RFP; (2) award of contract under a process that provides for public solicitation of qualifications; (3) award of contract under publicly disclosed criteria established, in writing, by the Administrative Office of the Courts prior to the solicitation of qualifications; and (4) the municipality shall publicly open and announce the qualifications when awarded; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Fair Lawn, County of Bergen and State of New Jersey that requests for RFPs for Private Collection Agency of Municipal Court Debt for the Borough and its agencies are hereby authorized.

**BE IT FURTHER RESOLVED**, that the RFPs for the professional services as set forth herein above shall be prepared and published in accordance with N.J.S.A. 40A-20.7 et seq. and all such RFPs shall be evaluated on the basis of the most advantageous RFP, all factors considered, including, but not limited to: (1) experience and reputation in the profession; (2) knowledge of the subject matter to be addressed under contract; (3) availability to accommodate any required meetings of the Borough; (4) price proposal; (5) and any other factors if demonstrated to be in the best interest of the Borough.

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

March 22, 2016

**RESOLUTION NO. 143-2016**

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>
5622	44	Mario Lepore 2-02 Fair Lawn Avenue Fair Lawn, New Jersey 07410	\$1,037.93

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

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

March 22, 2016

**RESOLUTION NO. 144-2016**

By  
Seconded by

**WHEREAS**, the Tax Collector has requested permission from the Borough Council to cancel and refund property taxes due to change in classification from taxable to tax exempt 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 cancel 1st and 2nd quarter year 2016 and refund the 1st quarter 2016 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>
5723	7	Jewish Historical Society	\$268.99
Qualifier C003E		17-10 River Road, Suite 3E Fair Lawn, New Jersey 07410	
(Cancel 2016 1st & 2nd quarter taxes due to change in classification)			
5723	7	Jewish Historical Society	\$134.00
Qualifier C003E		17-10 River Road, Suite 3E Fair Lawn, New Jersey 07410	
(Refund 1st quarter taxes due to change in classification)			
5723	7	Jewish Historical Society	\$4,084.00
Qualifier C003A		17-10 River Road, Suite 3A Fair Lawn, New Jersey 07410	
(Cancel 2016 1st & 2nd quarter taxes due to change in classification)			
5723	7	Jewish Historical Society	\$2,042.00
Qualifier C003A		17-10 River Road, Suite 3A Fair Lawn, New Jersey 07410	
(Refund 1st quarter taxes due to change in classification)			

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

March 22, 2016

**RESOLUTION NO. 145-2016**

By

Seconded by

**WHEREAS**, the Tax Collector has requested permission from the Borough Council to cancel property taxes due to change in classification from taxable to tax exempt in accordance with the directive of the Director of Local Government Services; and

**WHEREAS**, the Borough of Fair Lawn, Tax Collector Office billed year 2016 property taxes.

**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 cancel year 2016 to the following as listed;

<u>Block</u>	<u>Lot</u>	<u>Name</u>	<u>Amount</u>
3709 Qualifier C518C	1	Vantage Health System 25-18 High Street Apt C	\$ 2,821.01
3721 Qualifier C312B	1	Vantage Health System 23-12 Howard Avenue Apt B	2,821.99
3721 Qualifier C312C	1	Vantage Health System 23-12 Howard Avenue Apt C	2,821.99
1507	22	The Church of Nutley 9-02 Saddle River Road	18,900.00

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

March 22, 2016

**RESOLUTION NO. 146-2016**

By

Seconded by

**WHEREAS**, Sunshine Spa of Fair Lawn, Inc. located at 4-06 Fair Lawn Avenue, 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 and the application for a massagist 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

March 22, 2016

**RESOLUTION NO. 147-2016**

By

Seconded by

**WHEREAS**, bids were received for Scada System Maintenance by the Municipal Clerk / Deputy Manager on March 8, 2016; and

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

**WHEREAS**, Advantech Corporation located at 20 Just Road, Suite 120, Fairfield, New Jersey 07004 is the lowest responsible bidder for Year 1 and Year 2 Lump Sum On-Site Maintenance in the amount of \$12,528.00, Year 1 and Year 2 Additional Work In-Shop Per Day in the amount of \$1,000.00 and Year 1 and Year 2 Additional Work On-Site Per Day in the amount of \$1,200.00;

**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 Advantech Corporation 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

March 22, 2016

**RESOLUTION NO. 148-2016**

By

Seconded by

**WHEREAS**, the New Jersey Department of Health requires that local health departments have a Memorandum of Understanding (MOU) with a regional site for public health nurse case management for childhood lead poisoning; and

**WHEREAS**, the nearest regional site to the Borough of Fair Lawn is the City of Paterson Health Department;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Fair Lawn that the Borough enter into a Memorandum of Understanding (MOU) with the City of Paterson Health Department for a period of July 1, 2015 to June 30, 2016; and

**BE IT FURTHER RESOLVED** that the Mayor and Health Officer be authorized to execute said Memorandum of Understand (MOU).

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

March 22, 2016

**RESOLUTION NO. 149-2016**

By

Seconded by

**WHEREAS**, the Borough of Fair Lawn desires to award the concession at the Memorial Pool through informal quotes as permitted by N.J.A.C. 5:34-9.4 Local Public Contracts; and

**WHEREAS**, pursuant to said statute the Borough of Fair Lawn is required to do several things prior to commencing procurement for said concession; and

**WHEREAS**, the Borough Attorney has provided an opinion that the Borough of Fair Lawn may legally procure said concession through informal quotes; and

**WHEREAS**, the Borough of Fair Lawn wishes to fulfill the public need to provide food and beverages for summer camp enrollees, pool members and those attending community events; and

**WHEREAS**, the concession to be awarded will provide food and beverages throughout the pool season, mid-June through Labor Day at Memorial Pool; and

**WHEREAS**, the Borough of Fair Lawn has carefully considered the benefits and risks prior to make a determination to award the concession determining that the benefits to the residents outweighs the risks considering that the concessionaire is required to supply insurance and take full responsibility of the concession based on a license agreement; and

**WHEREAS**, it is not possible to estimate the value of the concession since the revenue received by the Borough as well as the Concessionaire's revenue will vary year to year as a result of weather conditions, pool membership and camp enrollment; and

**WHEREAS**, the award of the concession will be based on the most advantageous price as well as providing the public with the most reliable and

well managed food and beverage concession. Past experience with the concessionaire will also be taken into consideration. Award will be made to the highest responsible concessionaire; and

**WHEREAS**, the contracting unit will furnish the picnic tables for usage in accordance with the license agreement; and

**WHEREAS**, procurement of the concession will be completed through the process of informal quotes as the estimated revenue for the concession is estimated below the bid threshold of \$17,500.

**NOW THEREFORE, BE IT RESOLVED**, by the Mayor and Council that the Borough Manager is hereby authorized and directed to proceed with the procurement of the concession services for Memorial Pool through the informal quotes pursuant to the statute.

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

March 22, 2016

**RESOLUTION NO. 150-2016**

By

Seconded by

**WHEREAS**, pursuant to Resolution No. 268-2009 the Mayor and Council established the Green Team Advisory Committee;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Fair Lawn that the following person be appointed and shall have his term terminate on December 31, 2016:

Michael Ciolino  
6-17 Essex Place

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

March 22, 2016

**RESOLUTION NO. 151-2016**

By  
Seconded by

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

**WHEREAS**, a proposal for professional animal control services for from April 15, 2016 through April 15, 2018 has been submitted by Tyco Animal Control Service having an office located at 1 Stout Lane, Ho-Ho-Kus, New Jersey 07423;

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

1. That upon recommendation of the Borough Manager and Health Officer that said services are necessary, a contract be awarded to Tyco Animal Control Service, to provide Animal Control Services for the Borough of Fair Lawn, in accordance with its proposal for professional animal control services aforesaid, which services are to be billed in monthly installments totaling the sum of \$42,000.00 and all charges for said ancillary services shall be submitted to the Mayor and Council for approval prior to the commencement of said work.
2. The term of the contract shall be from April 15, 2016 and expiring on April 15, 2018.
3. No additional services shall be rendered for which the Contractor shall seek additional payment without written authorization by the Borough pursuant to law.
4. The Mayor and Municipal Clerk are hereby authorized to execute an Agreement with Tyco Animal Control Service, 1 Stout Lane, Ho-Ho-Kus, New Jersey 07423, provided all statutory requirements are met.

5. A notice of this resolution shall be published in The Record as required by law.

**BE IT FURTHER RESOLVED** that Tyco Animal Control Service have complied with the Business Entity Disclosure Certification for non-fair and open contracts required pursuant to N.J.S.A. 19:44A-20-8;

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

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

March 22, 2016

**RESOLUTION NO. 152-2016**

By  
Seconded by

**WHEREAS**, the Borough and Fair Lawn Senior Housing, L.P. (hereafter "FLSH") did enter into that certain Agreement for Development of Senior Housing (the "Agreement") effective January 7, 2013 for the development of senior affordable housing on a portion of the former Hadco/Kem property, commonly known as 18-25 River Road (the "Property"); and

**WHEREAS**, the Agreement was approved under Resolution Number 56-2013 by the Borough and the Agreement designated Fair Lawn Senior Housing, L.P. as the Developer (the "Developer") for the construction of a 64 rental unit development to provide senior affordable housing, (the "Project"); and

**WHEREAS**, the Agreement was amended on June 30, 2015 by the adoption of Resolution No. 314-2015; and

**WHEREAS**, the Agreement needs to be amended to permit the Developer FLSH to change its name and status from an Urban Renewal Entity to a regular limited partnership if it becomes advantageous or necessary to change the LTTE to a tax exemption under the NJHMFA provisions of the Fair Housing Act; and

**WHEREAS**, the term of the Agreement and the financing contingency needs to be extended for three years, to expire after three successive applications to NHJMGFA in addition to the prior applications, thereby extending these sections of the Agreement through December 2018; and

**WHEREAS**, the Agreement needs to be amended to permit FLSH to expand the Project from 64 units to 85 units, 84 of which will remain as single bedroom senior units with some units depending on funding requirements for special needs residents and one two bedroom superintendent apartment to make the project more competitive in the tax credit process and more attractive to investors and will be done without increasing the building height

and actually results in a decrease in square footage of the building foot print;  
and

**WHEREAS**, additional parking will be added to accommodate the additional units, maintaining the unit parking needs totally on the site.

**NOW, THEREFORE BE IT RESOLVED** that the recitals above and the defined terms shall be deemed an integral part of this Resolution; and

**BE IT FURTHER RESOLVED**, that the proposed Third Amendment to the Agreement for Development of Senior Housing, (the "Amendment") in the form on file in the office of the Municipal Clerk, subject to such revisions and modifications as Counsel of the Borough in his discretion may deem necessary or desirable and which shall be subject to his approval be approved; and

**BE IT FURTHER RESOLVED that** the Mayor be authorized to execute the Amendment and the Municipal Clerk/Deputy Manager be authorized to affix the Seal of the Borough of Fair Lawn and attest thereto.

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

March 22, 2016

**RESOLUTION NO. 153-2016**

By  
Seconded by

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

<u>NAME AND ADDRESS</u>	<u>TERM COMMENCES</u>	<u>TERM EXPIRES</u>
Avi Naveh 32-02 Norwood Drive Alternate I	3/22/16	12/31/16*
Mark Zharnest 5-21 2nd Street Alternate II	3/22/16	12/31/17*
Joshua Reinitz 4-04 River Road Alternate III	3/22/16	12/31/17*

Aye   Nay   Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

March 22, 2016

**RESOLUTION NO. 154-2016**

By

Seconded by

**WHEREAS**, the Borough of Fair Lawn entered into a shared service agreement with the Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund ("County Trust Fund"), for technical assistance involving Floodplain Protection planning; and

**WHEREAS**, these services were made available through The Land Conservancy of New Jersey and the Rutgers Cooperative Extension Water Resources Program on a shared services contract basis at no cost to the Borough of Fair Lawn; and

**WHEREAS**, the Land Conservancy of New Jersey developed a confidential Flood Planning Program Report for the Borough of Fair Lawn which documents and maps past flooding events and identifies areas in the greatest need of assistance; and

**WHEREAS**, the Flood Planning Program Report was presented to the Mayor and Council on February 9, 2016 and finalized on February 24, 2016.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Fair Lawn hereby accepts the Borough of Fair Lawn Flood Planning Program Report dated February 24, 2016.

**BE IT FURTHER RESOLVED** that a certified copy of this resolution shall be forwarded to Adam Strobel, Division Director, County of Bergen, Division of Open Space, One Bergen County Plaza, Hackensack, New Jersey, 07601 and Barbara Heskins Davis, The Land Conservancy of New Jersey, 19 Boonton, New Jersey 07005.

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

March 22, 2016

**RESOLUTION NO. 155-2016**

By

Seconded by

**WHEREAS**, Health Resources of Fair Lawn, LLC filed real property tax appeals for the years 2014 and 2015 (Docket Nos. 000673-2014 & 002100-2015); and

**WHEREAS**, the real property assessments for the subject premises, located at 12-15 Saddle River Road (Lot 3 in Block 1604 on the Tax Assessment Map of the Borough of Fair Lawn) for the years 2014 and 2015 were as follows:

Land:	\$ 6,355,500
Improvements:	<u>\$ 4,109,500</u>
Total:	\$10,465,000

and;

**WHEREAS**, as part of the settlement agreement the 2014 matter will be withdrawn, and the 2015 tax appeal may be settled by reduction of the aforesaid assessments as follows:

Land:	\$5,390,500
Improvements:	<u>\$4,109,500</u>
Total:	\$9,500,000

and;

**WHEREAS**, as an integral part of the settlement agreement the 2016 assessments were reduced to a total of \$8,500,000; and

**WHEREAS**, the aforesaid settlement is consistent with the Borough's review of applicable property values for the subject property and comparable properties; and

**WHEREAS**, the settlement results in an approximate total tax refund for tax years 2014 and 2015 in the amount of \$29,702.70, of which will be made payable to the plaintiff's attorney in this matter upon issuance of the judgments; and

**WHEREAS**, the Mayor and Council have been advised by the Borough's Tax Assessor and by the Borough Attorney that said settlement is in the Borough's best interest.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Fair Lawn that said settlement be and the same is hereby approved; and

**BE IT FURTHER RESOLVED** that the Borough Attorney of the Borough of Fair Lawn be and is hereby authorized to take all steps necessary to effect said settlement; and

**BE IT FURTHER RESOLVED** that the Borough Tax Collector is hereby authorized to issue a refund in the amount of \$29,702.70 upon issuance of the judgments; and

**BE IT FURTHER RESOLVED** that all actions taken by the Borough Attorney and Borough Tax Collector in effecting said settlement be and they are hereby ratified and confirmed.

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

March 22, 2016

**RESOLUTION NO. 156-2016**

By

Seconded by

**WHEREAS**, Robert & Helen Rubenstein filed a real property tax appeal for the year 2011 (Docket No. 017977-2011); and

**WHEREAS**, the real property assessments for the subject premises, located at 15-31 Landzettel Way (Lot 66 in Block 1702 on the Tax Assessment Map of the Borough of Fair Lawn) for the year 2011 were as follows:

Land:	\$299,900
Improvements:	<u>\$350,100</u>
Total:	\$650,000

and;

**WHEREAS**, the 2011 tax appeal may be settled by reduction of the aforesaid assessments as follows:

Land:	\$299,900
Improvements:	<u>\$310,100</u>
Total:	\$610,000

and;

**WHEREAS**, the aforesaid settlement is consistent with the Borough's review of applicable property values for the subject property and comparable properties; and

**WHEREAS**, the settlement results in an approximate total tax refund for tax year 2011 in the amount of \$934.80, of which will be made payable to the plaintiff's attorney in this matter upon issuance of the judgment; and

**WHEREAS**, the Mayor and Council have been advised by the Borough's Tax Assessor and by the Borough Attorney that said settlement is in the Borough's best interest.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Fair Lawn that said settlement be and the same is hereby approved; and

**BE IT FURTHER RESOLVED** that the Borough Attorney of the Borough of Fair Lawn be and is hereby authorized to take all steps necessary to effect said settlement; and

**BE IT FURTHER RESOLVED** that the Borough Tax Collector is hereby authorized to issue a refund in the amount of \$934.80 upon issuance of the judgment; and

**BE IT FURTHER RESOLVED** that all actions taken by the Borough Attorney and Borough Tax Collector in effecting said settlement be and they are hereby ratified and confirmed.

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

March 22, 2016

**RESOLUTION NO. 157-2016**

By

Seconded by

**WHEREAS**, Thomas Sartoga filed real property tax appeals for the years 2012 through 2014 (Docket Nos. 018241-2012, 017645-2013 & 015388-2014); and

**WHEREAS**, the real property assessments for the subject premises, located at 14-16 River Road (Lot 9 in Block 5721 on the Tax Assessment Map of the Borough of Fair Lawn) for the years 2012 through 2014 were as follows:

Land:	\$237,500
Improvements:	<u>\$ 84,500</u>
Total:	\$322,000

and;

**WHEREAS**, as part of the settlement agreement the 2012 through 2014 tax appeals may be settled by reduction of the aforesaid assessments as follows:

Land:	\$237,500
Improvements:	<u>\$ 62,500</u>
Total:	\$300,000

and;

**WHEREAS**, as an integral part of the settlement agreement the 2015 assessments were reduced to a total of \$275,000; and

**WHEREAS**, the aforesaid settlement is consistent with the Borough's review of applicable property values for the subject property and comparable properties; and

**WHEREAS**, the settlement results in an approximate total tax refund for tax years 2012 through 2014 in the amount of \$2,044.24, of which will be made payable to the plaintiff's attorney in this matter upon issuance of the judgments; and

**WHEREAS**, the Mayor and Council have been advised by the Borough's Tax Assessor and by the Borough Attorney that said settlement is in the Borough's best interest.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Fair Lawn that said settlement be and the same is hereby approved; and

**BE IT FURTHER RESOLVED** that the Borough Attorney of the Borough of Fair Lawn be and is hereby authorized to take all steps necessary to effect said settlement; and

**BE IT FURTHER RESOLVED** that the Borough Tax Collector is hereby authorized to issue a refund in the amount of \$2,044.24 upon issuance of the judgments; and

**BE IT FURTHER RESOLVED** that all actions taken by the Borough Attorney and Borough Tax Collector in effecting said settlement be and they are hereby ratified and confirmed.

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

March 22, 2016

**RESOLUTION NO. 158-2016**

By

Seconded by

**WHEREAS**, V. Stillman Trust/McDonald's Real Estate filed real property tax appeals for the years 2010 through 2015 (Docket Nos. 001938-2010, 001086-2011, 010453-2012, 000056-2013, 003502-2014 & 000280-2015); and

**WHEREAS**, the real property assessments for the subject premises, located at 37-01 Broadway (Lots 10 & 11 in Block 2320 on the Tax Assessment Map of the Borough of Fair Lawn) for the years 2010 and 2011 were as follows:

Land:	\$1,202,600
Improvements:	<u>\$ 297,400</u>
Total:	\$1,500,000

and;

**WHEREAS**, for 2012 through 2014 the real property assessments were as follows:

Land:	\$1,095,000
Improvements:	<u>\$ 364,700</u>
Total:	\$1,459,700

and;

**WHEREAS**, as part of the settlement agreement the 2010, 2011 and 2012 matters will be withdrawn, and the 2013 and 2014 tax appeals may be settled by reduction of the aforesaid assessments as follows:

Land:	\$1,082,200
Improvements:	<u>\$ 317,800</u>
Total:	\$1,400,000

and;

**WHEREAS**, as an integral part of the settlement agreement the 2015 assessments were reduced to a total of \$1,350,000 and so the appeal was filed to affirm the agreement; and

**WHEREAS**, the aforesaid settlement is consistent with the Borough's review of applicable property values for the subject property and comparable properties; and

**WHEREAS**, the settlement results in an approximate total tax refund for tax years 2010 through 2015 in the amount of \$3,683.49, of which will be made payable to the plaintiff's attorney in this matter upon issuance of the judgments; and

**WHEREAS**, the Mayor and Council have been advised by the Borough's Tax Assessor and by the Borough Attorney that said settlement is in the Borough's best interest.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Fair Lawn that said settlement be and the same is hereby approved; and

**BE IT FURTHER RESOLVED** that the Borough Attorney of the Borough of Fair Lawn be and is hereby authorized to take all steps necessary to effect said settlement; and

**BE IT FURTHER RESOLVED** that the Borough Tax Collector is hereby authorized to issue a refund in the amount of \$3,683.49 upon issuance of the judgments; and

**BE IT FURTHER RESOLVED** that all actions taken by the Borough Attorney and Borough Tax Collector in effecting said settlement be and they are hereby ratified and confirmed.

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

March 22, 2016

**RESOLUTION NO. 159-2016**

By

Seconded by

**WHEREAS**, Pollitt Realty, LLC filed a real property tax appeal for the year 2015 (Docket No. 011721-2015); and

**WHEREAS**, the real property assessments for the subject premises, located at 15-01 Pollitt Drive, Unit 9 (Lot 3 in Block 4802 Qualifier C0009 on the Tax Assessment Map of the Borough of Fair Lawn) for the year 2015 were as follows:

Land:	\$ 384,900
Improvements:	<u>\$ 765,100</u>
Total:	\$1,150,000

and;

**WHEREAS**, the 2015 tax appeal may be settled by reduction of the aforesaid assessments as follows:

Land:	\$384,900
Improvements:	<u>\$577,400</u>
Total:	\$962,300

and;

**WHEREAS**, the aforesaid settlement is consistent with the Borough's review of applicable property values for the subject property and comparable properties; and

**WHEREAS**, the settlement results in an approximate total tax refund for tax year 2015 in the amount of \$5,777.41, of which will be made payable to the plaintiff's attorney in this matter upon issuance of the judgment; and

**WHEREAS**, the Mayor and Council have been advised by the Borough's Tax Assessor and by the Borough Attorney that said settlement is in the Borough's best interest.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Fair Lawn that said settlement be and the same is hereby approved; and

**BE IT FURTHER RESOLVED** that the Borough Attorney of the Borough of Fair Lawn be and is hereby authorized to take all steps necessary to effect said settlement; and

**BE IT FURTHER RESOLVED** that the Borough Tax Collector is hereby authorized to issue a refund in the amount of \$5,777.41 upon issuance of the judgment; and

**BE IT FURTHER RESOLVED** that all actions taken by the Borough Attorney and Borough Tax Collector in effecting said settlement be and they are hereby ratified and confirmed.

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

March 22, 2016

**RESOLUTION NO. 160-2016**

By

Seconded by

**WHEREAS**, bids were received for Project #2203 Fair Lawn Avenue Improvements (Various Intersections) by the Municipal Clerk/Deputy Manager on March 1, 2016; and

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

**WHEREAS**, Covino Construction Company, Inc. having an office located at 39 North Drive, Rochelle Park, New Jersey 07662 is the lowest responsible bidder in the amount of \$368,146.00;

**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 Covino Construction Company, Inc. subject to NJ DOT approval and 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

March 22, 2016

**RESOLUTION NO. 161-2016**

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:

**Resignation:**

Eric Reamy  
5-27 Essex Place  
Co. 1

Brad Lieberman  
31-09 Heywood Drive  
Co. 4

**Applications:**

David Knopf  
14-13 Willow Street  
Co. 3

Aye Nay Abstain

Dunay  
Lefkowitz  
Peluso  
Swain  
Cosgrove

March 22, 2016

**RESOLUTION NO. 162-2016**

By

Seconded by

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

Budget Meeting 1/19/16

are hereby approved